



# City of San Leandro

Meeting Date: January 7, 2013

## Staff Report

---

**File Number:** 12-596 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.C.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Cynthia Battenberg  
Business Development Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** Staff Report for City Council Resolution Authorizing the Transfer (Return) of Properties to the Successor Agency of the Redevelopment Agency of the City of San Leandro and Successor Agency Resolution Authorizing the Acceptance of Quitclaim Deeds for Said Properties as Required by State Law

---

### SUMMARY AND RECOMMENDATIONS

On March 3, 2011, the Redevelopment Agency transferred property assets to the City of San Leandro. ABx1 26 adopted by the State of California in June 2011 eliminated Redevelopment Agencies and voided certain transactions between the Redevelopment Agency and the City that occurred after January 1, 2011. Staff recommends adoption of a City resolution and Successor Agency resolution to transfer non-public property assets from the City to the Successor Agency as required by law.

### BACKGROUND

On March 3, 2011, given the uncertainty regarding the future of redevelopment agencies, the Redevelopment Agency of the City of San Leandro (Agency), to avoid losing all land and improvements, transferred 21 properties from the Agency to the City of San Leandro (City) by way of a Disposition and Development Agreement.

The State of California's passage of AB x1 26 in June 2011 and AB 1484 in June 2012 provided guidance for the disposal of redevelopment agency assets and mandated the reversal of property transfer transactions between the Redevelopment Agency and City that occurred after January 1, 2011. While the City's and Successor Agency's actions to date regarding these 21 parcels assumed that the March 2011 transfer was invalid, no action was taken to officially reverse the action.

With the assumption that these parcels were owned by the Successor Agency, on September 17, 2012, the Successor Agency authorized the transfer of 14 of these 21 parcels to the City due to their 1) being public purpose properties; or 2) because they were transferred to the

Agency by the City in anticipation of use in redevelopment projects and per the transfer agreements, any revenue from these properties must be returned to the City.

Action is now being recommended to officially return the remaining seven non-public property assets listed below to the Successor Agency.

<u>Address</u>	<u>APN</u>
212 Davis Street	075-0001-005-00
222 Davis Street	075-0001-006-00
250 Davis Street	075-0001-008-02
290 Davis Street	075-0001-010-02
1199 E. 14th Street	075-0001-004-00
1550 E. 14th Street	077-0540-009-00
1595 Washington Avenue	075-0005-011-01

As Successor Agency properties, these seven parcels will be subject to the disposition requirements of AB1484. After fulfilling various State requirements, the Successor Agency will prepare a Property Management Plan that will govern the disposal of these properties. Assuming all issues between the Successor Agency and the Department of Finance are resolved, the Property Management Plan will be brought to the Successor Agency as early as mid-2013.

### **Previous Actions**

- On March 3, 2011 the City Council adopted Resolution No. 2011-058 Authorizing a Disposition and Development Agreement between the Redevelopment Agency and the City of San Leandro and the transfer of real property from the Agency to the City of San Leandro.
- On March 3, 2011 the Redevelopment Agency of the City of San Leandro adopted Resolution No. 2011-004 RDA Approving the Transfer of Real Property from the Agency to the City of San Leandro and Authorizing Execution of Disposition and Development Agreement with the City.
- On September 17, 2012 the City Council adopted Resolution No. 2012-105 Approving the Transfer of Certain Former Redevelopment Agency Real Property Assets to the City of San Leandro.
- On September 17, 2012 the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopted Resolution No. 2012-012 SA Approving the Transfer of Certain Former Redevelopment Agency Real Property Assets to the City of San Leandro

### **Legal Analysis**

This report and resolutions have been reviewed and approved as to form by the City Attorney's Office.

### **Fiscal Impacts** - None

**PREPARED BY:** Cynthia Battenberg, Business Development Manager, Community Development Department



# City of San Leandro

Meeting Date: January 7, 2013

## Resolution - Council

---

**File Number:** 12-598

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Cynthia Battenberg  
Business Development Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** ADOPT: Resolution of the City Council of the City of San Leandro Authorizing the Transfer of Properties to the Successor Agency to the Redevelopment Agency of the City of San Leandro Previously Transferred to the City from the Former Redevelopment Agency of the City of San Leandro (authorizes City return of non-public property assets to the Successor Agency as required by law)

---

**WHEREAS**, the City Council of the City of San Leandro (the "City") previously approved an action accepting certain real properties pursuant to disposition and development agreements and assignment agreements from the Redevelopment Agency of the City of San Leandro (the "Redevelopment Agency") on March 3, 2011 by Agency Resolution No. 2011-004 RDA and City Council Resolution No. 2011-058; and

**WHEREAS**, on June 28, 2011, the California Legislature adopted, the Governor signed, and in December 29, 2011 the California Supreme Court in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, upheld ABx1 26 ("AB 26"), legislation that amends the California Redevelopment Law and provides that the Redevelopment Agency be dissolved effective as of February 1, 2012; and

**WHEREAS**, under AB 26, the Redevelopment Agency was replaced with the Successor Agency to the Redevelopment Agency of the City of San Leandro (the "Successor Agency") effective February 1, 2012; and

**WHEREAS**, among other things, AB 26 voids certain transactions between the Redevelopment Agency and the City that occurred after January 1, 2011; and

**WHEREAS**, the City now desires to transfer the following non-public assets (collectively, the "Assets") from the City back to the Successor Agency:

Address

APN

212 Davis Street	075-0001-005-00
222 Davis Street	075-0001-006-00
250 Davis Street	075-0001-008-02
290 Davis Street	075-0001-010-02
1199 E. 14th Street	075-0001-004-00
1550 E. 14th Street	077-0540-009-00
1595 Washington Avenue	075-00005-011-01

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of San Leandro hereby:

1. Finds that the above recitals are true.
2. Approves the transfer of the Assets listed above by quitclaim deed .
3. Authorizes the City Manager to execute and deliver such instruments and to take such actions as necessary to carry out the intent of this Resolution.



# City of San Leandro

Meeting Date: January 7, 2013

## Resolution - SA

---

**File Number:** 12-597

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Cynthia Battenberg  
Business Development Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** ADOPT: Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Authorizing the Acceptance of Quitclaim Deeds for Properties Previously Transferred by the Former Redevelopment Agency of the City of San Leandro to the City of San Leandro (authorizes Successor Agency acceptance of the transfer of non-public property assets as required by law)

---

**WHEREAS**, the Redevelopment Agency of the City of San Leandro (the "Agency") previously approved an action transferring certain real assets pursuant to disposition and development agreements and assignment agreements from the City of San Leandro (the "City") on March 3, 2011 by Agency Resolution No. 2011-004 RDA and City Council Resolution No. 2011-058; and

**WHEREAS**, on June 28, 2011, the California Legislature adopted, the Governor signed, and in December 29, 2011 the California Supreme Court in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, upheld ABx1 26 ("AB 26"), legislation that amends the California Redevelopment Law and provides that the Redevelopment Agency be dissolved effective as of February 1, 2012; and

**WHEREAS**, under AB 26, the Redevelopment Agency was replaced with the Successor Agency to the Redevelopment Agency of the City of San Leandro (the "Successor Agency") effective February 1, 2012; and

**WHEREAS**, among other things, AB 26 voids certain transactions between the Redevelopment Agency and the City that occurred after January 1, 2011; and

**WHEREAS**, the City now desires to transfer the following non-public assets (collectively, the "Assets") from the City back to the Successor Agency:

Address

APN

212 Davis Street	075-0001-005-00
222 Davis Street	075-0001-006-00
250 Davis Street	075-0001-008-02
290 Davis Street	075-0001-010-02
1199 E. 14th Street	075-0001-004-00
1550 E. 14th Street	077-0540-009-00
1595 Washington Avenue	075-0005-011-01

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Successor Agency to the Redevelopment Agency of the City of San Leandro that it does hereby resolve as follows:

1. Finds that the above recitals are true.
2. Approves the transfer of the Assets listed above by quitclaim deed.
3. Authorizes the Executive Director to execute and deliver such instruments and to take such actions as necessary to carry out the intent of this Resolution.