

**HAYWARD SUCCESSOR AGENCY OVERSIGHT BOARD  
SPECIAL MEETING  
JUNE 7, 2012  
777 B STREET  
CONFERENCE ROOM 2A  
4:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

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**PUBLIC COMMENTS:***(The Public Comment section provides an opportunity to address the Oversight Board on items not listed on the agenda. The Board welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the Board or are within the jurisdiction of the Board. As the Board is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.)*

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1. Approval of May 21, 2012 Meeting Notes
2. Approval of Oversight Board Bylaws  
*Staff Report  
Resolution*
3. Discussion of Options for Oversight Board Legal Counsel(Oral Report)
4. Review of State Controller Asset Transfer Worksheet  
*Staff Report*
5. Update on Second Recognized Obligation Payment Schedule (ROPS) for July – December 2012  
*Staff Report*
6. Update on Litigation Related to ABx1 26 (Oral Report)  
*Attachments*
7. Future Meeting Dates and Agenda Items  
July 9 at 3:30 pm

**BOARD MEMBER/STAFF ANNOUNCEMENTS AND REFERRALS**

**ADJOURNMENT**

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**NEXT MEETING – JULY 9, 2012 AT 3:30 P.M.**

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*Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the Assistant City Manager at (510) 583-4300 or TDD (510) 247-3340.*

**HAYWARD SUCCESSOR AGENCY  
OVERSIGHT BOARD  
May 21, 2012**

**SUMMARY NOTES**

**BOARD MEMBERS PRESENT:** Michael Sweeney, Jesus Armas, Terri Swartz, Sean Brooks; Mark Salinas

**BOARD MEMBERS ABSENT:** Nate Miley

**STAFF:** Fran David, City Manager; Kelly Morariu, Assistant City Manager; Michael Lawson, City Attorney; Stacey Bristow, Neighborhood Partnership Manager; Colleen Kamai, Senior Secretary

**PUBLIC:** Rafael Yaquian, Goldfarb Lipman Attorneys; Heather Gould, Goldfarb Lipman Attorneys; Ruben Briones, Alameda County

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**Call Meeting to Order:** Meeting called to order at 4:09 p.m.

**Roll Call:** Those in attendance introduced themselves. Board members signed in.

**Pledge of Allegiance:** Those in attendance cited the Pledge of Allegiance.

**Public Comments:** There were no public comments.

**Approval of April 9, 2012 Meeting Notes:** It was **motioned/seconded** (Armas/Brooks) to approve the meeting notes of April 9, 2012. **APPROVED** 5:0 (absent 1, vacancy 1)

**Approval of Oversight Board Bylaws, Regular Annual Meeting Dates and Designation of Official Contact Person:**

Assistant City Manager, Kelly Morariu provided a brief outline of each item and answered board member questions.

Board Member Swartz recommended, and the Board agreed, to remove Kelly's name from the section of the Resolution and recommended just naming the Assistant City Manager classification as the contact person, regardless of the person holding that classification.

**Bylaws:** There was no action taken, pending revisions of several sections (representation, absences, closed session, meetings, notice of resignation).

**Regular Annual Meeting Dates & Designation of Official Contact Person:** It was **motioned/seconded** (Armas/Swartz) to approve the regular meeting dates as the first Thursday of every October and the first Thursday of every April, and to designate the

Assistant City Manager to act as the contact person. **APPROVED** 5:0 (absent 1, vacancy 1)

**Approval of: 1) Modified Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the Period January 1 - June 30, 2012; 2) Re-entry by City and Successor Agency into Repayment Agreement; and 3) the Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the Period July 1 - December 31, 2012:**

Modified Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the Period January 1 - June 30, 2012: Kelly Morariu reported that the ROPS for period January through June was modified in response to the DOF letter of dispute on several items. Ms. Morariu reviewed the modifications and answered board member questions – it was noted that Board Member Armas recused himself during explanation of line items 29, 30, 37 and 38 due to a conflict of interest.

It was **motioned/seconded** (Armas/Salinas) and passed unanimously to adopt the Resolution approving the Modified Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the period June 1 through June 30, 2012, excluding line items 29, 30, 37 and 38 noting a conflict of interest for Board Member Jesus Armas. **APPROVED** 5:0 (absent 1, vacancy 1)

It was further **motioned/seconded** (Swartz/Salinas) and passed by majority vote to adopt the Resolution approving line items 29, 30, 37 and 38 of Modified Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the period June 1 through June 30, 2012, noting Board Member Armas' abstention. **APPROVED** 4:0:1 (absent 1, vacancy 1)

Re-entry by City and Successor Agency into Repayment Agreement: Ms. Morariu provided a background on the Repayment Agreement, the process of approving the item, and answered board member questions.

After discussion, it was **motioned/seconded** (Sweeney/Brooks) and passed unanimously to adopt the Resolution approving re-entry by the Successor Agency into the Repayment Agreement. **APPROVED** 5:0 (absent 1, vacancy 1)

Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the Period July 1 - December 31, 2012: Ms. Morariu outlined the ROPS for period July through December 2012 and answered board member questions.

It was **motioned/seconded** (Armas/Brooks) and passed unanimously to adopt the Resolution approving the Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the Period July 1 through December 31, 2012 excluding line items 32, 33, 37, and 38 noting a conflict of interest for Board Member Jesus Armas. **APPROVED** 5:0 (absent 1, vacancy 1)

It was further **motioned/seconded** (Salinas/Brooks) and passed by majority vote to adopt the Resolution approving line items 32, 33, 37, and 38 of the Recognized Obligation Payment Schedule and Successor Agency Administrative Budget for the Period of July 1 through December 31, 2012, noting Board Member Armas' abstention. **APPROVED** 4:0:1 (absent 1, vacancy 1)

**Future Meeting Dates and Potential Agenda Items:**

Future Meeting Dates: The Board agreed to meet on June 7, 2012, and July 9, 2012.

Future Agenda Items: Approval of revised bylaws; Update on Agency Asset Transfers; Legal Counsel Discussion

**Board Members/Staff Announcements and Referrals:**

Board Member Armas reported that he attended a workshop on April 23 presented by Fiscal Crisis and Management Assistance Team (FCMAT). Mr. Armas commented on the various approaches taken by other counties, and more specifically the approach taken by Community College Districts, taking it upon themselves to lead the charge to protect the financial impacts to public education institutions.

**Adjournment:** The meeting adjourned at 5:10pm.

**DATE:** June 7, 2012  
**TO:** Chair and Members of Oversight Board  
**FROM:** Assistant City Manager  
**SUBJECT:** Approval of Oversight Board Bylaws

**RECOMMENDATION**

That the Oversight Board adopts the attached resolution (Attachment I) approving bylaws for the Oversight Board.

**BACKGROUND AND DISCUSSION**

The California State Legislature enacted Assembly Bill x1 26 (the “Dissolution Act”) to dissolve redevelopment agencies formed under the Community Redevelopment Law in June of 2011. The California Supreme Court in its decision in *California Redevelopment Association v. Matosantos*, issued December 29, 2011, declared the Dissolution Act to be constitutional. Under the Dissolution Act, all California redevelopment agencies were dissolved effective February 1, 2012, and various actions are now required by successor agencies to unwind the affairs of all former redevelopment agencies.

At the May 21, 2012 meeting, the Oversight Board reviewed the draft bylaws, made several changes and requested that staff bring the bylaws back to the Board for further consideration. Attachment II presents a redline version of the draft bylaws for the Board’s consideration. Substantive modifications have been made to the following sections of the bylaws: Article I, Section 6 (Resignation); Article III, Section 4 (All Meetings to be Open and Public); Article III, Section 9 (Unexcused Absences); and Article IV (Representation Before Public Bodies). In addition, the Board asked for clarification regarding the position of secretary to the Board. As outlined in Article I, Section 8 (Staff), “...the City Manager shall designate a staff member to act as secretary at the meetings of the Oversight Board.”

Implementation Actions: The accompanying resolution authorizes and directs the City Manager to take all steps on behalf of the Successor Agency to implement upcoming requirements under the Dissolution Act, including providing necessary notices, transmittals, and postings regarding this administrative action.

**ECONOMIC AND FISCAL IMPACT**

Approval of this administrative action will allow the Oversight Board to effectively function and will facilitate the continued payment of the Successor Agency’s enforceable obligations.

*Prepared and Recommended by:* Kelly McAadoo Morariu, Assistant City Manager

Approved by:



Fran David, City Manager

Attachments:

Attachment I:	Resolution Regarding Approval of Board Bylaws
Attachment II:	Revised Draft Bylaws

HAYWARD SUCCESSOR AGENCY OVERSIGHT BOARD

RESOLUTION 2012-\_\_

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD APPROVING THE BYLAWS FOR THE OVERSIGHT BOARD

WHEREAS, the California state legislature enacted Assembly Bill x1 26 (the "Dissolution Act") to dissolve redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.); and

WHEREAS, under the Dissolution Act and the December 29, 2011 California Supreme Court's decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency of the City of Hayward (the "Dissolved RDA"), were dissolved on February 1, 2012; and

WHEREAS, on January 24, 2012 and pursuant to Health and Safety Code Section 34173, the City Council of the City of Hayward (the "City Council") adopted a resolution accepting for the City of Hayward, a charter city (the "City"), the role of successor agency to the Dissolved RDA (the "Successor Agency"); and

WHEREAS, the Oversight Board to the Successor Agency, formed pursuant to the requirements set forth in Health and Safety Code Section 34179 (the "Oversight Board") desires to adopt bylaws to outline the basic composition, officers, duties, membership, and meeting requirements of the Oversight Board, in the form attached to this Resolution as Exhibit A, incorporated herein by this reference;

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board hereby adopts the Bylaws of the Oversight Board attached to this Resolution as Exhibit A, which outline the basic composition, officers, duties, membership, and meeting requirements of the Oversight Board.

BE IT FURTHER RESOLVED that the Oversight Board authorizes and directs the Successor Agency staff to take all actions necessary under the Dissolution Act to notify the State Department of Finance of the actions taken pursuant to this Resolution, including providing the information set forth in Health and Safety Code Section 34179(h), and to take any other administrative actions necessary to ensure the validity of the actions taken hereunder.

BE IT FURTHER RESOLVED that this Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

HAYWARD, CALIFORNIA, June 7, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

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Chair of the Oversight Board to the Successor  
Agency of the City of Hayward

Exhibit A

[Insert Bylaws]

**BYLAWS**

**OVERSIGHT BOARD**

**FOR THE  
OVERSIGHT BOARD OF THE CITY OF HAYWARD**

**ARTICLE I - THE OVERSIGHT BOARD**

**Section 1. Name of Oversight Board**

The name of the Oversight Board shall be the "Oversight Board for the City of Hayward Successor Agency" ("Oversight Board").

**Section 2. Membership/Duration**

a. **Total Membership/Appointment**

The total membership of the Oversight Board shall be seven (7), selected as follows or as may be amended by any amendments to Health and Safety Codes Section 34179:

- (1) One member shall be appointed by the Board of Supervisors of the County of Alameda;
- (2) One member shall be appointed by the Mayor of the City of Hayward;
- (3) One member shall be appointed by the largest, by property tax share, special district (as defined in Revenue and Taxation Code Section 95) with territory in the territorial jurisdiction of the former Redevelopment Agency of the City of Hayward;
- (4) One member, to represent schools, shall be appointed by the elected County of Alameda Superintendent of Education or, if the County Superintendent is appointed, then this member shall be appointed by the County of Alameda Board of Education;
- (5) One member shall be appointed by the Chancellor of the California Community Colleges to represent community college districts in the City of Hayward;
- (6) One member shall be a member of the public appointed by the Board of Supervisors of the County of Alameda; and

- (7) One member, to represent the employees of the former Hayward Redevelopment Agency, shall be appointed by the Mayor of the City of Hayward from the recognized employee organization representing the largest number of former Hayward Redevelopment Agency employees employed by the Hayward Successor Agency at the time of appointment.

The Governor may appoint individuals to fill any member position identified herein that has not been filled by May 15, 2012. Following its initial formation, the Oversight Board shall report the names of its officers and other members to DOF.

The members shall serve without compensation and without reimbursement for expenses. Each member shall serve at the pleasure of the entity that appointed such member.

b. Duration

The Oversight Board shall be and remain established until the sooner of (1) the date that all indebtedness of the former Hayward Redevelopment Agency has been repaid, or (2) July 1, 2016, at which time the Oversight Board shall be dissolved and replaced by a single oversight board for all successor agencies within the County of Alameda.

**Section 3. Local Entity**

Pursuant to subdivision (e) of Section 34179 of the Health and Safety Code, the Oversight Board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974.

**Section 4. Personal Immunity**

Oversight Board members shall have personal immunity from suit for their actions taken within the scope of their responsibilities as members of the Oversight Board.

**Section 5. Fiduciary Responsibilities**

Oversight Board members shall have fiduciary responsibilities to holders of enforceable obligations, as that term is defined in subdivision (d) of Section 34171 of the Health and Safety Code, and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of the Health and Safety Code.

**Section 6. Resignation**

Any Oversight Board member may resign at any time by giving written notice to the Chairperson, ~~who~~. The Chairperson shall forward such notice to [all members of the Oversight Board], the Successor Agency and to DOF, the DOF, and to the entity identified in Health and Safety Code Section 34179 that appointed the resigning member of the Oversight Board. Any

such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

**Section 7. Filling of Vacancies**

In the event of a vacancy on the Oversight Board, the appointing entity for the vacant seat shall select a member to fill such vacancy as soon as reasonably practicable, provided, however, that the Governor may appoint individuals to fill any member position that remains vacant for more than sixty (60) days.

**Section 8. Staff**

The Oversight Board may direct the staff of the Successor Agency, through the City Manager or his/her designee, to perform work in furtherance of the duties and responsibilities of the Oversight Board. The Successor Agency shall pay for all of the costs of the meetings of the Oversight Board and may include those costs in the administrative budget of the Successor Agency. The Successor Agency shall keep the records of the Oversight Board, and the City Manager shall designate a staff member to act as ~~secretary~~Secretary at the meetings of the Oversight Board. The ~~secretary~~Secretary shall prepare agendas and minutes of meetings of the Oversight Board, shall keep a record of the meetings in a journal of proceedings of the Oversight Board, and shall attest to and/or countersign all documents of the Oversight Board.

**ARTICLE II - OFFICERS**

**Section 1. Officers**

The officers of the Oversight Board shall consist of a Chairperson and a Vice Chairperson, who shall be elected in the manner set forth in this Article II.

**Section 2. Chairperson**

The Chairperson shall preside at all meetings of the Oversight Board, and shall submit such agenda, recommendations and information at such meetings as are reasonable and proper for the conduct of the business affairs and policies of the Oversight Board. The Chairperson shall sign all documents necessary to carry out the business of the Oversight Board.

**Section 3. Vice Chairperson**

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation or removal of the Chairperson, the Vice Chairperson shall assume the Chairperson's duties until such time as the Oversight Board shall elect a new Chairperson.

**Section 4. Secretary**

The Secretary shall have no vote and shall not be deemed to be a member of the Oversight Board. The Secretary shall keep the records of the Oversight Board, shall act as Secretary at the meetings of the Oversight Board and record all votes, shall keep a record of the proceedings to be kept for such purposes, and shall perform all duties incident to the office of the Secretary. In addition, the Secretary shall file the notices required in the manner directed by the Board and consistent with any requirement of law as to the timing, content and manner of distribution of a particular type of notice.

**Section 4.5. Additional Duties**

The officers of the Oversight Board shall perform such other duties and functions as may from time to time be required by the Oversight Board, these Bylaws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

**Section 5.6. Election**

The Chairperson and Vice Chairperson shall be elected from among the members of the Oversight Board at the first regular meeting of the Oversight Board. Thereafter, the Chairperson and Vice Chairperson shall be elected from among the members of the Oversight Board at a regular meeting of the Oversight Board. Each officer shall hold office for a term of one year following his/her election and until his/her successor is elected and in office. Any such officer shall not be prohibited from succeeding himself or herself, but no person shall be elected as an officer for more than two consecutive terms.

**Section 6.7. Vacancies**

Should the office of the Chairperson or Vice Chairperson become vacant, the Oversight Board shall elect a successor from among the Oversight Board members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

**ARTICLE III - MEETINGS**

**Section 1. Regular Meetings**

The Oversight Board shall meet regularly on the ~~{date/day (e.g., second and fourth Thursday)}~~ of each month, at the hour of \_\_\_\_\_ p.m., at ~~[insert room]~~ first Thursday in October and the First Thursday in April, annually, at City Hall, Hayward, California, or at such other locations as the Oversight Board may designate by resolution or in the notice of call of any special meeting. In the event that the regular meeting date shall be a legal holiday, then any such regular meeting shall be held on the next business day thereafter ensuing that is not a legal holiday. A notice, agenda and other necessary documents shall be delivered to the members, personally or by mail, or electronic mail, at least seventy-two (72) hours prior to the meeting.

## **Section 2. Special Meetings**

Special meetings ~~[for the purpose of transacting any business ]~~specified in the call and notice for the meeting may be held upon ~~the call of the Chairperson, or an affirmative vote by chair~~ or a majority of the members of the Oversight Board ~~present at a regular or special meeting of the Oversight Board at which a quorum is present, {for the purpose of transacting any business } designated in the call, after notification of {all members of the Oversight Board} by written notice personally delivered or~~ Notice of the meeting shall be written and delivered personally, by mail, or by electronic mail addressed to each Oversight Board member at least twenty-four (24) hours before the time specified notice for a special meeting. At such special meeting, no business other than that designated in the call shall be considered.

## **Section 3. Adjourned Meetings**

Any meeting of the Oversight Board may be adjourned to an adjourned meeting without the need for notice requirements of a special meeting, provided the adjournment indicates the date, time and place of the adjourned meeting. Oversight Board members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the adjourned meeting.

## **Section 4. All Meetings to be Open and Public**

All meetings of the Oversight Board shall be open and public ~~to the extent required by law pursuant to the Ralph M. Brown Act ("Brown Act"), Sections 54950 through 54962 of the Government Code, as amended.~~ All persons shall be permitted to attend any such meetings, except as otherwise provided by law. The Oversight Board may hold closed session meetings in accordance with the Brown Act.

## **Section 5. Posting Agendas/Notices**

The ~~secretary~~Secretary, or his/her authorized representative, shall post an agenda for each regular Oversight Board meeting or a notice for each special Oversight Board meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at City Hall, Hayward, California (a location readily accessible to the public) at least seventy-two (72) hours in advance of each regular meeting and at least twenty-four (24) hours in advance of each special meeting.

All notices required by law for proposed actions by the Oversight Board shall also be posted on the Successor Agency's internet web site or the Oversight Board's internet web site, if one exists.

## **Section 6. Right of Public to Appear and Speak**

At every regular meeting, members of the public shall have an opportunity to address the Oversight Board on matters within the Oversight Board subject matter jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment; provided, however, that the Oversight Board may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda.

The Chairperson may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker.

#### **Section 7. Non-Agenda Items**

Matters brought before the Oversight Board at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by the Oversight Board at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Gov. Code §54950 et seq.). Those non-agenda items brought before the Oversight Board which the Oversight Board determines will require Oversight Board consideration and action and where Oversight Board action at that meeting is not so authorized shall be placed on the agenda for the next regular meeting.

#### **Section 8. Quorum**

The powers of the Oversight Board shall be vested in the members thereof in office from time to time. A majority of the total membership of the Oversight Board shall constitute a quorum for the purpose of conducting the business of the Oversight Board, exercising its powers and for all other purposes, but less than that number may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the total membership of the Oversight Board shall be required for approval of any questions brought before the Oversight Board.

#### **Section 9. Unexcused Absences**

If a member shall be absent from three (3) ~~meetings, whether regular or special, within six~~ (6) consecutive ~~calendar months, meetings~~ such absence shall result in ~~the request for~~ termination of the membership of the absenting member. The Chairperson shall send written notice, to the entity identified in Health and Safety Code Section 34179 that appointed the absenting member, requesting said entity to consider appointing a replacement member to serve on the Oversight Board. A member's absence shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chairperson of his or her intent to be absent and the reasons therefor; provided, however, that a member shall be entitled to only two (2) excused absences within twelve (12) consecutive calendar months. At each meeting, after the roll has been called, the Chairperson shall report to the Oversight Board the name of any member who has so notified him or her of his or her intent to be absent and the reason for such absence.

#### **Section 10. Order of Business**

All business and matters before the Oversight Board shall be transacted in conformance with Robert's Rules of Order.

**Section 11. Minutes**

Minutes of the meetings of the Oversight Board shall be prepared in writing by the ~~secretary~~Secretary. Copies of the minutes of each Oversight Board meeting shall be made available to each member of the Oversight Board and the Successor Agency. Approved minutes shall be filed in the official book of minutes of the Oversight Board.

**ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES**

Any official representations on behalf of the Oversight Board before the Successor Agency, the Alameda County Auditor-Controller, the State Controller, DOF, or any other public body shall be made by the ~~City Manager~~Chairperson of the Oversight Board, or the Chairperson's designee.

**ARTICLE V - AMENDMENTS**

These Bylaws may be amended upon an affirmative vote by a majority of the total membership of the Oversight Board, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the Oversight Board. Notice of the amendment shall identify the section or sections of these Bylaws proposed to be amended. The Successor Agency shall be notified of any amendments to these Bylaws.

**DATE:** June 7, 2012  
**TO:** Chair and Members of Oversight Board  
**FROM:** Assistant City Manager  
**SUBJECT:** Review of State Controller Asset Transfer Worksheet

**RECOMMENDATION**

This is an informational item only and the Oversight Board is not being asked to take any action related to the attached Asset Transfer Worksheet (Attachment I).

**BACKGROUND AND DISCUSSION**

The California State Legislature enacted Assembly Bill x1 26 (the “Dissolution Act”) to dissolve redevelopment agencies formed under the Community Redevelopment Law in June of 2011. The California Supreme Court in its decision in *California Redevelopment Association v. Matosantos*, issued December 29, 2011, declared the Dissolution Act to be constitutional. Under the Dissolution Act, all California redevelopment agencies were dissolved effective February 1, 2012, and various actions are now required by successor agencies to unwind the affairs of all former redevelopment agencies. One of these actions is the disposition of the former Agency’s real property assets expeditiously and in a manner that maximizes value.

There has been no guidance yet as to the process that the Oversight Board and Successor Agency must take to dispose of said assets. On April 20, 2012, Successor Agency staff received a letter from the State Controller generically ordering the reversal of any asset transfers by former Redevelopment Agencies and the return of applicable assets to Successor Agencies. However, this letter did not provide any details on specific assets that were to be returned. Staff distributed a copy of this letter at the May 21, 2012 Oversight Board meeting.

In addition, on March 26, 2012, staff received a request from the State Controller to complete an Asset Transfer Worksheet (Attachment II). Staff prepared responses to this request and returned the worksheet (Attachment I) to the State Controller’s Office on April 17, 2012. There has been no further direct communication on this topic to date.

As staff receives further direction on the process for disposing of former Redevelopment Agency assets, we will return to the Oversight Board for consideration of an Asset Management and Disposition Plan.

**ECONOMIC AND FISCAL IMPACT**

The sale of former Redevelopment Agency assets as directed by ABx1 26 is intended to generate revenues that can be redistributed to taxing entities within the County. Staff has been working with the City's legislative delegation to request clarifications to the asset disposition requirements that would enable the City to time asset disposition so as to maximize value to the community and to the taxing entities.

*Prepared and Recommended by:* Kelly McAdoo Morariu, Assistant City Manager

Approved by:



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Fran David, City Manager

**Attachments:**

Attachment I:	State Controller Asset Transfer Worksheet
Attachment II:	Letter from State Controller regarding Asset Transfer Worksheet

Asset Transfer Assessment

Cover Page

Successor Agency City of Hayward  
Agency ID Number 139B0135800

Successor Agency Officer Certification:

TO STATE CONTROLLER, I hereby certify, to the best of my knowledge and belief, that the information reported on the asset transfer assessment is accurate, accounted for, and fully disclosed.

Successor Agency Officer:

[Handwritten Signature]

Signature

Assistant City Manager

Title

Kelly Morarin

Name (Printed)

510-583-4305 4/17/2012

Telephone No. Date

**STATE CONTROLLER'S OFFICE  
ASSET TRANSFER ASSESSMENT  
ASSEMBLY BILL X1 26**

FORMER REDEVELOPMENT AGENCY NAME Hayward Redevelopment Agency  
 SUCCESSOR AGENCY City of Hayward  
 CONTACT NAME Kelly Morariu PHONE 510-583-4305 TITLE Assistant City Manager

11-DIGIT ID # 13980135800  
 DATE PREPARED 12-Apr-12  
 E-MAIL ADDRESS kelly.morariu@hayward-ca.gov

A Asset Description <sup>1</sup>	B Carrying Value as of		C If the asset was transferred to a city, county, or other public agency between January 1, 2011, and January 31, 2012 (exclude housing assets), complete the following.		D Was the asset contractually committed or encumbered to a third party after June 29, 2011?		E Was the transfer reversed?
	December 31, 2010	January 31, 2012	Transfer Date	Public Agency	Yes / No	If yes, list date	Yes / No
Land (APN 428-0061-039-01) - Muni Lot 2	\$ 2,196,142.00	\$ 2,127,919.00	3/11/2011	City of Hayward	No		No
Land (APN 428-0066-085) - Cinema Place			3/11/2011	City of Hayward	No		No
Land (APN 428-0066-086) - Cinema Place Pkng Structure	\$ 10,316,723.00	\$ 10,145,538.00	3/11/2011	City of Hayward	No		No
Land (APN 428-0071-049) - City Hall Pkng Structure			3/11/2011	City of Hayward	No		No
Land (APN 428-0071-050) - City Hall Pkng Structure	\$ 6,899,639.00	\$ 6,730,514.00	3/11/2011	City of Hayward	No		No
Land (APN 428-0071-018) - 22875 Mission Pkng Lot			3/11/2011	City of Hayward	No		No
Land (APN 428-0071-019) - 22875 Mission Pkng Lot	N/A	N/A	3/11/2011	City of Hayward	No		No
Land (APN 444-0033-018-01) - 24311 Mission (Vacant parcel)			3/11/2011	City of Hayward	No		No
Land (APN 444-013-019) - 24321 Mission (Vacant parcel)			3/11/2011	City of Hayward	No		No
Land (APN 444-0033-020) - 24331 Mission (Vacant parcel)	\$ 1,822,415.00	\$ 1,822,415.00	3/11/2011	City of Hayward	No		No
Land (APN 444-0033-023) - 24491 Mission (Vacant parcel)	\$ 1,660,616.00	\$ 1,660,616.00	3/11/2011	City of Hayward	No		No
Land (APN 427-0001-031-01) - 22852 Foothill (Vacant parcel)	Contaminated Site - no book value	Contaminated Site - no book value	3/11/2011	City of Hayward	No		No
Land (APN 415-0240-002) - 1154 Russell Way (Vacant parcel)			3/11/2011	City of Hayward	No		No
Land (APN 415-0240-003-02) - 1166 Russell Way (Vacant parcel)	\$ 212,000.00	\$ 212,000.00	3/11/2011	City of Hayward	No		No
Land (APN 431-0110-007) - Residual Burbank School site	\$ 5,870,000.00	\$ 5,870,000.00	3/11/2011	City of Hayward	No		No

Land (APN 428-0076-023-13) - City Hall park parcel	N/A	N/A	3/11/2011	City of Hayward	No	No
Land (APN 428-0076-027-09) - City Hall park parcel	N/A	N/A	3/11/2011	City of Hayward	No	No
Land (APN 428-0071-002) - City Hall park parcel	N/A	N/A	3/11/2011	City of Hayward	No	No
Land (APN 428-0071-003) - City Hall park parcel	N/A	N/A	3/11/2011	City of Hayward	No	No
Cash on hand (RDA)	\$ 2,595,723.80	\$ 4,132,039.04	1/31/2012	Hayward Successor Agency	No	No

Note 1: Pursuant to instructions on this worksheet, housing assets are not included.

**ASSET TRANSFER ASSESSMENT (continued) Page 2 of 2**

April 12, 2012

FORMER REDEVELOPMENT AGENCY NAME Hayward Redevelopment Agency

11-DIGIT ID # 13980135800

A Asset Description <sup>1</sup>	B Carrying Value as of		C If the assessment was transferred to a city, county, or other public agency between January 1, 2011, and January 31, 2012 (exclude housing assets), complete the following.		D Was the asset contractually committed or encumbered to a third party after June 29, 2011?		E Was the transfer reversed?
	December 31, 2010	January 31, 2012	Transfer Date	Public Agency	Yes / No	If yes, list date	Yes / No
Retail Attraction Loan Receivable - Bijou	\$ 146,294.30	\$ 133,991.96	1/31/2012	Hayward Successor Agency	No		No
Retail Attraction Loan Receivable - Yogurt Sugar Shack	\$ 36,912.50	\$ 36,912.50	1/31/2012	Hayward Successor Agency	No		No
Retail Attraction Loan Receivable - Golden Tea Garden	\$ 30,000.00	\$ 30,000.00	1/31/2012	Hayward Successor Agency	No		No
Retail Attraction Loan Receivable - Zuckersuss	\$ 38,378.96	\$ 50,000.00	1/31/2012	Hayward Successor Agency	No		No
Retail Attraction Loan Receivable - CW Foothill	\$ 100,000.00	\$ 100,000.00	1/31/2012	Hayward Successor Agency	No		No
Retail Attraction Loan Receivable - Montero's Market	\$ 100,000.00	\$ 100,000.00	1/31/2012	Hayward Successor Agency	No		No
Retail Attraction Loan Receivable - Kraski's Nutrition	\$ 37,000.00	\$ 37,000.00	1/31/2012	Hayward Successor Agency	No		No
Retail Attraction Loan Receivable - Starzz Mgmt Company	\$ 100,000.00	\$ 100,000.00	1/31/2012	Hayward Successor Agency	No		No
Retail Attraction Loan Receivable - Mega Trattoria	\$ 50,000.00	\$ 50,000.00	1/31/2012	Hayward Successor Agency	No		No
HUSD Receivable - Construction of Burbank School	\$ 29,347,733.51	\$ 28,386,180.02	1/31/2012	Hayward Successor Agency	No		No
HARD Receivable - Construction of Cannery Park	\$ 4,483,326.72	\$ 4,227,272.82	1/31/2012	Hayward Successor Agency	No		No
Cinema Place Hayward Receivable	\$ 275,624.00	\$ 275,624.00	1/31/2012	Hayward Successor Agency	No		No

Note 1: Pursuant to instructions on this worksheet, housing assets are not included.



**ALAMEDA COUNTY**  
**AUDITOR-CONTROLLER AGENCY**  
**PATRICK O'CONNELL**  
**AUDITOR-CONTROLLER/CLERK-RECORDER**

Attachment II

March 22, 2012

Kelly McAdoo Morariu  
City of Hayward  
777 B Street  
Hayward, CA 94541



Ms. Morariu,

Reference: State Controller Asset List request

At the request of the State Controller's Office (SCO), we are sending you the documentation required to provide the SCO with a listing of assets held by the former redevelopment agency as of December 31, 2010 and January 31, 2012. This request has been made pursuant to Health and Safety Code 34167.5.

The instructions and assessment form are included with this letter. The Asset Transfer Assessment forms can also be downloaded from the SCO website at: [WWW.SCO.CA.GOV](http://WWW.SCO.CA.GOV).

Please ensure that the form is completed and returned to the SCO no later than April 16, 2012. The completed forms can either be sent (see address below) or emailed to the SCO (preferred method) at: [RDA-SDsupport@sco.ca.gov](mailto:RDA-SDsupport@sco.ca.gov). Please enter "Asset Transfer Assessment Forms" in the subject line of your e-mail. Also copy our office in your response to the SCO using the e-mail address of your primary contact, either Diane Kloc ([diane.kloc@acgov.org](mailto:diane.kloc@acgov.org)) or Christina Wong ([christina.wong@acgov.org](mailto:christina.wong@acgov.org)).

If mailing your completed Asset Transfer Form, the address is:

State Controller's Office  
Division of Audits  
Local Government Bureau  
Attn: Steven Mar  
3301 C Street  
Sacramento, CA 95816

If you have any questions, please call Steven Mar at (916) 324-7226, Division of Audits, Local Government Bureau.

Sincerely,

Steve Manning  
Chief Deputy Auditor

Enclosures

**OFFICE OF THE AUDITOR-CONTROLLER**  
Steve Manning, Chief Deputy Auditor  
1221 Oak St., Rm. 249  
Oakland, CA 94612  
Tel: (510) 272-6565

**ASSISTANT CONTROLLER**  
Connie Land  
1221 Oak St., Rm. 238  
Oakland, CA 94612  
Tel: (510) 272-6565



**JOHN CHIANG**  
**California State Controller**  
Division of Audits

March 15, 2012

County Auditor-Controller:

This letter is to notify you that we are requesting that every redevelopment agency's successor agency complete and return the Asset Transfer Assessment form included with this letter. This assessment form will be used as part of the upcoming field review of your county's successor agencies to determine the value and status of all former RDA assets, as well as to identify improper asset transfers. Please send this assessment form to the appropriate successor agency representatives in your county as soon as possible since the form is due back to the State Controller's Office by **April 16, 2012**.

Pursuant to Health and Safety Code section 34167.5, the Controller is reviewing "the activities of redevelopment agencies in the state to determine whether an asset transfer has occurred after January 1, 2011, between the city or county, or city and county that created a redevelopment agency or any other public agency, and the redevelopment agency." The period to be reviewed will be between January 1, 2011 and January 31, 2012.

Additionally, if a city, county, or other public agency, directly or indirectly, received any ineligible assets from a redevelopment agency after January 1, 2011, it will be ordered to immediately reverse the transfer and return the applicable assets to the successor agency of the relevant redevelopment agency. This order applies in all situations except if the city, county, or other public agency has previously contractually committed to a third party for the expenditures or encumbrance of a specific asset. Such a commitment must be in place prior to June 29, 2011.

This order applies to all transferred assets, including, but not limited to, real and personal property, cash funds, accounts receivable, deeds of trust and mortgages, contract rights and any rights to payment of any kind. This order directly applies to economic development corporations, joint powers authorities, or other public agencies that received assets, directly or indirectly, from a redevelopment agency after January 1, 2011. Ineligible asset transfers must be reversed. If you have any question as to whether a particular asset must be returned, you should place such assets into a reserve pending our review and you should not engage in any attempt to encumber or expend such assets.

MAILING ADDRESS: P.O. Box 942850, Sacramento, CA 94250  
STREET ADDRESS: 3301 C Street, Suite 710, Sacramento, CA 95816

We have included the assessment forms and instructions/definitions. We request that the completed forms be returned to the State Controller's Office no later than **April 16, 2012** at the address below:

State Controller's Office  
Division of Audits  
Local Government Bureau  
Attn: Steven Mar  
3301 C Street  
Sacramento, CA 95816

If you have any questions, please call Steven Mar at (916) 324-7226, Division of Audits, Local Government Bureau.

Sincerely,

**JEFFREY V. BROWNFIELD**  
Chief, Division of Audits

## Definitions

**"Asset"** is any item of economic value owned by a redevelopment agency on December 31, 2010, especially that which could be converted to cash. Examples are cash, securities, accounts receivable, inventory, office equipment, real estate, and other property. Assets are classified into the following categories: current assets (cash and other liquid items), long-term assets (real estate, buildings, equipment), prepaid and deferred assets (expenditures for future costs such as insurance, rent, interest), and intangible assets (trademarks, patents, copyrights, goodwill).

**"Carrying Value"** or book value represents the purchase price (cost) less allowed depreciation.

**"Transfer of Assets"** column are any assets that the redevelopment agency transferred to the successor agency, the city, or any other public entity between the dates of January 1, 2011 and January 31, 2012. Forgiveness of a loan to a city, county, or other public agency would be considered a transfer.

## Instructions for Assessment

1) – Type in original redevelopment agency name and the unique 11-digit ID # for the agency that is provided on the State Controller's Financial Transactions Report for redevelopment agencies.

2) – Provide the contact information for the person preparing the report to include name, phone number, title, and email address.

**Column A** – List all redevelopment agency assets recorded on the books as of December 31, 2010 and January 31, 2012. **Note:** Please add lines on the form as necessary to include all the agency assets.

**Column B** – Include carrying values (book values) for all assets listed in Column A as of December 31, 2010 and January 31, 2012.

**Column C** – List any assets the redevelopment agency transferred between January 1, 2011 and January 31, 2012. Include the date the asset was transferred, and the city, county, or other public agency to whom the asset was transferred.

**Column D** – State yes or no whether any asset(s) were contractually committed or encumbered to a third party after June 29, 2011. If yes, include date of contract.

**Column E** – State yes or no whether any transferred asset(s) were reversed and sent back to the redevelopment agency.

**DATE:** June 7, 2012  
**TO:** Chair and Members of Oversight Board  
**FROM:** Assistant City Manager  
**SUBJECT:** Update on Second Recognized Obligation Payment Schedule (ROPS) for July – December 2012

**RECOMMENDATION**

This is an informational item only and the Oversight Board is not being asked to take any action regarding the Second ROPS for the period July – December 2012.

**BACKGROUND AND DISCUSSION**

On May 21, 2012, the Oversight Board approved the Second ROPS for the period July – December 2012. Staff then transmitted notice of this action to the State Department of Finance and the County Auditor-Controller. On May 25, staff received notice from the County Auditor-Controller’s Office that there would be insufficient funds in the Redevelopment Property Tax Trust Fund (RPTTF) as of June 1, 2012 to pay the obligations listed on the Second ROPS. Staff reviewed and updated the funding sources on the Second ROPS and provided the response in Attachment I to the County on May 29, 2012. Staff also recommended deferral of payment on a couple of items in order to make the cash flow work given the deficit identified.

**ECONOMIC AND FISCAL IMPACT**

The payment of obligations on the ROPS is legally required based on contracts and obligations of the former Redevelopment Agency. Fortunately, the Successor Agency can defer payments on some ROPS items until funds are available through the RPTTF for payment of these obligations. These obligations remain binding and due regardless of the County’s ability to fund them through the RPTTF.

*Prepared and Recommended by:* Kelly McAadoo Morariu, Assistant City Manager

Approved by:



Fran David, City Manager

**Attachments:**

**Attachment I:           Email communication and updated Second ROPS**

**Kelly Morariu**

---

**From:** Kelly Morariu  
**Sent:** Tuesday, May 29, 2012 11:21 AM  
**To:** Orth, Carol, Auditor Agency; Tracy Vesely; 'Hill, Chris'; 'smar@sco.ca.gov'; 'redevelopment\_administration@dof.ca.gov'; RDA-SDsupport@sco.ca.gov; 'SATaylor@sco.ca.gov'  
**Cc:** Guo, Jason, Auditor Agency; Wong, Christina, Auditor Agency; Manning, Steve, Auditor Agency  
**Subject:** RE: Hayward insufficient funds  
**Attachments:** final Hayward rops 5\_21 for July through Dec 2012 revised cash flow.xlsx

Carol-

I've attached an updated ROPS for the period July – December 2012 to address the deficit you've outlined. We actually calculated a deficit of \$2.18 million, which includes the items currently in dispute with the Dept of Finance. As we've mentioned previously, we would request that the disputed funds be held in reserve and not distributed to taxing entities until the disputes are resolved.

As we have not made any pass through payments for this fiscal year, we have cash on hand to make payments for some other items on our ROPS. We have modified the Source of Funding accordingly on the attached spreadsheet (identified with yellow highlights). In addition, we have recommended to defer payment on the items highlighted in green to make up the remaining deficit.

Please let me know if you have any further questions.

Thank you-  
 Kelly

Kelly McAdoo Morariu  
 Assistant City Manager  
 City of Hayward  
 777 B Street  
 Hayward, CA 94541  
 510-583-4305 office  
 510-583-3601 fax  
[Kelly.morariu@hayward-ca.gov](mailto:Kelly.morariu@hayward-ca.gov)

**From:** Orth, Carol, Auditor Agency [<mailto:carol.orth@acgov.org>]  
**Sent:** Friday, May 25, 2012 11:15 AM  
**To:** Kelly Morariu; Tracy Vesely; 'Hill, Chris'; 'smar@sco.ca.gov'; 'redevelopment\_administration@dof.ca.gov'; [RDA-SDsupport@sco.ca.gov](mailto:RDA-SDsupport@sco.ca.gov); 'SATaylor@sco.ca.gov'  
**Cc:** Guo, Jason, Auditor Agency; Wong, Christina, Auditor Agency; Manning, Steve, Auditor Agency  
**Subject:** FW: Hayward insufficient funds  
**Importance:** High

Kelly,

This is to inform you that there are insufficient funds in your Redevelopment Property Tax Trust Fund (RPTTF) to pay all obligations identified for the July -Dec 2012 period. These obligations include amounts listed on your ROPS, Pass-Throughs and Administrative Costs. We will reduce the Successor Agency Administration Costs

and if there are any pass-throughs subordinated to debt (if so, please advise the affected contracts and related language), those too will be reduced.

The current **deficit in your RPTTF** is approximately **\$1.3 million**. As an FYI, your current ROPS is greater than the entire property tax trust funds allocated to the City of Hayward before any deductions.

By cc of this e-mail, we are advising the DOF and SCO of this insufficiency of funds.

Please let me know what steps you intend to take to cover the \$1.3 million deficit no later than noon on Tuesday, May 29 with a cc to both the DOF and SCO. Please note the pass-through payments cover the entire fiscal year 2011-12 since you have advised us that your agency did not make any pass-through payments.

Thank you in advance for your prompt response.

Regards,  
Carol Orth, Division Chief  
510-272-6548

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE**  
 Per AB 26 - Section 34189 for Period July - December 2012

Project Name / Debt Obligation	Payee	Description	Source of Funding	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						Total <sup>1</sup>	
						Jul	Aug	Sep	Oct	Nov	Dec		
1) 2004 Tax Allocation Bonds	Wells Fargo	Bond issue to fund non-housing projects	Real Property Tax Trust Fund (RPTTF)	38,910,000.00	3,388,881.50		921,880.75						\$ 921,880.75
2) 2008 Tax Allocation Bonds	Wells Fargo	Bond issue to fund non-housing projects	RPTTF	11,720,000.00	636,340.00		278,170.00						\$ 278,170.00
3) Repayment Agreement with City of Hayward	City of Hayward	To fund start-up costs of Hayward Redevelopment Project Area	RPTTF	7,916,422.00	800,000.00	800,000.00							\$ 800,000.00
4) SERAF	Hayward Housing Authority	Loan for SERAF FY10 and FY11 payments	RPTTF	3,876,516.00	2,584,344.00	215,362.00	215,362.00	215,362.00	215,362.00	215,362.00	215,362.00		\$ 1,292,172.00
6) Contract for Restaurant Consulting	Five Star Restaurant	One-on-one restaurant re-staffing/retail attraction	TI Fund Balance	14,287.50	3,787.50	3,787.50							\$ 3,787.50
8) Foothill Facade Loans	Multitude Property Owners	Matching loan funds for property owners along Foothill Blvd for facade improvement program	TI Fund Balance	1,106,000.00	1,106,000.00	363,333.00	363,333.00	363,334.00					\$ 1,106,000.00
8a) Foothill Facade Loan Project Delivery Costs (Staff Costs/Legal Fees)	Successor Agency	Project Delivery Costs to Implement Foothill Facade Loan Project	RPTTF	24,432.00	24,432.00	4,072.00	4,072.00	4,072.00	4,072.00	4,072.00	4,072.00		\$ 24,432.00
10) Employee Leave Liability	Employees of Agency/ Liability Fund	Leave balance payoffs/liability fund deposit for employee leave costs	RPTTF	48,175.00	48,175.00	48,175.00							\$ 48,175.00
11) PERS Liability	Liability Fund	Liability Fund deposit for Agency employee PERS costs	RPTTF	636,235.40	636,235.40	0.00							\$ -
12) OPEB Liability	Liability Fund	Liability Fund deposit for Agency employee OPEB costs	RPTTF	177,227.20	177,227.20	0.00							\$ -
13) Agency Insurance costs	City of Hayward	Liability Insurance	RPTTF	54,042.00	54,042.00	4,603.50	4,603.50	4,603.50	4,603.50	4,603.50	4,603.50		\$ 27,021.00
16) Contract for Mission Blvd Specific Plan	Hill Almaraz, Inc./Luis Lopez Gregory	Consultant to prepare specific plan for Mission Blvd corridor	TI Fund Balance	211,649.44	182,412.80	15,201.00	15,201.00	15,201.00	15,201.00	15,201.00	15,201.00		\$ 81,206.00
22) Successor Agency Admin Allowance	City of Hayward	Per ABX1 26, to cover administrative costs of Successor Agency	RPTTF	250,000.00	250,000.00	20,833.33	20,833.33	20,833.33	20,833.33	20,833.33	20,833.33		\$ 126,000.00
23) Contract for Security Services	ABC Security Services	Security Patrol Services for Cinema Place garage	RPTTF	68,000.00	68,000.00	5,666.67	5,666.67	5,666.67	5,666.67	5,666.67	5,666.67		\$ 34,000.00
24) Contract for Security Alarm	ADT Security Services	Alarm Service for Cinema Place garage	RPTTF	2,100.00	2,100.00	175.00	175.00	175.00	175.00	175.00	175.00		\$ 1,050.00
25) Contract for Elevator Maint and Repair	Mitsubishi Electric	Cinema Place Elevator	RPTTF	7,000.00	7,000.00	583.33	583.33	583.33	583.33	583.33	583.33		\$ 3,500.00
26) Contract for Sweeping	Montgomery Sweeping Service	Cinema Place Garage Sweeping	RPTTF	12,000.00	12,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00		\$ 6,000.00
27) Utilities	PGE	Cinema Place Garage Utilities	RPTTF	28,000.00	28,000.00	2,333.33	2,333.33	2,333.33	2,333.33	2,333.33	2,333.33		\$ 14,000.00
28) Utilities	City of Hayward	Cinema Place Water Utilities	RPTTF	500.00	500.00	41.67	41.67	41.67	41.67	41.67	41.67		\$ 250.00
29) Contract for Env Remediation Work	AED'S Architecture & Planning	Burbank School Env Remediation Work	TI Fund Balance	6,804.54	6,804.54	5,604.54							\$ 6,804.54
30) Contract for Env Remediation Work	TRC	Burbank School Env Remediation Work	TI Fund Balance	20,000.00	17,628.87	5,208.96	5,208.96	5,208.96					\$ 15,828.87
34) Contract for Mural (Note 3)	Andrew-Kang-Keligh	Cinema Place Mural	TI Fund Balance	11,243.63	6,250.99	0.00							\$ -
37) Contract for Env Remediation	TRC	Residual Burbank Site - Removal Action Work	TI Fund Balance	72,882.77	72,882.77	24,294.26	24,294.26	24,294.26					\$ 72,882.77
38) Project Delivery Costs - Burbank Residual Site	City of Hayward (Successor Agency)	Finalize negotiation and execution of Purchase and Sale Agreement - staff project mgmt cost/legal fees	RPTTF	18,863.00	18,863.00	4,643.83	4,643.83	4,643.83	4,643.83	4,643.83	4,643.83		\$ 27,863.00
39) Property Disposition Costs - former Agency-held properties	City of Hayward (Successor Agency)	Staff project mgmt costs; legal fees; property mgmt costs; appraisal costs; other associated costs for property disposition	RPTTF	128,580.00	128,580.00	10,715.00	10,715.00	10,715.00	10,715.00	10,715.00	10,715.00		\$ 64,280.00
40) Contract for Env Remediation	AMEC Geomatrix Inc	Env Remediation - Cinema Place	TI Fund Balance	195,070.82	103,625.08	8,635.42	8,635.42	8,635.42	8,635.42	8,635.42	8,635.42		\$ 51,812.53
42) Contract for Financial Analysis	Kayser Marston	Financial Analysis	TI Fund Balance	20,000.00	7,200.82	2,573.61	2,573.61	2,573.61					\$ 7,200.82
46) Contract for Water Testing	SWRCB	Water testing at Cinema Place - monitoring of site	TI Fund Balance	4,998.94	4,998.94	4,998.94							\$ 4,998.94
<b>Totals - This Page</b>				\$ 62,676,131.14	\$ 10,388,090.60	\$ 1,553,138.35	\$ 1,801,841.20	\$ 895,176.81	\$ 283,766.09	\$ 283,766.09	\$ 283,766.09	\$ 283,766.09	\$ 5,031,454.73
<b>Grand total - All Pages</b>				\$ 62,676,131.14	\$ 10,388,090.60	\$ 1,553,138.35	\$ 1,801,841.20	\$ 895,176.81	\$ 283,766.09	\$ 283,766.09	\$ 283,766.09	\$ 283,766.09	\$ 5,031,454.73

Note 1: This total only reflects payments required between 7/1/2012 and 12/31/2012 and not the total outstanding obligation.  
 Note 2: Payment of these two line items deferred to future ROPS period.  
 Note 3: Contract finalized and final payment made in May 2012 - item removed from ROPS.

Updated: May 29, 2012

TI Fund Balance 1,352,541.98  
 RPTTF 2,804,913.75  
 RPTTF Available per County 3,704,837.00  
 RPTTF Gap 36,023.25