

# City of San Leandro

Meeting Date: January 7, 2019

**Staff Report** 

File Number: 18-653 Agenda Section: CONSENT CALENDAR

Agenda Number: 8.B.

TO: City Council

**FROM**: Jeff Kay

City Manager

BY: Tom Liao

Community Development Director

FINANCE REVIEW: David Baum

**Finance Director** 

**TITLE:** Staff Report for a Resolution of the Successor Agency to the Redevelopment

Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period July 1, 2019 - June 30, 2020, Pursuant to

California Health and Safety Code Section 34177(I)

#### **RECOMMENDATIONS**

Staff recommends that the City Council, acting as the governing board of the Successor Agency to the Redevelopment Agency of the City of San Leandro, adopt a Resolution approving a Recognized Obligation Payment Schedule for the period from July 1, 2019 through June 30, 2020.

#### **BACKGROUND**

Pursuant to Assembly Bill x1 26, on January 9, 2012, the City Council affirmed its decision to have the City serve as the Successor Agency to the former San Leandro Redevelopment Agency (Successor Agency). Assembly Bill 1484, passed by the State Legislature on June 27, 2012, modified AB x1 26 to clarify that successor agencies are separate legal entities from the city that formed the redevelopment agency. Under Senate Bill 107, passed by the State Legislature on September 11, 2015, the Successor Agency is obligated to prepare a Recognized Obligation Payment Schedule (ROPS) every fiscal year that lists all of the enforceable obligations payable during that twelve month period. The Successor Agency can only pay obligations that are listed on the ROPS and approved by the DOF.

Approval of the ROPS by the Successor Agency Oversight Board is also required prior to submission to the California Department of Finance (DOF). Under Health and Safety Code Section 34179(j), a single Countywide Oversight Board (Oversight Board) commenced as of July 1, 2018. If approved by the governing board of the Successor Agency, the San Leandro ROPS will be brought before the Alameda Countywide Oversight Board at its January 23, 2019 meeting. Approval of both the Successor Agency and Oversight Board is required in order to submit the

ROPS to the California Department of Finance by February 1, 2019.

#### **Analysis**

A primary responsibility of the Successor Agency is to oversee the payment of Enforceable Obligations. Enforceable Obligations are defined as:

- Bonds including debt service reserve set asides and any other required payments;
- Loans borrowed by the Agency;
- Payments required by the federal or state governments;
- Pension and unemployment payments for Agency employees;
- Judgments, settlements, or binding arbitration decisions; and
- Any legally binding and enforceable contract that does not violate the debt limit or public policy.

Funding is requested for the following Enforceable Obligations on the Fiscal Year 2019-2020 ROPS:

- Urban Analytics \$6,500
  - Consultant performing continuing disclosure requirements for bonds and fiscal analysis
    of tax enforcement
- 232 East 14th Street Senior Housing \$55,908
  - o Final annual debt service payment for HUD Section 108 Loan per payment schedule
- Sales Tax Rebate Ford Store \$225,000 estimated
  - Sales tax rebate per the 2000 Owner Participation Agreement, which rebates 50% of sales tax received above a base of \$277,000.
- Casa Verde Operating Agreement \$151,460 estimated
  - 30 Year Annual Operating Subsidy for Mercy Housing for development of affordable housing at the former Islander Motel at 2398 E. 14th St. Payments per schedule established in 2006 Disposition and Development Agreement.
- Successor Agency Administration \$250,000
  - Based on AB x1 26, the amount permitted to fund staff and legal costs and expenses for Successor Agency Administration is the greater of 3% of funds received from the Redevelopment Property Tax Trust Fund or \$250,000 annually. For the 2019-20 ROPS period, the \$250,000 minimum will apply.
- Doolittle Drive Streetscape Project \$400,000
  - Per the reinstated agreement between the City and Redevelopment Agency, funds for design work for completion of the third phase of Doolittle Drive Streetscaping (between Davis St. and Fairway Dr.). Note that these funds were previously requested on the 2016-17 ROPS. However, the project was not ready to proceed and the funds were not utilized and as such returned to the State. Design work for the project is now planned to begin in FY19-20 and as such, the funds are again requested on the ROPS.
- San Leandro Improvement Association \$10,000
  - Assessment payments for Successor Agency-owned properties in the downtown business improvement district. Actual amount to be based on annual assessment charges.
- 2001 Certificates of Participation/2013 Lease Revenue Bonds \$544,610

- Annual debt service payment per payment schedule.
- 2014 Tax Allocation Bonds \$1,676,488
  - Annual debt service payment per payment schedule. 2014 bonds replaced 2002
     Plaza Area and 2004 West San Leandro Area Bonds.
- Plaza Project Loan \$2,540,917
  - Annual debt service payment from Successor Agency to City General Fund. 2004 Loan from City to Redevelopment Agency was reinstated in 2016 and payments began on the 2017-18 ROPS. Payment amounts based on residual Redevelopment Property Tax Trust Fund funding available following payment of enforceable obligations. Up to 50% of residual funds above the base residual fund level in fiscal year 2012-13 may be used to pay off the loan.
- 2018 Tax Allocation Bonds \$2,444,340
  - Annual debt service payment per payment schedule. 2018 bonds refinanced the 2008
     Tax Allocation Bonds, which are being 'retired' on the 2019-20 ROPS. The 2018
     Bonds result in savings of over \$8,126,618 over the life of the new bonds.

Payment of funds for one City-Agency Agreement remain on a future ROPS for payment. A 2011 Cooperative Agreement between the City and Redevelopment Agency allocated \$4,191,611 for continuation of the Doolittle Drive streetscape project. Following the allocation of \$400,000 requested in the 2019-20 ROPS for design work, a total of \$3,791,611 remains under the agreement and will be requested for payment during a future ROPS period to fund streetscape construction following completion of design and other pre-construction work.

If approved by the City, the ROPS will be brought before the newly consolidated Alameda County Oversight Board at its January 23, 2019 meeting. Following Oversight Board approval, it must be forwarded to the DOF, the State Controller's Office, and the Alameda County Auditor Controller no later than February 1, 2019.

#### **Previous Actions**

- On January 9, 2012, the City Council affirmed its decision to have the City serve as the Successor Agency for the former Redevelopment Agency and to retain the Agency's housing assets and functions.
- On January 19, 2016, the Successor Agency to the Redevelopment Agency of the City of San Leandro approved a Reinstated Loan Agreement between the City and the Successor Agency and Authorized Execution of an Amended and Restated Promissory Note for the Plaza Project Loan.
- On September 19, 2016, the Successor Agency to the Redevelopment Agency of the City of San Leandro approved an Agreement with the City of San Leandro regarding the expenditure of \$600,000 of excess bond proceeds and authorizing the transfer of such proceeds to the City of San Leandro.
- On January 17, 2017, the Successor Agency to the Redevelopment Agency of the City of San Leandro approved an Agreement with the City of San Leandro regarding the expenditure of \$ 1,764,526 of excess bond proceeds and authorizing the transfer of such proceeds to the City of San Leandro.
- On December 18, 2017, the Successor Agency to the Redevelopment Agency of the City of

- San Leandro approved the issuance of the 2018 Tax Allocation Bonds in order to refund the outstanding 2008 Tax Allocation Bonds.
- In accordance with California Health and Safety Code Section 34179 (j), the ten oversight boards then in place in the County of Alameda consolidated into one Oversight Board commencing on and after July 1, 2018.

#### Fiscal Impacts

As noted above, the Enforceable Obligations listed on the ROPS are paid using funds disbursed by the County Auditor-Controller through property tax revenue deposited into the Redevelopment Property Tax Trust Fund (RPTTF). The General Fund (or any other City fund) does not bear any responsibility for the payment of approved enforceable obligations of the former Redevelopment Agency.

#### **Attachment to Resolution**

ROPS

**PREPARED BY:** Katie Bowman, Economic Development Manager, Community Development Department



# City of San Leandro

Meeting Date: January 7, 2019

**Resolution - Council** 

File Number: 18-654 Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

**FROM**: Jeff Kay

City Manager

BY: Tom Liao

Community Development Director

FINANCE REVIEW: David Baum

**Finance Director** 

TITLE: RESOLUTION of the Successor Agency to the Redevelopment Agency of the

City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period July 1, 2019 - June 30, 2020, Detailing the Obligations of the Former Redevelopment Agency Pursuant to California Health and Safety

Code Section 34177(I)

**WHEREAS**, pursuant to Resolution No. 2012-001, adopted by the City Council of the City of San Leandro on January 9, 2012, the City of San Leandro ("City") agreed to serve as the Successor Agency to the Redevelopment Agency of the City of San Leandro (the "Successor Agency") commencing upon the dissolution of the Agency on February 1, 2012; and

WHEREAS, pursuant to California Health and Safety Code Section 34177(I), before each twelve-month fiscal period, the Successor Agency to a dissolved Redevelopment Agency is required to adopt a Recognized Obligation Payment Schedule ("ROPS") that lists all of the obligations that are "enforceable obligations" within the meaning of California Health and Safety Code Section 34177, and which identifies a source of payment for each such obligation from among (i) the Low and Moderate Income Housing Fund, (ii) bond proceeds, (iii) reserve balances, (iv) the administrative cost allowance, (v) revenues from rents, concessions, interest earnings, and asset sales, and (vi) the Redevelopment Property Tax Trust Fund established by the County Auditor-Controller to the extent no other source of funding is available or payment from property tax is contractually or statutorily required; and

WHEREAS, pursuant to California Health and Safety Code Section 34179(j), commencing on and after July 1, 2018, in each county where more than one oversight board was created, there shall be only one oversight board, which shall be staffed by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select after consulting with the department. In accordance with Health and Safety Code Section 34179(j), the ten oversight boards then in place in the County of Alameda consolidated into one Oversight Board commencing on and after July 1, 2018 ("Oversight Board"); and

**WHEREAS**, the ROPS must be concurrently submitted to the County Administrative Officer, the County Auditor-Controller, the State Department of Finance, and the Oversight Board established to review Successor Agency actions; and

**WHEREAS**, once the ROPS is approved by the Oversight Board, the ROPS must be posted on the Successor Agency's website and transmitted to the County Auditor-Controller, the State Controller, and the State Department of Finance.

**NOW THEREFORE**, **IT IS RESOLVED** by the governing board of the Successor Agency to the Redevelopment Agency of the City of San Leandro that:

- 1. The Recognized Obligation Payment Schedule (ROPS) for July 1, 2019 June 30, 2020, attached hereto as Exhibit A and made a part hereof, is hereby approved.
- 2. The Executive Director or his designee is authorized and directed to take all actions necessary to implement this Resolution, including without limitation, the submittal of the ROPS to the County Administrative Officer, the County Auditor-Controller, the Oversight Board, the State Department of Finance, and the State Controller, and the posting of this Resolution and the ROPS on the Successor Agency's website.
- 3. The Executive Director and the Treasurer, and their designees, are authorized and directed to take such actions as necessary and appropriate to carry out and implement the intent of this Resolution, including without limitation, the establishment of separate accounts and funds as necessary to appropriately document the receipts and expenditures of the Successor Agency.

# Recognized Obligation Payment Schedule (ROPS 19-20) - Summary Filed for the July 1, 2019 through June 30, 2020 Period

Successor Agency:	San Leandro
County:	Alameda

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)		9-20A Total y - December)	19-20B Total (January - June)	ROPS 19-20 Total		
Α	Enforceable Obligations Funded as Follows (B+C+D):	\$ 1,956,155	\$ -	\$	1,956,155	
В	Bond Proceeds	-	-		-	
С	Reserve Balance	1,956,155	-		1,956,155	
D	Other Funds	-	-		-	
E	Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 3,535,019	\$ 2,921,573	\$	6,456,592	
F	RPTTF	3,410,019	2,796,573		6,206,592	
G	Administrative RPTTF	125,000	125,000		250,000	
н	Current Period Enforceable Obligations (A+E):	\$ 5,491,174	\$ 2,921,573	\$	8,412,747	

Certification of Oversight Board Chairman: Pursuant to Section 34177 (o) 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 successor agency.

Name	Title
/s/	
Signature	Date

### San Leandro Recognized Obligation Payment Schedule (ROPS 19-20) - ROPS Detail

#### July 1, 2019 through June 30, 2020

(Report Amounts in Whole Dollars)

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Α	В	С	D	E	F	G	Н	I	J	К	L	M	N	0	Р	Q	R	S	T	U	V	W
								Total Outstanding			19-20A (July - December) Fund Sources					19-20B (January - June) Fund Sources						
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Debt or Obligation	Retired	ROPS 19-20 Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	19-20A Total	Bond Proceeds	Balance F		RPTTF	Admin RPTTF	19-20B Total
5	2008 Tax Allocation Bonds	Bonds Issued On or Before	9/1/2008	9/1/2038	US Bank	\$27.53m debt issuance to fund capital	loint	\$ 63,341,465	Y	\$ 8,412,747	\$ 0	\$ 1,956,155	\$ 0	\$ 3,410,019	\$ 125,000	\$ 5,491,174	<b>\$</b> 0	\$ 0 \$	0 \$ .	2,796,573	\$ 125,000	\$ 2,921,573
				9/1/2038	Urban Analytics		All	327,000	N	\$ 6,500						\$ -			-	6,500		\$ 6,500
	·					for Bonds and Fiscal Analysis of Tax Increment		·		,												•
	232 East 14th Street-Senior Housing	OPA/DDA/Construction	8/1/2000	8/1/2019	Bank of New York Mellon	HUD Section 108 Loan for Senior Housing Project at 232 East 14th Street	HSG	111,102	N	\$ 55,908				55,908		\$ 55,908						\$ -
10		Business Incentive Agreements	10/1/2002	10/1/2024	Ford Store of San Leandro	Sales Tax Rebate per Owner Participation Agreement (March 6, 2000)	Joint	535,870	N	\$ 225,000				225,000		\$ 225,000						\$ -
				1/1/2038	Mercy Housing of CA		HSG	4,364,093	N	\$ 151,460				75,730		\$ 75,730				75,730		\$ 75,730
	Administration			6/30/2017	City of San Leandro	Agreement to Fund Staff/ Successor Agency Administration	All	4,825,000	N	\$ 250,000					125,000	\$ 125,000					125,000	\$ 125,000
28	Doolittle Dr. Streetscape	Reentered Agreements	1/17/2011	6/30/2019		Cooperative Agreement for Doolittle Drive Streetscape Improvements (Res 2011-001 RDA)	WSL	3,791,611	N	\$ 400,000				400,000		\$ 400,000						\$ -
	San Leandro Improvement Association	Project Management Costs	1/1/2015	6/30/2018	Management Corporation, Downtown San Leandro Community Benefit District	Payments due for Successor Agency real estate under newly formed benefit assessment district.	Plaza	1,196,000	N	\$ 10,000				5,000		\$ 5,000				5,000		\$ 5,000
	2001 Certificates of Participation / 2013 Lease Revenue Bonds	Bonds Issued After 12/31/10	6/1/2002	12/1/2026	US Bank		WSL / Plaza	2,007,707	N	\$ 544,670		255,080				\$ 255,080				289,590		\$ 289,590
	2014 Tax Allocation Bonds (Replaced 2002 Plaza and 2004 WSL)	Bonds Issued After 12/31/10	10/30/2014	9/1/2034		Refunding of 2002 and 2004 bonds	WSL / Plaza	14,777,937	N	\$ 1,676,488		673,913				\$ 673,913				1,002,575		\$ 1,002,575
47		City/County Loan (Prior 06/28/11), Cash exchange	1/31/2016	6/30/2036	City of San Leandro		WSL / Plaza	2,648,381	N	\$ 2,648,381				2,648,381		\$ 2,648,381						\$ -
50		Bonds Issued After 12/31/10	5/8/2018	9/1/2038	US Bank	Refunding of 2008 Tax Allocation Bonds	Joint	28,756,764	N	\$ 2,444,340		1,027,162				\$ 1,027,162				1,417,178		\$ 1,417,178
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# San Leandro Recognized Obligation Payment Schedule (ROPS 19-20) - Report of Cash Balances July 1, 2016 through June 30, 2017 (Report Amounts in Whole Dollars)

funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see Cash Balance Tips Sheet. Ε Α В С D F G Н **Fund Sources Bond Proceeds Reserve Balance** Other Funds **RPTTF** Prior ROPS RPTTF and Reserve Rent, Non-Admin **ROPS 16-17 Cash Balances** Bonds issued on or Balances retained Grants, Bonds issued on or and before 12/31/10 (07/01/16 - 06/30/17) after 01/01/11 for future period(s) Interest, etc. Admin Comments 1 Beginning Available Cash Balance (Actual 07/01/16) RPTTF amount should exclude "A" period distribution amount 4,175,460 (512,090)47,539 (730,080)2 Revenue/Income (Actual 06/30/17) RPTTF amount should tie to the ROPS 16-17 total distribution from the County Auditor-Controller 8,938,028 52,072 3 Expenditures for ROPS 16-17 Enforceable Obligations (Actual 06/30/17) 13,918 6,567,360 Retention of Available Cash Balance (Actual 06/30/17) RPTTF amount retained should only include the amounts distributed as reserve for future period(s) 1,742,983 5 ROPS 16-17 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 16-17 PPA form No entry required submitted to the CAC 640,664 Ending Actual Available Cash Balance (06/30/17) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)

0

(512,090) \$

85,693 |

(743,059)

4,175,460 \$

	San Leandro Recognized Obligation Payment Schedule (ROPS 19-20) - Notes July 1, 2019 through June 30, 2020
Item #	Notes/Comments
28	This was requested as part of the 16-17 ROPS but was not used because the project was not ready. The amount is now part of the PPA adjustment for that year
	and we need to request funding once again.

	San Leandro Recognized Obligation Payment Schedule (ROPS 19-20) - Notes July 1, 2019 through June 30, 2020	
Item #	Notes/Comments	