

CITY OF BRENTWOOD
Oversight Board
Terrace View Room – 2nd floor
Brentwood City Hall
150 City Park Way
Brentwood, CA 94513

A special meeting of the Brentwood Oversight Board is hereby called for:
May 8, 2012
4:00 p.m.

Oversight Board Members:

Bill Hill, Chair
Steve Barr
Bob Brockman
Paul Eldredge

Brian Swisher, Vice Chair
Kevin Horan
Eric Volta

MEETING AGENDA

1. Call to Order / Oaths of Office
2. Public Comment – *At this time the public is permitted to address the Board on items that are **not** on the agenda. Persons addressing the Board are required to limit their remarks to five (5) minutes unless an extension of time is granted by the Board.*
3. Approval of minutes from April 11, 2012 meeting
4. Consideration of Amended Recognized Obligation Payment Schedules (ROPS) for January 1, 2012 to June 30, 2012 and July 1, 2012 to December 31, 2012 (Pam Ehler/Kerry Breen)
5. Consideration of Administrative Budgets for the Successor Agency for the periods of February 1- June 30 and July 1-December 31 2012 (Pam Ehler/Kerry Breen)
6. Informational Report Regarding Property Formerly Owned by the Redevelopment Agency of the City of Brentwood and Consideration of the Following Resolutions: 1) Confirming Title with the City of Brentwood in and to the Public Parking Lot Located at 604 First Street (APN 013-110-010) Pursuant to Health and Safety Code Section 34181; 2) Confirming Title with the City Of Brentwood in and to the Public Parking Lot Located at 8436 Brentwood Boulevard (APN 013-100-009) Pursuant to Health and Safety Code Section 34181; 3) Confirming Title with the City Of Brentwood in and to 1000 Central Boulevard; 4) Confirming Title with the City Of Brentwood in and to County Road #8; 5) Confirming Title with the City Of Brentwood in and to 400 Guthrie Lane. (Pam Ehler/Kerry Breen)
7. Discussion of proposed building lease for Black Diamond Kids Center at 400 Guthrie Lane (Casey McCann)

8. Verbal Report on Oversight Board key milestones (Pam Ehler/Kerry Breen)
9. Discussion regarding Oversight Board legal counsel (Karen Chew)
10. Suggestions for future agenda items
11. Adjournment

Dated: May 4, 2012

NOTICE

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the City Clerk's Office at (925) 516-5440 or fax (925) 516-5441. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II}

POSTING STATEMENT

On **May 4, 2012** a true and correct copy of this agenda was posted on the City Hall Bulletin Board, outside City Hall, 150 City Park Way, Brentwood, CA 94513.



Oversight Board
April 11, 2012
Brentwood City Hall
Terrace View Conference Room
Meeting Minutes

Present:	Steve Barr	Bill Hill	Eric Volta
	Bob Brockman	Kevin Horan	
	Paul Eldredge	Brian Swisher	

1. Call to order – The meeting was called to order at 4:02 p.m.
2. Public Comment – None.
3. Consideration of: 1) a resolution adopting bylaws and designating a contact with the DOF and 2) a resolution authorizing the filing of a Statement of Organization with the Secretary of State and the County Clerk – M/S/C/U (Hill/Barr) to adopt a resolution approving the bylaws. M/S/C/U (Hill/Barr) to adopt a resolution authorizing the filing of a Statement of Organization with the Secretary of State and the County Clerk of Contra Costa
4. Election of Chairperson and Vice Chairperson - M/S/C/U (Barr/Swisher) to elect Bill Hill as the Chairperson of the Board. M/S/C/U (Volta/Horan) to elect Brian Swisher as the Vice-Chairperson of the Board.
5. Overview of the Current and future state of Redevelopment in Brentwood and role of the Oversight Board – Staff report by Finance Director Pam Ehler. Pam reviewed the process for the dissolution of the Brentwood Redevelopment Agency and the role of the Oversight Board. No action required.
6. Consideration of Recognized Obligation Payment Schedules (ROPS) for January 1, 2012 to June 30, 2012 and July 1, 2012 to December 31, 2012. – Pam Ehler explained the ROPS must be adopted by the Board before April 15, 2012, and will be required to be adopted every six months thereafter. M/S/C/U (Swisher/Barr) to approve the ROPS for January 1, 2012 to June 30, 2012 and July 1, 2012 to December 31, 2012
7. Future agenda items – Paul Eldredge requested information regarding the Successor Agency’s assets and the legislation language that addresses property. Steve Barr asked if there were benchmarks for the Board and suggested that staff present milestone and estimated benchmark dates for various actions required by the board.
8. Next meeting date – it was decided that the Board would meet regularly on the 3rd Wednesdays of each month at 4:00.
9. Adjournment – The meeting was adjourned at 5:03 p.m.

CITY OF BRENTWOOD OVERSIGHT BOARD NO. 4

Meeting Date: May 8, 2012

Subject/Title: Consideration of Amended Recognized Obligation Payment Schedules (ROPS) for January 1, 2012 to June 30, 2012 and July 1, 2012 to December 31, 2012

Submitted by: Kerry Breen, Assistant Finance Director

Approved by: Pamela Ehler, Director of Finance and Information Systems

RECOMMENDATION

Adopt a Resolution Approving the Amended Recognized Obligation Payment Schedules (ROPS) for January 1, 2012 to June 30, 2012 and July 1, 2012

PREVIOUS ACTION

On April 11, 2012 the City of Brentwood Oversight Board adopted Resolution 2012-03, Approving the Recognized Obligation Payment Schedule of the Successor Agency of the City of Brentwood for January 1, 2012 – June 30, 2012 and July 1, 2012 – December 31, 2012

BACKGROUND

Following the Board's adoption of the January 1, 2012 – June 30, 2012 and July 1, 2012 – December 31, 2012 ROPS, staff submitted the ROPS documents to the State Department of Finance (DOF) for approval. After reviewing the ROPS, the DOF determined that the ROPS was incomplete because some of the individual line items on the ROPS identified multiple payment sources. The DOF has asked that the ROPS be modified to identify only one payment source for each line item. In instances where multiple payment sources exist, the ROPS should break out the obligation into two lines to illustrate the individual repayment sources. The amended ROPS being presented tonight has corrected this error and segregated the individual funding sources so that each line item is associated with only one funding source.

In addition to questions raised by the State DOF, staff also noted that the initial ROPS incorrectly indicated that immediate funding of several of the obligations was required when in fact a longer repayment term was available. The ROPS has been corrected to better detail the timing of when specific obligations are due. Finally, the ROPS was updated to include more recent dollar estimates and greater detail of the specific obligations (e.g. a breakdown of each individual CIP Project rather than just listing "Capital Projects") in order to better illustrate the specific obligations of the former Redevelopment Agency.

The State DOF has three business days in which to reject the validity of a ROPS. Staff has attempted to ask the DOF if they have additional concerns regarding the ROPS which have not yet communicated to the Successor Agency but has been unsuccessful in receiving a response.

FISCAL IMPACT

The amendment of the Recognized Obligations Payment Schedules allows the Successor Agency to pay the former Agency's obligations in an orderly manner as Redevelopment continues the process of dissolving. We expect the next receipt of the Redevelopment Property Tax Trust Fund payment to be received in June 2012.

Attachments

Resolution

Exhibit "A" – Recognized Obligation Payment Schedule January - June 2012

Exhibit "B" – Recognized Obligation Payment Schedule July - December 2012

OVERSIGHT BOARD RESOLUTION NO.

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF BRENTWOOD APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE SUCCESSOR AGENCY CITY OF BRENTWOOD FOR THE PERIODS JANUARY 1, 2012 – JUNE 30, 2012, AND JULY 1 – DECEMBER 31, 2012

WHEREAS, Section 34177 (l)(2) of the Health and Safety Code requires the City of Brentwood as the successor agency to the former Redevelopment Agency of the City of Brentwood (“Successor Agency”) to submit to the State Department of Finance (“DOF”), the State Controller, and the Contra Costa County Auditor-Controller (“County Auditor”) for review, by April 15, 2012, a Recognized Obligation Payment Schedule for the period January 1, 2012 through June 30, 2012, and by May 11, 2012, a Recognized Obligation Payment Schedule for the period July 1 through December 31, 2012 (each, a “ROPS”), that has been certified by the Contra Costa County Auditor-Controller as to their accuracy based on an audit and that have been reviewed and approved by the Oversight Board for the Successor Agency City of Brentwood (“Board”); and,

WHEREAS, in order to facilitate DOF’s ability to make timely payments to successor agencies and taxing agency by June 1, 2012, as required by Health and Safety Code Section 34183(a), DOF has advised that where county auditor-controllers are unable to certify draft recognized obligation payment schedules in sufficient time for oversight boards to review and approve them for submittal to DOF, the State Controller and the county auditor-controllers within the applicable deadlines, successor agencies should, within the applicable timelines, submit the uncertified ROPS to their oversight boards for review and approval and submittal to DOF, State Controller and county auditor-controllers; and

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Recognized Obligation Payment Schedule for the period January 1 – June 30, 2012, and the Recognized Obligation Payment Schedule for the period July 1 – December 31, 2012, in the forms attached to this resolution and incorporated herein by reference, are hereby approved.

2. The staff of the Successor Agency is hereby directed to submit each ROPS to the State Department of Finance, the State Controller and the Contra Costa County Auditor-Controller and post the ROPS on the Successor Agency’s website in accordance with Health and Safety Code Section 34177(l)(2)(C), and to cooperate with DOF to the extent necessary to obtain DOF’s acceptance of the each ROPS, including, if necessary, making modifications to the ROPS determined by the Successor Agency’s City Manager, in consultation with the Successor Agency’s City Attorney, to be reasonable and financially feasible to meet its legally required financial obligations.

3. Upon the Successor Agency’s receipt of the certified ROPS from the County Auditor, and provided the certified ROPS did not require substantial changes from the ROPS approved by this resolution, the Board deems the certified ROPS approved by the Board and the Successor Agency is hereby authorized and directed to submit the certified ROPS to DOF, the State Controller and the County Auditor for review. If the certified ROPS is substantially different from the ROPS approved by this resolution, the Successor Agency is hereby directed to submit the certified ROPS to the Board for review and approval prior to its submittal to DOF, the State Controller and the County Auditor for review.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency City of Brentwood at a special meeting held on May 8, 2012, by the following vote:

Name of Redevelopment Agency: Brentwood Redevelopment Agency
 Project Area(s) Brentwood Merged Redevelopment Project Area
 Pamela Ehler, Agency Treasurer 925-516-5109

Sources of Payment
1-Low/Mod Income Housing Fund
2-Bonds Proceeds
3-Reserve Balances
4-Administrative Cost Allowance
5-Redevelopment Property Tax Trust Fund
6-Other Revenue Sources

Exhibit A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Source of Payment	Total Due During Fiscal Year	Payments by month						
						Jan	Feb	Mar	Apr	May	Jun	Total Jan-Jun
1) 2001/2012 Tax Allocation Bonds	U.S. Bank	Refund 1990 TAB and Fund Reserve	28,492,803.00	5	1,365,653.15					425,118.76		\$ 425,118.76
2) 2009 Revenue Bonds	U.S. Bank	2009 Bonds Debt Service	29,666,203.52	5	888,080.08			444,040.40				\$ 444,040.40
3) Bond Debt Admin	City of Brentwood	Debt Service Expense	81,480.00	5	0.00							\$ -
4) Professional/Special/Legal Services	Various	Legal/Audit/EIR/PropTaxAdmin/Proj Serv	2,185,683.23	5	169,683.23	15,006.86	8,265.37	4,250.87	11,752.24	22,795.52	22,795.52	\$ 84,866.38
5) City Park CIP Project	Various	Projects per Agmnts/Proj Mgmt	1,299,825.65	5	0.00							\$ -
6) Community Center	Various	Projects per Agmnts/Proj Mgmt	2,162,529.90	5	0.00							\$ -
7) Downtown Infrastructure	Various	Projects per Agmnts/Proj Mgmt	2,216,365.65	5	0.00							\$ -
8) Downtown Streetscapes	Various	Projects per Agmnts/Proj Mgmt	860,995.97	5	0.00							\$ -
9) Housing Monitoring/Compliance	Various	Professional/Legal/Office expenses	2,454,078.51	1	47,702.51	4,315.97	1,432.56	8,339.84	2,606.42	11,510.32	11,510.32	\$ 39,715.43
10) Pension Obligations	City of Brentwood	Unfunded pension obligations	598,550.00	5	0.00							\$ -
11) Pension Obligations	City of Brentwood	Unfunded pension obligations	128,901.00	1	0.00							\$ -
12) Bond Reserve Funds *	U.S. Bank	2001 CIP Bond Reserve Funds	1,382,000.00	6	0.00							\$ -
13) Other Supplies and Services	Various	Office/utilities/advertising/Comm.	8,102.57	5	8,102.57	174.72	216.46	111.53	150.22	185.00	185.00	\$ 1,022.93
14) The Grove at Sunset Court **	Grove Sunset, L.P. (Meta)	Low/Mod Aptmnt Loan/Proj Mgmt	3,989,500.00	1	3,989,500.00						3,989,500.00	\$ 3,989,500.00
15) Personnel Services	City of Brentwood	Payroll/OPEB/Unemployment/Comp Abs.	222,023.00	5	157,138.76	5,142.82	9,462.82	5,360.83	5,142.82	5,143.00	5,413.00	\$ 35,665.29
16) Personnel Services	City of Brentwood	Low Mod Compliance/Monitoring Staff	6,277,872.85	1	284,136.85	21,055.01	22,577.37	23,257.25	21,129.50	21,130.00	21,130.00	\$ 130,279.13
17) Grants/Contributions to Others	Local Businesses	Façade Improvmt/Bus Incentive/H&S	39,120.00	5	39,120.00	4,120.00					20,000.00	\$ 24,120.00
18) Grants/Contributions to Others	Local Businesses	Low Mod Grants (Green Valley Apts - \$800k)	818,802.94	1	818,802.94							\$ -
19) Interfund Services	City of Brentwood	Interfund Services	29,170.55	5	29,170.55							\$ -
20) Internal Services	City of Brentwood	Internal Services	12,623.00	5	12,623.00							\$ -
21) Interfund Services for Low/Mod	City of Brentwood	Low Mod Compliance/Monitoring Support/OH	161,129.00	1	161,129.00							\$ -
22) Internal Services for Low/Mod	City of Brentwood	Low Mod Comp/Monitor (IT/Insurance/Rent)	152,608.26	1	152,608.26							\$ -
23) Administrative Allowance	City of Brentwood	Administrative Cost Allowance	7,250,000.00	5	250,000.00							\$ -
24)												\$ -
25)												\$ -
26)												\$ -
27)												\$ -
28)												\$ -
29)												\$ -
Totals - This Page			\$ 90,490,368.60		\$ 8,373,450.90	\$ 49,815.37	\$ 41,954.57	\$ 485,360.71	\$ 40,781.19	\$ 485,882.59	\$ 4,070,533.83	\$ 5,174,328.32
Totals - Other Obligations Page 1			\$ 63,660,200.00		\$ 1,093,045.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,093,045.00	\$ 1,093,045.00
Totals - Other Obligations Page 2			\$ 39,194,000.00		\$ 453,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 453,000.00	\$ 453,000.00
Grand total - All Pages			\$ 193,344,568.60		\$ 9,919,495.90	\$ 49,815.37	\$ 41,954.57	\$ 485,360.71	\$ 40,781.19	\$ 485,882.59	\$ 5,616,578.83	\$ 6,720,373.32

* Required by the bond covenants but not required to receive payment from Trust Fund at this time.

** Timing of payment is uncertain - may occur during the July - December 2012 timeframe

RECOGNIZED OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Source of Payment	Total Due During Fiscal Year	Payments by month *						
						Jan	Feb	Mar	Apr	May	Jun	Total May-Jun
1) Statutory Payments	City General Fund	Payments per CRL 33607.5 and .7	964,000.00	5	0.00						0.00	\$ -
2) Statutory Payments	Contra Costa County General Fund	Payments per CRL 33607.5 and .7	1,450,000.00	5	28,000.00						28,000.00	\$ 28,000.00
3) Statutory Payments	Contra Costa Library	Payments per CRL 33607.5 and .7	205,000.00	5	4,000.00						4,000.00	\$ 4,000.00
4) Statutory Payments	East Contra Costa County Fire District	Payments per CRL 33607.5 and .7	901,000.00	5	16,000.00						16,000.00	\$ 16,000.00
5) Statutory Payments	Contra Costa County Flood Control	Payments per CRL 33607.5 and .7	24,000.00	5	400.00						400.00	\$ 400.00
6) Statutory Payments	Contra Costa County Flood Control (Zone 1)	Payments per CRL 33607.5 and .7	229,000.00	5	4,000.00						4,000.00	\$ 4,000.00
7) Statutory Payments	Contra Costa County Water Agency	Payments per CRL 33607.5 and .7	200.00	5	5.00						5.00	\$ 5.00
8) Statutory Payments	Contra Costa County Resource Conservation	Payments per CRL 33607.5 and .7	11,000.00	5	40.00						40.00	\$ 40.00
9) Statutory Payments	Contra Costa County Mosquito Abatement	Payments per CRL 33607.5 and .7	216,000.00	5	4,000.00						4,000.00	\$ 4,000.00
10) Statutory Payments	Byron-Brentwood Cemetery District	Payments per CRL 33607.5 and .7	35,000.00	5	1,000.00						1,000.00	\$ 1,000.00
11) Statutory Payments	BART	Payments per CRL 33607.5 and .7	130,000.00	5	1,000.00						1,000.00	\$ 1,000.00
12) Statutory Payments	Bay Area Air Quality Management	Payments per CRL 33607.5 and .7	82,000.00	5	300.00						300.00	\$ 300.00
13) Statutory Payments	East Contra Costa Irrigation District	Payments per CRL 33607.5 and .7	578,000.00	5	10,000.00						10,000.00	\$ 10,000.00
14) Statutory Payments	Brentwood Parks and Rec	Payments per CRL 33607.5 and .7	365,000.00	5	7,000.00						7,000.00	\$ 7,000.00
15) Statutory Payments	Contra Costa Community College	Payments per CRL 33607.5 and .7	2,071,000.00	5	8,000.00						8,000.00	\$ 8,000.00
16) Statutory Payments	Contra Costa County Office of Education	Payments per CRL 33607.5 and .7	110,000.00	5	2,000.00						2,000.00	\$ 2,000.00
17) Statutory Payments	Brentwood Union	Payments per CRL 33607.5 and .7	864,000.00	5	16,000.00						16,000.00	\$ 16,000.00
18) Statutory Payments	Liberty Union High	Payments per CRL 33607.5 and .7	4,946,000.00	5	25,000.00						25,000.00	\$ 25,000.00
19) Statutory Payments	Oakley Union Elementary	Payments per CRL 33607.5 and .7	332,000.00	5	6,000.00						6,000.00	\$ 6,000.00
20) Statutory Payments	Knightsen Elementary	Payments per CRL 33607.5 and .7	17,000.00	5	300.00						300.00	\$ 300.00
21) Statutory Payments	Byron Elementary	Payments per CRL 33607.5 and .7	69,000.00	5	1,000.00						1,000.00	\$ 1,000.00
22) Pass Through Agreement	Contra Costa County General Fund	Payments per former CRL 33401	19,777,000.00	5	475,000.00						475,000.00	\$ 475,000.00
23) Pass Through Agreement	Contra Costa Library	Payments per former CRL 33401	2,481,000.00	5	60,000.00						60,000.00	\$ 60,000.00
24) Pass Through Agreement	East Contra Costa County Fire District	Payments per former CRL 33401	11,093,000.00	5	267,000.00						267,000.00	\$ 267,000.00
25) Pass Through Agreement	Contra Costa County Flood Control	Payments per former CRL 33401	946,000.00	5	23,000.00						23,000.00	\$ 23,000.00
26) Pass Through Agreement	Contra Costa County Mosquito Abatement	Payments per former CRL 33401	2,308,000.00	5	54,000.00						54,000.00	\$ 54,000.00
27) Pass Through Agreement	Byron-Brentwood Cemetery District	Payments per former CRL 33401	269,000.00	5	6,000.00						6,000.00	\$ 6,000.00
28) Pass Through Agreement	Contra Costa Community College	Payments per former CRL 33401	13,187,000.00	5	74,000.00						74,000.00	\$ 74,000.00
Totals - Other Obligations			63,660,200.00		\$ 1,093,045.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,093,045.00	\$ 1,093,045.00
Note: Payments to be administered by the Contra Costa County Auditor Controller's Office												
* All payment amounts are estimates												

RECOGNIZED OTHER OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34167 and 34169

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Source of Payment	Total Due During Fiscal Year	Payments by month *						
							Jan	Feb	Mar	Apr	May	Jun	Total May-Jun
1)	Pass Through Agreement	Contra Costa County Office of Education	Payments per former CRL 33401	5,182,000.00	5	29,000.00						29,000.00	\$ 29,000.00
2)	Pass Through Agreement	Brentwood Union	Payments per former CRL 33401	11,265,000.00	5	131,000.00						131,000.00	\$ 131,000.00
3)	Pass Through Agreement	Liberty Union High	Payments per former CRL 33401	13,142,000.00	5	153,000.00						153,000.00	\$ 153,000.00
4)	Pass Through Agreement	Oakley Union Elementary	Payments per former CRL 33401	3,548,000.00	5	41,000.00						41,000.00	\$ 41,000.00
5)	Pass Through Agreement	Knightsen Elementary	Payments per former CRL 33401	2,535,000.00	5	30,000.00						30,000.00	\$ 30,000.00
6)	Pass Through Agreement	Byron Elementary	Payments per former CRL 33401	347,000.00	5	4,000.00						4,000.00	\$ 4,000.00
7)	Pass Through Agreement	East Bay Regional Parks	Payments per former CRL 33401	1,772,000.00	5	43,000.00						43,000.00	\$ 43,000.00
8)	Section 33676 Payments	City General Fund, BART	Payments per former CRL 33676	1,403,000.00	5	22,000.00						22,000.00	\$ 22,000.00
9)													\$ -
10)													\$ -
11)													\$ -
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27)													\$ -
28)													\$ -

Totals - Other Obligations				39,194,000.00		\$ 453,000.00	\$ -	\$ 453,000.00	\$ 453,000.00				
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Note: Payments to be administered by the Contra Costa County Auditor Controller's Office

* All payment amounts are estimates

Name of Redevelopment Agency: Brentwood Redevelopment Agency
 Project Area(s) Brentwood Merged Redevelopment Project Area
 Pamela Ehler, Agency Treasurer 925-516-5109

Sources of Payment
 1-Low/Mod Income Housing Fund
 2-Bonds Proceeds
 3-Reserve Balances
 4-Administrative Cost Allowance
 5-Redevelopment Property Tax Trust Fund
 6-Other Revenue Sources

Exhibit B

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Source of Payment	Total Due During Fiscal Year	Payments by month						Total July-Dec
						July	Aug	Sept	Oct	Nov	Dec	
1) 2001 Tax Allocation Bonds***	U.S. Bank	Refund 1990 TAB and Fund Reserve	27,127,150.00	5	1,364,082.00				800,119.00			\$ 800,119.00
2) 2001 Tax Allocation Bonds***	U.S. Bank	Refund 1990 TAB and Fund Reserve		3					150,000.00			\$ 150,000.00
3) 2009 Revenue Bonds	U.S. Bank	2009 Bonds Debt Service	28,778,123.52	5	1,050,087.00			608,514.00				\$ 608,514.00
4) Bond Debt Admin	City of Brentwood	Debt Service Expense	81,480.00	5	2,910.00	242.50	242.50	242.50	242.50	242.50	242.50	\$ 1,455.00
5) Administrative Allowance	City of Brentwood	Administrative Cost Allowance	7,000,000.00	5	250,000.00	23,702.89	23,702.89	23,702.89	23,702.89	23,702.89	23,702.89	\$ 142,217.36
6) Professional/Special/Legal Services	Various	Legal/Audit/EIR/PropTaxAdmin/Proj Serv	2,016,000.00	5	72,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	\$ 36,000.00
7) City Park CIP Project	Various	Projects per Agmnts/Proj Mgmt	1,299,825.65	5	1,299,825.65							\$ -
8) Community Center	Various	Projects per Agmnts/Proj Mgmt	2,162,529.90	5	0.00							\$ -
9) Downtown Infrastructure	Various	Projects per Agmnts/Proj Mgmt	2,216,365.65	5	0.00							\$ -
10) Downtown Streetscapes	Various	Projects per Agmnts/Proj Mgmt	860,995.97	5	0.00							\$ -
11) Housing Monitoring & Compliance	Various	Professional/Legal/Office expenses	2,406,376.00	1	85,942.00	7,164.00	7,164.00	7,164.00	7,164.00	7,164.00	7,164.00	\$ 42,984.00
12) Pension Obligations	City of Brentwood	Unfunded pension obligations	598,550.00	5	0.00							\$ -
13) Pension Obligations	City of Brentwood	Unfunded pension obligations	128,901.00	1	0.00							\$ -
14) Bond Reserve Funds *	U.S. Bank	2001 CIP Bond Reserve Funds	1,382,000.00	6	0.00							\$ -
15) The Grove at Sunset Court **	Grove Sunset, L.P. (Meta)	Low/Mod Aprtmnt Loan/Proj Mgmt	3,989,500.00	1	3,989,500.00	3,989,500.00						\$ 3,989,500.00
16) Personnel Services	City of Brentwood	Low Mod Compliance/Monitoring Staff	5,993,736.00	1	214,062.00	17,838.50	17,838.50	17,838.50	17,838.50	17,838.50	17,838.50	\$ 107,031.00
17)												\$ -
18)												\$ -
19)												\$ -
20)												\$ -
21)												\$ -
22)												\$ -
23)												\$ -
24)												\$ -
25)												\$ -
26)												\$ -
27)												\$ -
28)												\$ -
29)												\$ -
Totals - This Page			\$ 86,041,533.69		\$ 8,328,408.65	\$ 4,044,447.89	\$ 54,947.89	\$ 663,461.89	\$ 1,005,066.89	\$ 54,947.89	\$ 54,947.89	\$ 5,877,820.36
Totals - Other Obligations Page 1			\$ 63,660,200.00	\$ -	\$ 1,093,045.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,093,045.00	\$ 1,093,045.00
Totals - Other Obligations Page 2			\$ 39,194,000.00	\$ -	\$ 453,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 453,000.00	\$ 453,000.00
Grand total - All Pages			\$ 188,895,733.69		\$ 9,874,453.65	\$ 4,044,447.89	\$ 54,947.89	\$ 663,461.89	\$ 1,005,066.89	\$ 54,947.89	\$ 1,600,992.89	\$ 7,423,865.36

* Required by the bond covenants but not required to receive payment from Trust Fund at this time.
 ** Timing of payment is uncertain - payment may be made in June 2012 and is on the June 2012 ROPS
 *** The debt payment due in October is expected to be split between reserves and the Property Tax Trust Fund.

RECOGNIZED OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Source of Payment	Total Due During Fiscal Year	Payments by month *						Total Jul-Dec
						July	Aug	Sept	Oct	Nov	Dec	
1) Statutory Payments	City General Fund	Payments per CRL 33607.5 and .7	964,000.00	5	0.00						0.00	\$ -
2) Statutory Payments	Contra Costa County General Fund	Payments per CRL 33607.5 and .7	1,450,000.00	5	28,000.00						28,000.00	\$ 28,000.00
3) Statutory Payments	Contra Costa Library	Payments per CRL 33607.5 and .7	205,000.00	5	4,000.00						4,000.00	\$ 4,000.00
4) Statutory Payments	East Contra Costa County Fire District	Payments per CRL 33607.5 and .7	901,000.00	5	16,000.00						16,000.00	\$ 16,000.00
5) Statutory Payments	Contra Costa County Flood Control	Payments per CRL 33607.5 and .7	24,000.00	5	400.00						400.00	\$ 400.00
6) Statutory Payments	Contra Costa County Flood Control (Zone 1)	Payments per CRL 33607.5 and .7	229,000.00	5	4,000.00						4,000.00	\$ 4,000.00
7) Statutory Payments	Contra Costa County Water Agency	Payments per CRL 33607.5 and .7	200.00	5	5.00						5.00	\$ 5.00
8) Statutory Payments	Contra Costa County Resource Conservation	Payments per CRL 33607.5 and .7	11,000.00	5	40.00						40.00	\$ 40.00
9) Statutory Payments	Contra Costa County Mosquito Abatement	Payments per CRL 33607.5 and .7	216,000.00	5	4,000.00						4,000.00	\$ 4,000.00
10) Statutory Payments	Byron-Brentwood Cemetery District	Payments per CRL 33607.5 and .7	35,000.00	5	1,000.00						1,000.00	\$ 1,000.00
11) Statutory Payments	BART	Payments per CRL 33607.5 and .7	130,000.00	5	1,000.00						1,000.00	\$ 1,000.00
12) Statutory Payments	Bay Area Air Quality Management	Payments per CRL 33607.5 and .7	82,000.00	5	300.00						300.00	\$ 300.00
13) Statutory Payments	East Contra Costa Irrigation District	Payments per CRL 33607.5 and .7	578,000.00	5	10,000.00						10,000.00	\$ 10,000.00
14) Statutory Payments	Brentwood Parks and Rec	Payments per CRL 33607.5 and .7	365,000.00	5	7,000.00						7,000.00	\$ 7,000.00
15) Statutory Payments	Contra Costa Community College	Payments per CRL 33607.5 and .7	2,071,000.00	5	8,000.00						8,000.00	\$ 8,000.00
16) Statutory Payments	Contra Costa County Office of Education	Payments per CRL 33607.5 and .7	110,000.00	5	2,000.00						2,000.00	\$ 2,000.00
17) Statutory Payments	Brentwood Union	Payments per CRL 33607.5 and .7	864,000.00	5	16,000.00						16,000.00	\$ 16,000.00
18) Statutory Payments	Liberty Union High	Payments per CRL 33607.5 and .7	4,946,000.00	5	25,000.00						25,000.00	\$ 25,000.00
19) Statutory Payments	Oakley Union Elementary	Payments per CRL 33607.5 and .7	332,000.00	5	6,000.00						6,000.00	\$ 6,000.00
20) Statutory Payments	Knightsen Elementary	Payments per CRL 33607.5 and .7	17,000.00	5	300.00						300.00	\$ 300.00
21) Statutory Payments	Byron Elementary	Payments per CRL 33607.5 and .7	69,000.00	5	1,000.00						1,000.00	\$ 1,000.00
22) Pass Through Agreement	Contra Costa County General Fund	Payments per former CRL 33401	19,777,000.00	5	475,000.00						475,000.00	\$ 475,000.00
23) Pass Through Agreement	Contra Costa Library	Payments per former CRL 33401	2,481,000.00	5	60,000.00						60,000.00	\$ 60,000.00
24) Pass Through Agreement	East Contra Costa County Fire District	Payments per former CRL 33401	11,093,000.00	5	267,000.00						267,000.00	\$ 267,000.00
25) Pass Through Agreement	Contra Costa County Flood Control	Payments per former CRL 33401	946,000.00	5	23,000.00						23,000.00	\$ 23,000.00
26) Pass Through Agreement	Contra Costa County Mosquito Abatement	Payments per former CRL 33401	2,308,000.00	5	54,000.00						54,000.00	\$ 54,000.00
27) Pass Through Agreement	Byron-Brentwood Cemetery District	Payments per former CRL 33401	269,000.00	5	6,000.00						6,000.00	\$ 6,000.00
28) Pass Through Agreement	Contra Costa Community College	Payments per former CRL 33401	13,187,000.00	5	74,000.00						74,000.00	\$ 74,000.00

Totals - Other Obligations			63,660,200.00		\$ 1,093,045.00	\$ -	\$ 1,093,045.00	\$ 1,093,045.00				
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Note: Payments to be administered by the Contra Costa County Auditor Controller's Office

* All payment amounts are estimates

RECOGNIZED OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Source of Payment	Total Due During Fiscal Year	Payments by month *						Total Jul-Dec
							July	Aug	Sept	Oct	Nov	Dec	
1)	Pass Through Agreement	Contra Costa County Office of Education	Payments per former CRL 33401	5,182,000.00	5	29,000.00						29,000.00	\$ 29,000.00
2)	Pass Through Agreement	Brentwood Union	Payments per former CRL 33401	11,265,000.00	5	131,000.00						131,000.00	\$ 131,000.00
3)	Pass Through Agreement	Liberty Union High	Payments per former CRL 33401	13,142,000.00	5	153,000.00						153,000.00	\$ 153,000.00
4)	Pass Through Agreement	Oakley Union Elementary	Payments per former CRL 33401	3,548,000.00	5	41,000.00						41,000.00	\$ 41,000.00
5)	Pass Through Agreement	Knightsen Elementary	Payments per former CRL 33401	2,535,000.00	5	30,000.00						30,000.00	\$ 30,000.00
6)	Pass Through Agreement	Byron Elementary	Payments per former CRL 33401	347,000.00	5	4,000.00						4,000.00	\$ 4,000.00
7)	Pass Through Agreement	East Bay Regional Parks	Payments per former CRL 33401	1,772,000.00	5	43,000.00						43,000.00	\$ 43,000.00
8)	Section 33676 Payments	City General Fund, BART	Payments per former CRL 33676	1,403,000.00	5	22,000.00						22,000.00	\$ 22,000.00
9)													\$ -
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27)													\$ -
28)													\$ -

Totals - Other Obligations				39,194,000.00		\$ 453,000.00	\$ -	\$ 453,000.00	\$ 453,000.00				
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Note: Payments to be administered by the Contra Costa County Auditor Controller's Office

* All payment amounts are estimates

CITY OF BRENTWOOD OVERSIGHT BOARD NO. 5

Meeting Date: May 8, 2012

Subject/Title: Consideration of Administrative Budgets for the Successor Agency for the periods of February 1- June 30 and July 1-December 31, 2012

Submitted by: Kerry Breen, Assistant Finance Director

Approved by: Pamela Ehler, Director of Finance and Information Systems

RECOMMENDATION

Adopt a Resolution Approving the Administrative Budgets for the Successor Agency for the periods of February 1- June 30 and July 1-December 31, 2012.

PREVIOUS ACTION

None

BACKGROUND

Pursuant to AB X1 26, the Successor Agency is required to undertake a number of actions related to winding down the affairs of the former Redevelopment Agency. For example, the Oversight Board may direct the staff of the Successor Agency to perform work in furtherance of the Oversight Board's duties and responsibilities under AB X1 26 and the Successor Agency must pay for all of the costs of meetings of the Oversight Board. In addition, the Successor Agency will have a number of ongoing responsibilities, such as paying debt service on enforceable obligations of the former Redevelopment Agency and preparing an administrative budget and Recognized Obligation Payment Schedule (ROPS) for each six-month fiscal period.

AB X1 26 provides for an "Administrative Cost Allowance" to annually be paid to the Successor Agency of not less than \$250,000 a year. The first administrative budget is covers the February 1, 2012 through June 30, 2012, and the second administrative budget is for the six-month fiscal period commencing on July 1, 2012 and ending on December 31, 2012. The Successor Agency is required to submit each proposed administrative budget to the Oversight Board for its approval. The Successor Agency is also required to provide administrative cost estimates, from its approved administrative budget that are to be paid from property tax revenues deposited in the Redevelopment Property Tax Trust Fund, to the County Auditor-Controller for each six-month fiscal period.

This Administrative Budget has prepared pursuant to Health and Safety Code Section 34177(l) for the period January through June 2012, and specifically covers that five month portion of the first ROPS period in which the Successor Agency will be in operation under ABx1 26, that being the period February through June 2012. In addition, the Administrative Budget for the second ROPS period, that of July 2012 – December 2012, has also been prepared.

The Administrative Budgets have been prepared and is being presented in three parts to correspond to the three elements described for the Administrative Budget in Health and Safety Code Section 34177(j)(1), (2), and (3). The Administrative Budgets document that the Successor Agency's "administrative cost allowance", as defined and authorized pursuant to Health and Safety Code Section 24171(b), is the minimum authorized amount of \$250,000 for both Administrative Budgets being presented. As called for in Health and Safety Code Section 34177(k), and as documented in the Administrative Budgets and the ROPS, the Successor

Agency will report to the County Auditor-Controller that its administrative cost allowance to be paid from property taxes deposited in the Redevelopment Property Tax Trust Fund (as further described in Part B below) pursuant to Health and Safety Code Section 34183(a)(3) is the amount of \$250,000 for the February – June 2012 timeframe and \$142,217.36 (\$250,000 annualized) for the July – December 2012 timeframe.

A. Estimated Amounts For Successor Agency Administrative Cost For Applicable Periods (February 1 – June 30, 2012 and July 1, 2012 – June 30, 2012 (Health and Safety Code Section 34177(i)(1))

February - June 2012 Administrative Costs	Cost
Prepare Recognized Obligation Payment Schedule (ROPS)	\$ 17,089.40
Oversight Board staff support (e.g. formation, education, staffing, meeting cost:	\$ 39,865.70
Prepare Admin Budgets	\$ 1,696.58
Staff education and training	\$ 20,073.40
Correspondence with County re: inquiries/requests, including County Audit	\$ 28,911.60
Correspondence with State re: inquiries/requests	\$ 19,010.00
Accounting for close out of RDA Funds	\$ 1,951.17
Establish new Funds for Successor Agency	\$ 1,951.17
Annual Reporting	\$ 9,148.50
General Fund Overhead and internal services (IT/insurance/contract mgmt/payroll/accounts payable/office space/legal)	<u>\$ 121,580.83</u>
Total Administrative costs incurred - February - June 2012	\$ 261,278.35
Total Administrative cost allowance on the ROPS	\$ 250,000.00

July 2012 - December 2012 Administrative Costs	
Prepare Recognized Obligation Payment Schedule (ROPS)	\$ 17,089.40
Oversight Board staff support (e.g. formation, education, staffing, meeting costs)	\$ 24,157.38
Prepare Admin Budgets	\$ 1,696.58
Staff education and training	\$ 5,018.35
Correspondence with County re: inquiries/requests	\$ 7,227.90
Correspondence with State re: inquiries/requests	\$ 9,505.00
Annual Reporting	\$ 4,574.25
General Fund Overhead and internal services (IT/insurance/contract mgmt/accounts payable/office space/legal)	<u>\$ 72,948.50</u>
Total Administrative costs July 2012 - December 2012	\$ 142,217.36
Total Administrative cost allowance on the July - December 2012 ROPS	\$ 142,217.36

Activities may be added, revised, or deleted from this listing as necessary and appropriate during the course of the former Redevelopment Agency wind-down process. Costs shown for each activity are estimates only. Actual costs required for each activity may be higher or lower than the amount shown, not to exceed the aggregate total amount shown.

B. Proposed Source of Payment For Above-Identified Administrative Costs (Health and Safety Code Section 34177(j)(2))

As authorized pursuant to Health and Safety Code Section 34183(a)(3), the proposed source of payment for the administrative costs identified in Part A above is the Redevelopment Property Tax Trust Fund established and maintained by the County Auditor- Controller pursuant to Health and Safety Code Section 34170.5(b). This applies to both Administrative Budgets.

C. Proposals For Arrangements For Administration and Operations Services (Health and Safety Code Section 34177(j)(3)).

The Successor Agency has arranged with the City of Brentwood to provide the staff services and office materials and equipment to administer the responsibilities of the Successor Agency, and will draw upon services of outside legal and financial consultants to provide special services for the wind-down of the former Brentwood Redevelopment Agency to the extent City staff lacks the necessary expertise or capacity.

Out of concerns of State deadlines, this Administrative Budget is first being presented to the Oversight Board and will be presented to the Brentwood City Council for approval at their next scheduled meeting.

FISCAL IMPACT

The Administrative Budgets allow for reimbursement of \$250,000 on an annual basis for administrative costs incurred by the Successor Agency as it performs the duties required to wind down the Brentwood Redevelopment Agency. These costs have been included in the ROPS.

Attachments

Resolution

Exhibit "A" – Successor Agency Administrative Budget February - June 2012

Exhibit "B" – Successor Agency Administrative Budget July - December 2012

OVERSIGHT BOARD RESOLUTION NO.

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF BRENTWOOD APPROVING THE ADMINISTRATIVE BUDGETS FOR THE SUCCESSOR AGENCY FOR THE PERIODS OF FEBRUARY 1- JUNE 30 AND JULY 1-DECEMBER 31 2012

WHEREAS, Health and Safety Code §34171 (a), (b) and §34177(j) require the Oversight Board to approve an Administrative Budget for administrative costs of the Successor Agency; and

WHEREAS, the Administrative Budgets have been prepared and is being presented in three parts to correspond to the three elements described for the Administrative Budget in Health and Safety Code Section 34177(j)(1), (2), and (3); and

WHEREAS, The Administrative Budgets document that the Successor Agency's "administrative cost allowance", as defined and authorized pursuant to Health and Safety Code Section 24171(b), is the minimum authorized amount of \$250,000 for both Administrative Budgets being presented; and

WHEREAS, the Successor Agency will report to the County Auditor-Controller that its administrative cost allowance to be paid from property taxes deposited in the Redevelopment Property Tax Trust Fund pursuant to Health and Safety Code Section 34183(a)(3) is the amount of \$250,000 for the February – June 2012 timeframe and \$142,217.36 (\$250,000 annualized) for the July – December 2012 timeframe; and

WHEREAS, as authorized pursuant to Health and Safety Code Section 34183(a)(3), the proposed source of payment for the administrative costs is the Redevelopment Property Tax Trust Fund established and maintained by the County Auditor- Controller pursuant to Health and Safety Code Section 34170.5(b); and

WHEREAS, the Successor Agency has arranged with the City of Brentwood to provide the staff services and office materials and equipment to administer the responsibilities of the Successor Agency.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Oversight Board hereby approves the Administrative Budgets, in substantially the form attached to the Resolution as Exhibits "A" and "B", as required by Health and Safety Code §34171 (a), (b) and §34177(j).
3. The City Manager or his designee, on behalf of the Successor Agency, is hereby authorized and directed to undertake any actions as are necessary to carry out the purposes of this Resolution including, without limitation, the execution of documents and all other actions, subject to any minor conforming, technical or clarifying changes approved by legal counsel. Such actions may include, but are not limited to (1) submitting the approved Administrative Budgets as part of an approved ROPS to the Contra Costa County Auditor- Controller for certification by an external auditor, either the county auditor-controller or its designee; and (2) submitting the Administrative Budgets as part of the approved ROPS and to the Contra Costa County Auditor-Controller; and (3) submitting the Administrative Budgets as part of the approved ROPS to the California

State Controller and the State of California Department of Finance, and posting the approved Administrative Budgets as part of the approved ROPS on the successor agency's website.

4. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency City of Brentwood at a special meeting held on May 8, 2012, by the following vote:

**BRENTWOOD SUCCESSOR AGENCY
ADMINISTRATIVE BUDGET
FEBRUARY 1, 2012 - JUNE 30, 2012**

February - June 2012 Administrative Costs	Cost
Prepare Recognized Obligation Payment Schedule (ROPS)	\$ 17,089.40
Oversight Board staff support (e.g. formation, education, staffing, meeting costs)	\$ 39,865.70
Prepare Admin Budgets	\$ 1,696.58
Staff education and training	\$ 20,073.40
Correspondence with County re: inquiries/requests, including County Audit	\$ 28,911.60
Correspondence with State re: inquiries/requests	\$ 19,010.00
Accounting for close out of RDA Funds	\$ 1,951.17
Establish new Funds for Successor Agency	\$ 1,951.17
Annual Reporting	\$ 9,148.50
General Fund Overhead and internal services (IT/insurance/contract mgmt/payroll/accounts payable/office space/legal)	<u>\$ 121,580.83</u>
Total Administrative costs incurred - February - June 2012	\$ 261,278.35
Total Administrative cost allowance on the ROPS	\$ 250,000.00

**BRENTWOOD SUCCESSOR AGENCY
ADMINISTRATIVE BUDGET
JULY 1, 2012 - DECEMBER 31, 2012**

July - December 2012 Administrative Costs	Cost
Prepare Recognized Obligation Payment Schedule (ROPS)	\$ 17,089.40
Oversight Board staff support (e.g. formation, education, staffing, meeting costs)	\$ 24,157.38
Prepare Admin Budgets	\$ 1,696.58
Staff education and training	\$ 5,018.35
Correspondence with County re: inquiries/requests	\$ 7,227.90
Correspondence with State re: inquiries/requests	\$ 9,505.00
Annual Reporting	\$ 4,574.25
General Fund Overhead and internal services (IT/insurance/contract mgmt/accounts payable/office space/legal)	\$ 72,948.50
Total Administrative costs July 2012 - December 2012	\$ 142,217.36
Total Administrative cost allowance on the July - December 2012 ROPS	\$ 142,217.36

CITY OF BRENTWOOD OVERSIGHT BOARD NO. 6

Meeting Date: May 8, 2012

Subject/Title: Informational Report Regarding Property Formerly Owned by the Redevelopment Agency of the City of Brentwood and Consideration of the Following Resolutions:

1. Confirming Title with the City of Brentwood in and to the Public Parking Lot Located at 604 First Street (APN 013-110-010) Pursuant to Health and Safety Code Section 34181
2. Confirming Title with the City Of Brentwood in and to the Public Parking Lot Located at 8436 Brentwood Boulevard (APN 013-100-009) Pursuant to Health and Safety Code Section 34181
3. Confirming Title with the City Of Brentwood in and to 1000 Central Boulevard
4. Confirming Title with the City Of Brentwood in and to County Road #8
5. Confirming Title with the City Of Brentwood in and to 400 Guthrie Lane

Submitted by: Kerry Breen, Assistant Finance Director

Approved by: Pamela Ehler, Director of Finance and Information Systems

RECOMMENDATION

Adopt Resolutions 1. Confirming Title with the City of Brentwood in and to the Public Parking Lot Located at 604 First Street (APN 013-110-010) Pursuant to Health and Safety Code Section 34181; 2. Confirming Title with the City Of Brentwood in and to the Public Parking Lot Located at 8436 Brentwood Boulevard (APN 013-100-009) Pursuant to Health and Safety Code Section 34181; 3. Confirming Title with the City Of Brentwood in and to 1000 Central Boulevard; 4. Confirming Title with the City Of Brentwood in and to County Road #8; and 5. Confirming Title with the City Of Brentwood in and to 400 Guthrie Lane.

PREVIOUS ACTION

On April 11, 2012, the Oversight Board requested that Successor Agency staff bring forward a report at the next meeting detailing the property previously owned by the Brentwood Redevelopment Agency.

BACKGROUND

As of January 1, 2011, the Brentwood Redevelopment Agency owned eleven parcels in and around the Project areas. Of these parcels, two were purchased with Low/Moderate Income Housing Funds. On January 10, 2012, the City of Brentwood adopted Resolution No. 2012-07 determining that the City of Brentwood would serve as the successor agency to the Brentwood Redevelopment Agency and that the City would retain the Redevelopment Agency's non-cash

housing assets and functions associated with the Low/Mod Housing Fund, which includes the properties purchased with the Low/Mod Housing funding. These two parcels are detailed below:

Property #	APN	Address	Use	Original purchaser	Size
A	013-010-013	1909 Jane Way	Vacant Parcel	Redevelopment Agency Low Mod Funds	.894 Acres
B	No APN	1907 Jane Way	Vacant Parcel	Redevelopment Agency Low Mod Funds	1.12 Acres

A detailed list of the remaining nine parcels transferred to the City from the Redevelopment Agency is presented below.

Property #	APN	Address	Use	Original purchaser	Size
C	013-232-006	SE Corner of Oak St and Walnut Boulevard	Vacant Parcel	Redevelopment Agency	1.68 Acres
D	No APN	10 Foot wide remnant parcel south of APN 013-232-006	Vacant Parcel (Future Public Right-of-Way)	Redevelopment Agency	4987 sq. ft.
E	013-110-010	604 First Street	Public Parking Lot	Redevelopment Agency	.17 Acres
F	013-100-009	8436 Brentwood Boulevard	Public Parking Lot	Redevelopment Agency	.17 Acres
G	016-010-016-0	7030 Brentwood Boulevard	Occupied Building (Future Public Right-of-Way)	Redevelopment Agency	2.108 Acres
H/I	017-160-004 / No APN	1000 Central Boulevard / County Road #8	(2) Vacant Parcels	City	3.7 Acres
J	010-160-033	400 Guthrie Lane	Vacant Building	City	1.28 Acres
K	No APN	NE Corner of Second Street and Central Boulevard	Vacant Parcel (Future Public Right-of-Way)	Redevelopment Agency	.45 Acres

Illustrated maps, which include current zoning, are also attached to the staff report.

On February 22, 2011, the Brentwood Redevelopment Agency and the City of Brentwood entered into an option agreement which allowed the City to purchase the properties numbered 3-11 above from the Redevelopment Agency at a cost of \$10 per parcel. Shortly thereafter the City exercised the options and proceeded with the purchase of those parcels that were not acquired with Low/Moderate Income Housing Funds and the properties were transferred from the Redevelopment Agency to the City via Grant Deeds. As described above, the properties acquired with Low/Moderate Income Housing Funds were transferred to the City when the City elected to assume the former Brentwood Redevelopment Agency's housing assets and functions.

The nine properties that were transferred to the City through the option agreement fall into four categories:

1. Properties acquired with City funds (3 parcels) – Properties “H”, “I”, and “J”, which are comprised of 1000 Central Boulevard, County Road #8, and 400 Guthrie Lane.
2. Properties currently used for public purposes (2 parcels) – Properties “E” and “F”, located at 604 First Street and 8436 Brentwood Boulevard, which are currently being used as public parking lots.
3. Properties expected to be used for public right-of-way purposes (2 parcels and a portion of 1 parcel) – Properties “D”, “K”, and portion of Property “G”. Properties “D” and “K” do not have APN numbers or addresses and are remnants pieces. Property “D” is a ten foot wide remnant parcel south of the intersection of Oak Street and Walnut Boulevard, Property “K” is a remnant at the northeast corner of Second Street and Central Boulevard, and Property “G”, which is only partially impacted by right-of-way concerns, is located at 7030 Brentwood Boulevard. This property currently has a small grocery store operating onsite.
4. Properties that were expected to be used/transferred for redevelopment projects (1 parcel and a portion of 1 parcel) – Property “C” and a portion of Property “G”. Property “C” is a vacant parcel at the corner of Oak Street and Walnut Boulevard and Property “G”, as described above, is located at 7030 Brentwood Boulevard.

We understand that the State is reviewing redevelopment property transfers made after January 1, 2011 and we will provide you with an update if and when we hear anything further on this issue. The State Controller's Office has also ordered that the City reverse the transfer of any assets transferred from the former Redevelopment Agency to the City after January 1, 2011, with the exception of assets contractually committed to a third party, or to place such assets in a reserve pending State review.

At this time, the Oversight Board is being asked to confirm that title to the properties noted in items #1 and #2 above (Properties “E”, “F”, “H”, “I”, and “J”) are held by the City by adopting the five attached resolutions.

Item #1 above lists properties purchased by the City using City funds and then transferred to the Redevelopment Agency for economic development purposes. California Health and Safety Code section 34181 (“section 34181”) requires the Oversight Board to direct the Successor Agency to dispose of all assets and properties that were funded by tax increment revenues of the former Redevelopment Agency expeditiously and in a manner aimed at maximizing value. As the properties listed in Item #1 were not purchased with tax increment revenues, they were validly transferred to the City and not subject to disposal under section 34181.

The properties at 1000 Central and County Road #8 (Properties "H" and "I") were originally purchased by the City, using City funds, in 2000 with the intent that the property would be used for the City's new Police Station. In 2003, the U.S. Print facility and CD Building at the intersection of Brentwood Boulevard and Guthrie Lane became available and the City determined this would be a better location for the new Police Station. The CD Building (Property "J") was not needed as a component of the Police Facility, and the empty building was transferred to the Redevelopment Agency for Economic Development purposes.

Item #2 above lists properties that are used for public purposes. Section 34181 also provides that the Oversight Board may direct that the Successor Agency transfer ownership of those assets that were constructed and used for a governmental purpose to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such assets, with any compensation to be provided to the Successor Agency for such transfer of the assets governed by the agreements relating to the construction or use of those assets. In the event that the State directs the Successor Agency to dispose of the properties listed in item #2, the Successor Agency is requesting the Oversight Board to confirm that, as the properties listed in Item #2 are used as public parking lots for the Downtown, title to the properties remains held by the City pursuant to section 34181. There are no existing agreements regarding the public parking lots and no compensation is paid for such use.

The Successor Agency believes the other properties listed above were also validly transferred to the City and is reviewing the issues and awaiting State review, and will return with additional requests in the future.

FISCAL IMPACT

There is no fiscal impact associated with the approval of transfers of real property transferred from the Brentwood Redevelopment Agency to the City of Brentwood. Those parcels were either purchased by the City or are being used for public purposes.

RESOLUTION NO. _____

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF BRENTWOOD CONFIRMING TITLE WITH THE CITY OF BRENTWOOD IN AND TO THE PUBLIC PARKING LOT LOCATED AT 604 FIRST STREET (APN 013-110-010) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34181

WHEREAS, California Health and Safety Code section 34181 (“section 34181”) requires the Oversight Board to direct the Successor Agency to dispose of all assets and properties that were funded by tax increment revenues of the former Redevelopment Agency expeditiously and in a manner aimed at maximizing value; and

WHEREAS, section 34181 also provides that the Oversight Board may direct that the Successor Agency transfer ownership of those assets that were constructed and used for a governmental purpose to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such assets, with any compensation to be provided to the Successor Agency for such transfer of the assets governed by the agreements relating to the construction or use of those assets; and

WHEREAS, the public parking lot located at 604 First Street in the City of Brentwood (APN 013-110-010) (the “Public Parking Lot”) was constructed and is currently being used for a governmental purpose as a public parking lot to serve the Downtown; and

WHEREAS, title to the Public Parking Lot was transferred from the former redevelopment agency to the City on March 4, 2011; and

WHEREAS, there are no existing agreements governing use of the Public Parking Lot or its construction; and

WHEREAS, the State Controller’s Office is reviewing property transfers made after January 1, 2011, from redevelopment agencies to the cities that created the agencies, and has ordered that such transferred assets be returned to the applicable successor agencies pending such review; and

WHEREAS, even though title to the Public Parking Lot is held by the City, it is possible that the State Controller could direct the Successor Agency to present the property to the Oversight Board for disposition; and

WHEREAS, the Oversight Board desires to confirm, pursuant to section 34181, that title the Public Parking Lot shall be held by the City of Brentwood.

NOW THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF BRENTWOOD HEREBY RESOLVES AS FOLLOWS:

The Oversight Board hereby confirms that title to the Public Parking Lot shall be held by the City of Brentwood without the requirement for any payment of compensation to the Successor Agency.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency City of Brentwood at a special meeting held on May 8, 2012, by the following vote:

RESOLUTION NO. _____

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
CITY OF BRENTWOOD CONFIRMING TITLE WITH THE CITY OF BRENTWOOD IN
AND TO THE PUBLIC PARKING LOT LOCATED AT 8436 BRENTWOOD
BOULEVARD (APN 013-100-009) PURSUANT TO HEALTH AND SAFETY CODE
SECTION 34181**

WHEREAS, California Health and Safety Code section 34181 (“section 34181”) requires the Oversight Board to direct the Successor Agency to dispose of all assets and properties that were funded by tax increment revenues of the former Redevelopment Agency expeditiously and in a manner aimed at maximizing value; and

WHEREAS, section 34181 also provides that the Oversight Board may direct that the Successor Agency transfer ownership of those assets that were constructed and used for a governmental purpose to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such assets, with any compensation to be provided to the Successor Agency for such transfer of the assets governed by the agreements relating to the construction or use of those assets; and

WHEREAS, the public parking lot located at 8436 Brentwood Boulevard in the City of Brentwood (APN 013-100-009) (the “Public Parking Lot”) was constructed and is currently being used for a governmental purpose as a public parking lot to serve the Downtown; and

WHEREAS, title to the Public Parking Lot was transferred from the former redevelopment agency to the City on March 4, 2011; and

WHEREAS, there are no existing agreements governing use of the Public Parking Lot or its construction; and

WHEREAS, the State Controller’s Office is reviewing property transfers made after January 1, 2011, and has ordered that assets transferred from a redevelopment agency to the city that created the agency after January 1, 2011, be returned to the applicable successor agency;

WHEREAS, the State Controller’s Office is reviewing property transfers made after January 1, 2011, from redevelopment agencies to the cities that created the agencies, and has ordered that such transferred assets be returned to the applicable successor agencies pending such review; and

WHEREAS, the Oversight Board desires to confirm, pursuant to section 34181, that title the Public Parking Lot shall be held by the City of Brentwood.

**NOW THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
CITY OF BRENTWOOD HEREBY RESOLVES AS FOLLOWS:**

The Oversight Board hereby confirms that title to the Public Parking Lot shall be held by the City of Brentwood without the requirement for any payment of compensation to the Successor Agency.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency City of Brentwood at a special meeting held on May 8, 2012, by the following vote:

RESOLUTION NO. _____

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
CITY OF BRENTWOOD CONFIRMING TITLE WITH THE CITY OF BRENTWOOD IN
AND TO 1000 CENTRAL BOULEVARD**

WHEREAS, California Health and Safety Code section 34181 (“section 34181”) requires the Oversight Board to direct the Successor Agency to dispose of all assets and properties that were funded by tax increment revenues of the former Redevelopment Agency expeditiously and in a manner aimed at maximizing value; and

WHEREAS, the property located at 1000 Central Boulevard in the City of Brentwood (APN 017-160-004) (the “Property”) was purchased by the City of Brentwood in 2000 using City funds, and was subsequently transferred to the former redevelopment agency of the City of Brentwood in 2005; and

WHEREAS, title to the Property was transferred from the former redevelopment agency back to the City on March 4, 2011; and

WHEREAS, the State Controller’s Office is reviewing property transfers made after January 1, 2011, from redevelopment agencies to the cities that created the agencies, and has ordered that such transferred assets be returned to the applicable successor agencies pending such review; and

WHEREAS, even though title to the Property is validly held by the City as it was acquired with City funds, it is possible that the State Controller could attempt to direct the Successor Agency to present the property to the Oversight Board for disposition; and

WHEREAS, the Oversight Board desires to confirm that title to the Property is held by the City of Brentwood as the Property was not purchased with tax increment revenues.

**NOW THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
CITY OF BRENTWOOD HEREBY RESOLVES AS FOLLOWS:**

The Oversight Board hereby confirms that title to the Property is held by the City of Brentwood and not subject to disposition under section 34181.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency City of Brentwood at a special meeting held on May 8, 2012, by the following vote:

RESOLUTION NO. _____

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
CITY OF BRENTWOOD CONFIRMING TITLE WITH THE CITY OF BRENTWOOD IN
AND TO COUNTY ROAD #8**

WHEREAS, California Health and Safety Code section 34181 (“section 34181”) requires the Oversight Board to direct the Successor Agency to dispose of all assets and properties that were funded by tax increment revenues of the former Redevelopment Agency expeditiously and in a manner aimed at maximizing value; and

WHEREAS, the property known as County Road #8 in the City of Brentwood (the “Property”) was purchased by the City of Brentwood in 2000 using City funds, and was subsequently transferred to the former redevelopment agency of the City of Brentwood in 2005; and

WHEREAS, title to the Property was transferred from the former redevelopment agency back to the City on March 4, 2011; and

WHEREAS, the State Controller’s Office is reviewing property transfers made after January 1, 2011, from redevelopment agencies to the cities that created the agencies, and has ordered that such transferred assets be returned to the applicable successor agencies pending such review; and

WHEREAS, even though title to the Property is validly held by the City as it was acquired with City funds, it is possible that the State Controller could attempt to direct the Successor Agency to present the property to the Oversight Board for disposition; and

WHEREAS, the Oversight Board desires to confirm that title to the Property is held by the City of Brentwood as the Property was not purchased with tax increment revenues.

**NOW THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
CITY OF BRENTWOOD HEREBY RESOLVES AS FOLLOWS:**

The Oversight Board hereby confirms that title to the Property is held by the City of Brentwood and not subject to disposition under section 34181.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency City of Brentwood at a special meeting held on May 8, 2012, by the following vote:

RESOLUTION NO. _____

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
CITY OF BRENTWOOD CONFIRMING TITLE WITH THE CITY OF BRENTWOOD IN
AND TO 400 GUTHRIE LANE**

WHEREAS, California Health and Safety Code section 34181 (“section 34181”) requires the Oversight Board to direct the Successor Agency to dispose of all assets and properties that were funded by tax increment revenues of the former Redevelopment Agency expeditiously and in a manner aimed at maximizing value; and

WHEREAS, the property located at 400 Guthrie Lane in the City of Brentwood (APN APN 010-160-033) (the “Property”) was purchased by the City of Brentwood in 2003 using City funds, and was subsequently transferred to the former redevelopment agency of the City of Brentwood in 2005; and

WHEREAS, title to the Property was transferred from the former redevelopment agency back to the City on March 4, 2011; and

WHEREAS, the State Controller’s Office is reviewing property transfers made after January 1, 2011, from redevelopment agencies to the cities that created the agencies, and has ordered that such transferred assets be returned to the applicable successor agencies pending such review; and

WHEREAS, even though title to the Property is validly held by the City as it was acquired with City funds, it is possible that the State Controller could attempt to direct the Successor Agency to present the property to the Oversight Board for disposition; and

WHEREAS, the Oversight Board desires to confirm that title to the Property is held by the City of Brentwood as the Property was not purchased with tax increment revenues.

**NOW THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
CITY OF BRENTWOOD HEREBY RESOLVES AS FOLLOWS:**

The Oversight Board hereby confirms that title to the Property is held by the City of Brentwood and not subject to disposition under section 34181.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency City of Brentwood at a special meeting held on May 8, 2012, by the following vote:

A - 1909 Jane Way

General Plan: Medium Density Res.

Zoning: Planned Development 23



B - 1907 Jane Way

General Plan: Medium Density Res.
Zoning: Planned Development 23



C - Oak Street and Walnut Boulevard - SE Corner

General Plan: Downtown
Zoning: Downtown



D - 10-Foot Wide Remnant Parcel

General Plan: Downtown
Zoning: Downtown



E - 604 First Street

General Plan: Downtown

Zoning: Downtown



F - 8436 Brentwood Boulevard

General Plan: Downtown

Zoning: Downtown



G - 7030 Brentwood Boulevard

General Plan: General Commercial
Zoning: Brentwood Boulevard
Specific Plan



H & I - 1000 Central Boulevard

General Plan: Downtown
Zoning: Downtown



J - Black Diamond Cheer - 400 Guthrie Lane

General Plan: Mixed-Use Business Park

Zoning: Planned Development 12



K - Second Street and Brentwood Boulevard - NE Corner

General Plan: Future Right-of-Way

Zoning: Planned Development 10



BRENTWOOD OVERSIGHT BOARD ITEM NO. 7

Meeting Date: May 8, 2012

Subject/Title: Discussion of Proposed Building Lease for Black Diamond Kids Center at 400 Guthrie Lane

Submitted by: Casey McCann, Community Development Director

RECOMMENDATION

Approve the execution of a lease at 400 Guthrie Lane for Black Diamond Kids Center

DISCUSSION

The Black Diamond Kids Center is a local business offering gymnastics, cheerleading, dancing, and other athletic classes to local youth. Black Diamond currently leases approximately 13,500 square feet of space at 2015 Elkins Way. They have temporarily outgrown this space and need an additional 3,000 square feet for classes. In addition, their current lease is ending and they are trying to determine if they can purchase either their current location or another location in Brentwood.

The CD Building is located at 400 Guthrie Lane, consisting of 20,277 square feet floor area. It is one of the properties originally acquired with City funds that was deeded from the Redevelopment Agency back to the City last year. Black Diamond recently approached City staff with a request to lease about 3,000 square feet in the CD Building – strictly on a temporary, month-to-month basis. Black Diamond would remain at its main location on Elkins Way, but would open an annex at the CD Building, with a target date of June 1st to start offering classes. Staff desires to enter into such a lease in order to assist a local business remain in Brentwood and maximize use of a vacant building.

As noted in the staff report regarding property formerly owned by the Redevelopment Agency, California Health and Safety Code section 34181 (“section 34181”) requires the Oversight Board to direct the Successor Agency to dispose of all assets and properties that were funded by tax increment revenues of the former Redevelopment Agency. As the CD Building was not purchased with tax increment revenues, staff believes it was validly transferred to the City and is not subject to disposal under section 34181 and staff has requested that the Oversight Board adopt a resolution to that effect. However, as the State is currently reviewing properties transferred from redevelopment agencies to cities after January 1, 2011, in an abundance of caution, the City is requesting that the Oversight Board authorize the proposed lease.

Staff proposes to negotiate a lease with the following provisions:

- Lease would be temporary, month-to-month, for a period not to exceed 12 months.
- City may terminate lease at any time with 30 days notice.
- Black Diamond would pay fair market value lease rates.

- They would accept the building conditions “as is” and would be solely responsible for electricity, janitorial, and any other expenses associated with occupying the space.
- Black Diamond would meet all of the City’s requirements for insurance and indemnifying the City against any losses.
- The lease would be contingent on City review of their plans to address any concerns with parking, circulation, or other issues. (Note: Initial staff review has not led to any major concerns thus far.)
- Black Diamond would pay to install partition walls to separate their area from the rest of the building.
- No permanent modifications would be allowed, and the building would be returned to its original condition when they leave.

Black Diamond Cheer - 400 Guthrie Lane

General Plan: Mixed-Use Business Park

Zoning: Planned Development 12

