

DATE: April 15, 2013

TO: Chair and Members of Successor Agency Oversight Board

FROM: Assistant City Manager

SUBJECT: Approval of Modifications to Recognized Obligation Payment Schedule for the Period July Through December 2013

RECOMMENDATION

That the Oversight Board adopts the attached resolution (Attachment I) that approves modifications to the Recognized Obligation Payment Schedule (ROPS 13_4A) for the period July 1 – December 31, 2013 and authorizes staff to take other administrative actions and execute contracts and such other documents as are appropriate to effectuate the intent of the resolution and all actions necessary to effectuate associated requirements of the Dissolution Act and AB 1484.

BACKGROUND

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.

On June 27, 2012, as part of the state budget package, the California legislature passed AB 1484. As a budget trailer bill, AB 1484 became effective immediately upon signature by the Governor, which occurred that same day. The main objective of AB 1484 was to amend the 2011 Redevelopment Dissolution Act (AB1x 26) based on experience in implementing the Act at the state and local level during the past year. AB 1484 imposes significant new obligations on the successor agencies and oversight boards of dissolving redevelopment agencies, which staff has been implementing over the past nine months.

DISCUSSION

On March 1, 2013, the Oversight Board approved the initial ROPS 13_14A, which staff submitted to the Department of Finance (DOF) for approval. Staff did receive approval of this ROPS in its current form from DOF on April 14 (Attachment II). However, there have been some recent events that necessitate modifications to this ROPS. Traditionally, staff would take approval of the ROPS and any amendments to the City Council acting as the Successor Agency Board prior to bringing it

to the Oversight Board. However, this is not required under the Dissolution Act provisions and, due to timing issues, staff is bringing this request directly to the Oversight Board. The majority of these changes are the result of the completion of the DOF's review of the Housing Due Diligence Review, which was finalized last week.

The Oversight Board approved the Housing Due Diligence Review for submittal to DOF on January 25, 2013. Staff will discuss the results of the DOF review and the outcome of the Meet and Confer process in more detail as a later item on this meeting's agenda.

South Hayward BART project management expenses: The DOF disallowed two contracts for legal expenses and project management expenses related to the South Hayward BART transit oriented development project. DOF asserted that these agreements were entered into after the June 28, 2011 Dissolution Act date and therefore, did not justify the transfer of Housing funds to cover the expenses. However, the DOF has upheld the Eden loan for the South Hayward BART project as an enforceable obligation. The Dissolution Act allows for payment of project management expenses related to enforceable obligations if those expenses are included on a ROPS approved by the Oversight Board. As such, staff is requesting funds to cover the legal and project management expenses related to this loan agreement as well as authorization from the Oversight Board to re-enter into agreements with Goldfarb Lipman and John DeClercq to provide these services. The total not to exceed amount of John DeClercq's contract is \$170,000. This amount will cover all costs for the life of the contract and covers approximately two years of service provision. Staff is also requesting funding for legal services provided by Goldfarb Lipman over the past two years, totaling \$357,795, as well as funding to cover the next year of expenses, approximately \$70,000.

Tennyson Preservation Agreement: The City Council and Redevelopment Agency Board approved a loan to Eden Housing in 2009 to renovate the Tennyson Gardens apartments. As part of that approval, \$300,000 was set aside in a maintenance reserve to fund future capital maintenance items at the property. DOF upheld this loan and the funds spent to date for maintenance. However, the balance of the capital maintenance reserve must be requested when needed per the attached letter (Attachment II). In October 2012¹, the Housing Authority Board approved expenditure of the total \$300,000 balance and Eden Housing has been using this funding to cover legitimate repair expenses. The balance of these funds (\$126,482 plus interest) is needed immediately to reimburse Eden Housing for these expenses.

Cinema Place Maintenance Expenses: Pursuant to the Maintenance and Easement Agreement with the developer for the Cinema Place parking garage, the former Redevelopment Agency is responsible for certain maintenance expenses. The Successor Agency secured pressure washing services for the parking garage to abate odors emanating from the trash enclosure area several times per year and is requesting reimbursement through the ROPS process for this expense. The vendor is Webco Sweeping and the total expense is \$2,216.25, of which the Successor Agency is responsible for \$1,108.13. Staff requests Oversight Board approval to include this expense on the ROPS.

¹ Housing Authority Approval on pages 189-193: <http://www.hayward-ca.gov/CITY-GOVERNMENT/CITY-COUNCIL-MEETINGS/2012/CCA12PDF/cca102312full.pdf>

All of these modifications to the ROPS 13_14A are indicated on Attachment III. The County Auditor Controller has estimated that the amount of property tax funds available to the Successor Agency to pay enforceable obligations and to cover the Agency's administrative allowance for this period is \$5,032,795. There are sufficient funds available to cover the expenses identified in this report as well as the existing obligations listed on the ROPS.

Implementation Actions: The accompanying resolution authorizes and directs staff to take all administrative steps on behalf of the Successor Agency to implement upcoming requirements under the Dissolution Act and AB 1484, including providing necessary notices, transmittals, and postings regarding the ROPS and Successor Agency administrative budget. This includes re-entering agreements for the South Hayward BART project management expenses.

Environmental Review: The actions set forth in the recommended accompanying resolution, as summarized above, are exempt under Guideline 15378(b)(4) of the California Environmental Quality Act (CEQA) in that the actions do not constitute a "project," but instead are required to continue a governmental funding mechanism for enforceable obligations of the former Redevelopment Agency and to perform the statutorily mandated unwinding of the assets, liabilities, and functions of the former Redevelopment Agency pursuant to the Dissolution Act.

ECONOMIC AND FISCAL IMPACT

Approval of the ROPS 13_14A will facilitate the ability of the City as Successor Agency to continue payment of the enforceable obligations of the former Redevelopment Agency and is among the measures required to be taken to avoid triggering an event of default under any enforceable obligations. Approval of the Successor Agency administrative budget will facilitate the Successor Agency's receipt of the funds to which it is entitled under the Dissolution Act and AB 1484 to implement its administrative responsibilities.

NEXT STEPS

Following approval of the amended ROPS 13_14A, staff will submit this to the Department of Finance for approval.

Prepared and Recommended by: Kelly McAdoo, Assistant City Manager

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Oversight Board Resolution Regarding Amended ROPS 13_14A
Attachment II: Department of Finance (DOF) ROPS approval letter
Attachment III: Amended ROPS 13_14A

HAYWARD SUCCESSOR AGENCY OVERSIGHT BOARD

RESOLUTION 2013-__

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD APPROVING SPECIFIED AMENDMENTS TO THE APPROVED RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JULY THROUGH DECEMBER 2013

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, on January 24, 2012 and pursuant to Health and Safety Code Section 34173, the City Council of the City of Hayward (the “City Council”) declared that the City of Hayward, a charter city (the “City”), would act as successor agency (the “Successor Agency”) for the dissolved Redevelopment Agency of the City of Hayward (the “Dissolved RDA”) effective February 1, 2012; and

WHEREAS, on February 1, 2012, the RDA was dissolved pursuant to Health and Safety Code Section 34172; and

WHEREAS, the Dissolution Act provides for the appointment of an oversight board (the “Oversight Board”) with specific duties to approve certain Successor Agency actions pursuant to Health and Safety Code Section 34180 and to direct the Successor Agency in certain other actions pursuant to Health and Safety Code Section 34181; and

WHEREAS, pursuant to AB 1484 (“AB 1484”), enacted June 27, 2012 to amend various provisions of the Dissolution Act, the Successor Agency is now declared to be a separate legal entity from the City; and

WHEREAS, under the Dissolution Act, the Successor Agency must prepare a “Recognized Obligation Payment Schedule” (“ROPS”) that enumerates the enforceable obligations and expenses of the Successor Agency for specified six-month periods; and

WHEREAS on March 1, 2013, the Oversight Board approved the ROPS for the period July 1, 2013 through December 31, 2013 (the “Approved ROPS 13-14A”), all in accordance with the requirements of the Dissolution Act and AB 1484; and

WHEREAS, staff posted the Approved ROPS 13-14A on the Successor Agency's website, and transmitted the Approved ROPS 13-14A to the Auditor-Controller of the County of Alameda (the “Auditor-Controller”), to the Alameda County Administrator (the “County Administrator”) to the California State Controller (the “State Controller”), and to the California Department of Finance (the “DOF”); and

WHEREAS, Health and Safety Code Section 34177.3, added by AB 1484, authorizes the Successor Agency to create enforceable obligations to conduct the work of winding down the affairs of the Former Agency including hiring staff, professional administrative services and legal counsel; and

WHEREAS, Health and Safety Code Section 34177(a), authorizes the Successor Agency to create continue to make payments due for enforceable obligations; and

WHEREAS, the Successor Agency staff proposes to amend the Approved ROPS 13-14A in the manner described below (collectively the “Modifications to the Approved ROPS 13-14A”):

1. Add Line Item 55 requesting payment of \$170,000 under the Consultant Services Agreement for project administrative costs associated with the South Hayward BART Project;
2. Add Line Item 56 requesting payment of \$427,795 under a Legal Services Agreement for project related legal costs associated with the South Hayward BART Project;
3. Add Line Item 57 requesting payment of \$126,482 plus interest under the Tennyson Preservation Partner Agreement; and
4. Add Line Item 58 requesting payment of \$1,108.13 for property maintenance costs associated with the pressure washing of the Cinema Place Garage Property.

WHEREAS, the Modifications to the Approved ROPS 13-14A are reflected in the “Modified ROPS 13-14A” Attachment III of the accompanying staff report; and

WHEREAS, other than the amendments specified in this Resolution, and reflected on the Modified ROPS 13-14A, the remainder of the enforceable obligations and recognized obligations listed on the Approved ROPS 13-14A each constitute the “Unmodified Enforceable Obligations” and each and every of the Unmodified Enforceable Obligations remain in full force and effect and unchanged by the adoption of this Resolution; and

WHEREAS, the Modified ROPS 13-14A must be submitted to the Oversight Board for the Oversight Board's approval in accordance with the Dissolution Act; and

WHEREAS, the Modified ROPS 13-14A was submitted by the Successor Agency to the Alameda County Administrative Officer, the Auditor-Controller, and the DOF in accordance with Health and Safety Section 34179.6; and

WHEREAS, the accompanying staff report provides supporting information upon which the actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with

information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

BE IT FURTHER RESOLVED that no further action of the Oversight Board is required in connection with the Unmodified Enforceable Obligations contained on the Approved ROPS 13-14A.

BE IT FURTHER RESOLVED that under Health and Safety Code Section 34180(g), the Oversight Board must approve the establishment of the recognized obligation payment schedules of the Successor Agency.

BE IT FURTHER RESOLVED that the Oversight Board, in accordance with the Dissolution Act, hereby approves the Modified ROPS 13-14A.

BE IT FURTHER RESOLVED that the Oversight Board hereby approves the Modifications to the Approved ROPS 13-14A as reflected in the Modified ROPS 13-14A in the form on file with the City Clerk (the "Approved Modified ROPS 13-14A") including the agreements and obligations described in the Approved Modified ROPS 13-14A, and hereby determines that such agreements and obligations constitute "enforceable obligations" and "recognized obligations" for all purposes of the Dissolution Act. In connection with such approval, the Oversight Board makes the specific findings set forth below. The Oversight Board hereby declares its intent that the Approved Modified ROPS 13-14A shall amend, replace, and supersede the Approved ROPS 13-14A only with respect only to the Modifications to the Approved ROPS 13-14A.

BE IT FURTHER RESOLVED that the Oversight Board has examined the items on the Approved Modified ROPS 13-14A and finds that each of them is necessary for the continued maintenance and preservation of property owned by the Successor Agency until disposition in accordance with the Dissolution Act, the continued administration of the ongoing agreements herein approved by the Oversight Board, or the expeditious wind-down of the affairs of the Dissolved RDA by the Successor Agency.

BE IT FURTHER RESOLVED that the Oversight Board hereby authorizes the Successor Agency to, pursuant to Health and Safety Code Section 34177.3(b), enter into any agreements and amendments to agreements necessary to conduct the work of winding down the Dissolved RDA as contemplated in this Resolution.

BE IT FURTHER RESOLVED that the Oversight Board hereby authorizes and directs the Successor Agency staff to take all administrative actions necessary under the Dissolution Act to file, post, mail or otherwise deliver via electronic mail, internet posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of the Approved Modified ROPS 13-14A, and to take any other administrative actions necessary to ensure the validity of the Approved Modified ROPS 13-14A and the validity of any enforceable obligation approved by the Oversight Board in this Resolution.

BE IT FURTHER RESOLVED that nothing in this Resolution shall abrogate, waive, impair or in any other manner affect the right or ability of the City, as a charter city, to initiate and prosecute any litigation with respect to any agreement or other arrangement of the Dissolved RDA, including, without limitation, any litigation contesting the purported invalidity of such agreement or arrangement pursuant to the Dissolution Act.

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: April 15, 2013

ADOPTED BY THE FOLLOWING VOTE:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS:
ABSTAIN:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS:

Chair of the Oversight Board to
the Hayward Successor Agency



April 14, 2013

Ms. Kelly McAdoo, Assistant City Manager
City of Hayward
777 B Street
Hayward, CA 94541

Dear Ms. McAdoo:

Subject: Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Hayward Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS 13-14A) to the California Department of Finance (Finance) on March 1, 2013 for the period of July through December 2013. Finance has completed its review of your ROPS 13-14A, which may have included obtaining clarification for various items.

Based on our review, we are approving all of the items listed on your ROPS 13-14A at this time.

The Agency's maximum approved Redevelopment Property Tax Trust Fund (RPTTF) distribution for the reporting period is: \$843,673 as summarized below:

Approved RPTTF Distribution Amount	
For the period of July through December 2013	
Total RPTTF funding requested for obligations	\$ 2,183,884
Minus: Six-month total for items denied or reclassified as administrative cost	-
Total approved RPTTF for enforceable obligations	\$ 2,183,884
Plus: Allowable RPTTF distribution for ROPS 13-14A administrative cost	125,000
Minus: ROPS II prior period adjustment	(1,465,211)
Total RPTTF approved for distribution:	\$ 843,673

Pursuant to HSC Section 34186 (a), successor agencies were required to report on the ROPS 13-14A form the estimated obligations and actual payments (prior period adjustments) associated with the July through December 2012 period. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by successor agencies are subject to audit by the county auditor-controller (CAC) and the State Controller. The amount of RPTTF approved in the above table includes the prior period adjustment resulting from the CAC's audit of the Agency's self-reported prior period adjustment.

Please refer to the ROPS 13-14A schedule that was used to calculate the approved RPTTF amount:

SUCCESSOR AGENCY CONTACT INFORMATION

Successor Agency

ID: **7**
 County: **Alameda**
 Successor Agency: **Hayward**

Primary Contact

Honorific (Ms, Mr, Mrs)	
First Name	Kelly
Last Name	McAdoo
Title	Assistant City Manager
Address	777 B Street
City	Hayward
State	CA
Zip	94541
Phone Number	510-583-4305
Email Address	kelly.mcadoo@hayward-ca.gov

Secondary Contact

Honorific (Ms, Mr, Mrs)	
First Name	Tracy
Last Name	Vesely
Title	Finance Director
Phone Number	510-583-4010
Email Address	tracy.vesely@hayward-ca.gov

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: **HAYWARD (ALAMEDA)**

Outstanding Debt or Obligation	Total
Total Outstanding Debt or Obligation	\$63,320,272

Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$1,139,998
B Enforceable Obligations Funded with RPTTF	\$2,927,787
C Administrative Allowance Funded with RPTTF	\$125,000
D Total RPTTF Funded (B + C = D)	\$3,052,787
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$4,192,785
F Enter Total Six-Month Anticipated RPTTF Funding	\$5,032,795
G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	\$1,980,008

Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))

H Enter Estimated Obligations Funded by RPTTF <i>(lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)</i>	\$ 2,251,741.75
I Enter Actual Obligations Paid with RPTTF	\$ 1,298,824.10
J Enter Actual Administrative Expenses Paid with RPTTF	\$ 104,877.12
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$848,041
L Adjustment to RPTTF (D - K = L)	\$2,204,746

Certification of Oversight Board Chairman:
Pursuant to Section 34177(m) of the Health and Safety code,
I hereby certify that the above is a true and accurate Recognized
Obligation Payment Schedule for the above named agency.

Michael Sweeney	Chair/Mayor
Name	Title
/s/	
Signature	Date

Oversight Board Approval Date: _____

**HAYWARD (ALAMEDA)
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A)
 July 1, 2013 through December 31, 2013**

Item #	Project Name / Debt Obligation	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2013-14	Funding Source					
									Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
29	Utilities	7/11/2012		PGE	Cinema Place Garage Utilities	Hayward Downtown	0	0	0	0	0	12,750	0	12,750
30	Utilities	7/11/2012		PGE	Cinema Place Garage Utilities	Hayward Downtown	0	0	0	0	0	0	0	0
31	Utilities	7/11/2012		City of Hayward	Cinema Place Water Utilities	Hayward Downtown	0	0	0	0	0	400	0	400
32	Utilities	7/11/2012		City of Hayward	Cinema Place Water Utilities	Hayward Downtown	0	0	0	0	0	0	0	0
33	Contract for Env Remediation Work	7/20/2004	2/7/2007	AEDIS Architecture & Planning	Burbank School Env Remediation Work	Hayward Downtown	*See note 33	0	0	0	0	0	0	0
34	Contract for Env Remediation Work	2/4/2005	6/10/2008	TRC	Burbank School Env Remediation Work	Hayward Downtown	20,000	15,627	0	15,627	0	0	0	15,627
35	Contract for Env Remediation Work	8/5/2011	9/9/2013	TRC	Residual Burbank Site - Removal Action Work	Hayward Downtown	328,610	266,483	0	266,483	0	0	0	266,483
36	Project Delivery Costs - Burbank Residual Site			City of Hayward (Successor Agency)	Finalize negotiation and execution of Purchase and Sale Agreement - staff project mgmt costs/legal fees	Hayward Downtown	N/A	3,000	0	0	0	1,500	0	1,500
37	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	Hayward Downtown	N/A	198,711	0	0	0	99,355	0	99,355
38	Contract for Env Remediation	6/25/2009	8/30/2012	AMEC Geomatrix Inc	Env Remediation - Cinema Place	Hayward Downtown	195,071	91,436	0	91,436	0	0	0	91,436
39	Contract for Financial Analysis	7/1/2011		Keyser Marston	Financial Analysis	Hayward Downtown	*See Note 39	0	0	0	0	0	0	0
40	Contract for Water Testing	6/15/2012		SWRCB	Water testing at Cinema Place - monitoring of site	Hayward Downtown	N/A	5,000	0	0	0	5,000	0	5,000
41	AB1484 Audit Expenses			TBD	Audit required by AB1484	Hayward Downtown	35,000	35,000	0	15,000	0	20,000	0	35,000
42	Oversight Board Legal Counsel			TBD	Per Oversight Board request, funds to pay for outside legal counsel	Hayward Downtown	0	0	0	0	0	0	0	0
43	Cinema Place Maintenance Expense Repayment	7/11/2007		Blake Hunt Ventures	Reimbursement of overpaid funds on deposit for annual maintenance expenses to holder of Cinema Place ground lease	Hayward Downtown	0	0	0	0	0	0	0	0
44	Cinema Place Maintenance Reserve FY12 Payment	7/11/2007		City of Hayward (Successor Agency)	Per requirements of Ground Lease, annual payment into capital maintenance reserve for Cinema Place pkg structure until 2042	Hayward Downtown	0	0	0	0	0	0	0	0
45	Cinema Place Maintenance Reserve FY13 Payment	7/11/2007		City of Hayward (Successor Agency)	Per requirements of Ground Lease, annual payment into capital maintenance reserve for Cinema Place pkg structure until 2042	Hayward Downtown	0	0	0	0	0	0	0	0
46	2004 TAB Admin Fee FY 2014	5/1/2004	5/1/2034	Wells Fargo	Annual administrative fee for bond issuance	Hayward Downtown	*See note 46	2,000						0
47	2004 TAB Admin Fee FY 2014	5/1/2004	5/1/2034	Willdan	Annual administrative fee for bond issuance	Hayward Downtown	* See note 47	3,000						0
48	Repayment Agreement with City of Hayward	9/23/1975	n/a	City of Hayward	To fund start-up costs of Hayward Redevelopment Project Area	Hayward Downtown	7,016,422	* See note 48						0
49	SERAF	8/3/2011	n/a	Hayward Housing Authority	Loan for SERAF FY10 and FY11 payments	Hayward Downtown	3,876,516	* see note 49						0
50	Contract for Environmental Remediation (New Burbank School site)	TBD	TBD	TBD	Payment for removal of environmental monitoring wells following DTSC clearance on new Burbank Elementary School site	Hayward Downtown	14,000	14,000				14,000		14,000
51	2006 TAB Admin Fee FY 2014	6/1/2006	6/1/2036	Wells Fargo	Annual administrative fee for bond issuance	Hayward Downtown	*See note 51	1,800						0
52	2006 TAB Admin Fee FY 2014	6/1/2006	6/1/2036	Willdan	Annual administrative fee for bond issuance	Hayward Downtown	*See note 52	700						0
53	Environmental Monitoring Expenses	N/A	N/A	DTSC	Regulatory monitoring fee associated with clean up work at new Burbank School construction	Hayward Downtown	N/A	3,500				3,500		3,500
54	Cinema Place Elevator Repair	Cinema Place Garage Repair - Sign Transformer Replacement		Amcoe Sign Company	Unanticipated maintenance expense at Cinema Place parking garage	Hayward Downtown	2,263	2,263				2,263		2,263

HAYWARD (ALAMEDA)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)

July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
1	2004 Tax Allocation Bonds	
2	2004 TAB Admin Fee FY2012	Delete - prior period obligation
3	2004 TAB Admin Fee FY2013	Delete - prior period obligation
4	2004 TAB Admin Fee FY2012	Delete - prior period obligation
5	2004 TAB Admin Fee FY2013	Delete - prior period obligation
6	2006 Tax Allocation Bonds	
7	2006 TAB Admin Fee FY2012	Delete - prior period obligation
8	2006 TAB Admin Fee FY2013	Delete - prior period obligation
9	2006 TAB Admin Fee FY2012	Delete - prior period obligation
10	2006 TAB Admin Fee FY2013	Delete - prior period obligation
11	Repayment Agreement with City of Hayward	See note 48
12	SERAF	See note 49
13	Contract for Restaurant Consulting	
14	Foothill Façade Loans	
15	Foothill Façade Loan Project Delivery Costs (Staff Costs/Legal Fees)	
16	Employee Leave Liability	
17	PERS Liability	
18	OPEB Liability	
19	Agency insurance costs	Remove from future ROPS - to be incorporated into Administrative Allowance as applicable pursuant to DOF letter dated April 27, 2012
20	Contract for Mission Blvd Specific Plan	
21	Successor Agency Admin Allowance	
22	Contract for Security Services	
23	Contract for Security Alarm	Former payee has consolidated with another vendor; new payee name is Tyco Integrated Security
24	Contract for Security Alarm	
25	Contract for Elevator Maint and Repair	
26	Contract for Elevator Maint and Repair	
27	Contract for Sweeping	
28	Contract for Sweeping	
29	Utilities	
30	Utilities	
31	Utilities	
32	Utilities	
33	Contract for Env Remediation Work	Can be removed from future ROPS - contract work finalized
34	Contract for Env Remediation Work	
35	Contract for Env Remediation Work	

HAYWARD (ALAMEDA)
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)
July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
36	Project Delivery Costs - Burbank Residual Site	
37	Property Disposition Costs - former Agency-held properties	
38	Contract for Env Remediation	
39	Contract for Financial Analysis	Can be removed from future ROPS - contract work finalized
40	Contract for Water Testing	
41	AB1484 Audit Expenses	Payee: Maze & Associates; total audit expenses increased from \$15,000 to \$35,000
42	Oversight Board Legal Counsel	
43	Cinema Place Maintenance Expense Repayment	
44	Cinema Place Maintenance Reserve FY12 Payment	
45	Cinema Place Maintenance Reserve FY13 Payment	
46	2004 TAB Admin Fee FY 2014	Amount varies every year - cannot estimate total amount
47	2004 TAB Admin Fee FY 2014	Amount varies every year - cannot estimate total amount
48	Repayment Agreement with City of Hayward	Repayment pending issuance of Finding of Completion and approval of repayment schedule
49	SERAF	Repayment pending issuance of Finding of Completion and approval of repayment schedule
50	Contract for Env Remediation	Per the Public Facilities Development Agreement, the former RDA is responsible for all site clean up and associated expenses on the new Burbank School site; once DTSC issues no further action letter, contract will be needed to remove 7 monitoring wells on the site.
51	2006 TAB Admin Fee FY 2014	Amount varies every year - cannot estimate total amount
52	2006 TAB Admin Fee FY 2014	Amount varies every year - cannot estimate total amount
53	Environmental Monitoring Expenses	Per the Public Facilities Development Agreement, the former RDA is responsible for all site clean up and associated expenses on the new Burbank School site; DTSC has billed the former Agency for its regulatory expenses associated with monitoring and the issuance of a No Further Action letter (still pending)
54	Cinema Place Garage Repair - Sign Transformer Replacement	Per the Maintenance Agreement for the Cinema Place project, the former RDA is responsible for maintenance of the parking garage with costs to be shared by the developer. Total repair costs = \$4,525.14; Successor Agency portion = \$2,262.57

Ms. Kelly McAdoo

April 14, 2013

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http://www.dof.ca.gov/redevelopment/ROPS/ROPS_13-14A_Forms_by_Successor_Agency/.

This is Finance's final determination related to the enforceable obligations reported on your ROPS for July 1 through December 31, 2013. Finance's determination is effective for this time period only and should not be conclusively relied upon for future periods. All items listed on a future ROPS are subject to a subsequent review and may be denied even if it was or was not denied on this ROPS or a preceding ROPS. The only exception is for those items that have received a Final and Conclusive determination from Finance pursuant to HSC 34177.5 (i). Finance's review of items that have received a Final and Conclusive determination is limited to confirming the scheduled payments as required by the obligation.

The amount available from the RPTTF is the same as the amount of property tax increment that was available prior to enactment of ABx1 26 and AB 1484. This amount is not and never was an unlimited funding source. Therefore, as a practical matter, the ability to fund the items on the ROPS with property tax is limited to the amount of funding available to the successor agency in the RPTTF.

To the extent proceeds from bonds issued after December 31, 2010 exist and are not encumbered by an enforceable obligation pursuant to 34171 (d), HSC section 34191.4 (c)(2)(B) requires these proceeds be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation.

Please direct inquiries to Beliz Chappuie, Supervisor or Todd Vermillion, Lead Analyst at (916) 445-1546.

Sincerely,



STEVE SZALAY
Local Government Consultant

cc: Ms. Tracy Vesely, Finance Director, City of Hayward
Ms. Carol S. Orth, Tax Analysis, Division Chief, County of Alameda
California State Controller's Office