

HAYWARD SUCCESSOR AGENCY OVERSIGHT BOARD

RESOLUTION 2016-\_\_

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD APPROVING REVISIONS TO THE REVISED MULTI-ASSET LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5

WHEREAS, pursuant to ABx1 26, (as amended by AB 1484, enacted June 27, 2012, and SB 107, enacted September 22, 2015, collectively the "Dissolution Statutes"), the separate legal entity known as the Hayward Successor Agency (the "Successor Agency") must pay the enforceable obligations, wind down the affairs and dispose of assets of the dissolved Redevelopment Agency of the City of Hayward (the "Former Agency"); and

WHEREAS, the Successor Agency received a Finding of Completion from the State Department of Finance (the "DOF"), effective November 8, 2013; and

WHEREAS, an oversight board for the Successor Agency (the "Oversight Board") has been formed and is functioning in accordance with Health and Safety Code Section 34179; and

WHEREAS, by Ordinance No. 75-029 dated December 30, 1975, the City Council adopted the Redevelopment Plan for the (the "Redevelopment Plan") for the Downtown Redevelopment Project Area (the "Project Area"), which Redevelopment Plan was being implemented by the Former Agency up until its dissolution; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b), upon receipt of the Finding of Completion, the Successor Agency is entitled to and must prepare and submit a Long-Range Property Management Plan (the "LRPMP") in connection with the property assets of the Successor Agency to the Oversight Board and the Department of Finance no later than six months following the issuance by the DOF of the Finding of Completion, or May 8, 2014; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency prepared and submitted and the Oversight Board and DOF approved a single asset LRPMP for the Residual Burbank Site property (the "Single Asset LRPMP");

WHEREAS, the properties that transferred to the ownership of the Successor Agency in connection with the Former Agency's dissolution that were not housing assets disposed of pursuant to Health and Safety Code Section 34176, public use parcels disposed of pursuant to Health and Safety Code Section 34177(e), 34181(a) and 34191.3; or disposed of through the Single Asset LRPMP, and that are thereby subject of the multi-asset LRPMP, consists of the properties listed below, which shall herein after be collectively referred to as the "Properties":

| No. | APN             | Address             |
|-----|-----------------|---------------------|
| 1.  | 428-0061-039-01 | 1025 A Street       |
| 2.  | 428-0066-085    | 22631 Foothill Blvd |
| 3.  | 428-0066-086    | 22631 Foothill Blvd |
| 4.  | 428-0071-049    | 805 B Street        |
| 5.  | 428-0071-050    | 805 B Street        |
| 6.  | 428-0071-018    | 22675 Mission Blvd  |
| 7.  | 428-0071-019    | 22675 Mission Blvd  |
| 8.  | 444-0033-018    | 24311 Mission Blvd  |
| 9.  | 444-0033-019    | 24321 Mission Blvd  |
| 10. | 444-0033-020    | 24331 Mission Blvd  |
| 11. | 444-0033-023    | 24491 Mission Blvd  |
| 12. | 427-0001-031-01 | 22852 Foothill Blvd |
| 13. | 415-0240-002    | 1154 Russell Way    |
| 14. | 415-0240-003-02 | 1166 Russell Way    |

WHEREAS, the Properties were acquired by the Dissolved RDA for redevelopment with uses consistent with, and for projects identified in, the Redevelopment Plan; and

WHEREAS, in accordance with Health and Safety Code Section 34191.5, the Successor Agency prepared and submitted the “Multi-Asset LRPMP” to the Oversight Board for the disposal of the Properties in the manner specified in the Multi-Asset LRPMP, which the Oversight Board approved pursuant to Resolution 2014-06 adopted on April 28, 2014; and

WHEREAS, the Department of Finance reviewed and commented on the Multi-Asset LRPMP and requested revisions to the Multi-Asset LRPMP. The Successor Agency made the revisions to the Multi-Asset LRPMP requested by the DOF (the "Revised Multi-Asset LRPMP"), which the Oversight Board approved pursuant to Resolution 2015-03 adopted on May 18, 2015;

WHEREAS, the Department of Finance approved the Revised Multi-Asset LRPMP by determination letter issued on September 4, 2015; and

WHEREAS, on September 22, 2015, the State enacted SB 107, under which the legislature expanded the authorization of the Oversight Board to direct the transfer of parking facilities and lots dedicated solely to public parking that do not generate revenues in excess of reasonable maintenance costs of the properties, pursuant to Health and Safety Code Section 34181(a); and

WHEREAS, pursuant to Health and Safety Code Section 34191.3(b), if the DOF approved a successor agency’s long-range property management plan prior to January 1, 2016, the successor agency may amend its long-range property management plan once, solely to allow for retention of real properties that constitute “parking facilities and lots dedicated solely to public parking” for governmental use pursuant to Section 34181; and

WHEREAS, pursuant to Health and Safety Code Section 34191.3(b), the Amendment to the Revised Multi-Asset LRPMP must be submitted to the DOF prior to July 1, 2016; and

WHEREAS, as fully set forth in the Amendment to the Multi-Asset LRPMP, the Properties described below are Parking Facilities as such term is defined in Health and Safety Code Section 34181(a)(2) (the "Parking Facilities"):

| No. | APN             | Address             | Recommended Use                        |
|-----|-----------------|---------------------|--|
| 1.  | 428-0061-039-01 | 1025 A Street       | Governmental Use as parking facilities |
| 2.  | 427-0001-031-01 | 22852 Foothill Blvd | Governmental Use as parking facilities |
| 3.  | 415-0240-002    | 1154 Russell Way    | Governmental Use as parking facilities |
| 4.  | 415-0240-003-02 | 1166 Russell Way    | Governmental Use as parking facilities |

WHEREAS, the sole purpose of the Amendment to the Multi-Asset LRPMP, is to change the designation of the Parking Facilities from properties to be retained for future development (as currently listed in the Revised Multi-Asset LRPMP) to properties to be retained by the City for governmental use as parking facilities as such term is defined in Health and Safety Code Section 34181(a)(2); and

WHEREAS, other than the Amendment to the Multi-Asset LRPMP, the remainder of the Multi-Asset LRPMP and the designated transfers of the Properties (other than the Parking Facilities) remain in full force and effect and unchanged by the adoption of this Resolution and have been or shall be transferred in the manner authorized under the Multi-Asset LRPMP; and

WHEREAS, approval of the Amendment to the Revised Multi-Asset LRPMP and the transfer of the Properties pursuant to the Revised Multi-Asset LRPMP, as revised, is exempt from the requirements of the California Environmental Quality Act and the applicable state and local implementing guidelines ("CEQA") pursuant to State CEQA Guidelines Section 15601(b)(3); and

WHEREAS, the accompanying staff report (the "Staff Report"), the Amendment to the Revised Multi-Asset LRPMP, and the Revised Multi-Asset LRPMP, provide the supporting information upon which the actions set forth in this Resolution are based; and

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

BE IT FURTHER RESOLVED that, for the reasons set forth above, the Oversight Board finds and determines that approval of the Amendment to the Multi-Asset LRPMP is exempt from the requirements of CEQA, and the Successor Agency Executive Director, or the Executive Director's designee, is authorized to file the appropriate notice of exemption with respect to the approval of the Amendment to the Revised Multi-Asset LRPMP in accordance with CEQA.

BE IT FURTHER RESOLVED that the Oversight Board hereby finds and determines that the Parking Facilities identified in the Amendment to the Multi-Asset LRPMP and subject of this Resolution, are parking facilities and lots dedicated solely to public parking and as of the date of transfer pursuant to the Amendment to the Revised Multi-Asset LRPMP, will not generate revenues in excess of reasonable maintenance costs of the properties.

BE IT FURTHER RESOLVED that pursuant to Health and Safety Code Sections 34181(a), Section 34191.3(b), and Section 34191.5(b), the Oversight Board hereby approves the Amendment to the Revised Multi-Asset LRPMP in the form on file with the secretary of the Oversight Board.

BE IT FURTHER RESOLVED that the Successor Agency Executive Director, or the Executive Director's designee, is hereby authorized and directed to submit the Amendment to the Revised Multi-Asset LRPMP to the DOF for approval in accordance with Health and Safety Code Section 34191.5(b).

BE IT FURTHER RESOLVED that, upon approval of the Amendment to the Revised Multi-Asset LRPMP by the DOF, the Oversight Board hereby authorizes and directs the Successor Agency Executive Director or the Executive Director's designee to dispose and use the Parking Facilities and any disposition proceeds in accordance with the Revised Multi-Asset LRPMP, as amended by the Amendment to the Revised Multi-Asset LRPMP and to take any action and execute any documents as may be necessary to implement the disposition and use of the Parking Facilities and any disposition proceeds in accordance with the terms approved in the Multi-Asset LRPMP and this Resolution. Notwithstanding anything else to the contrary, the contents of the Revised Multi-Asset LRPMP, not amended by the First Amendment to the Revised Multi-Asset LRPMP remain unchanged and in full force and effect.

BE IT FURTHER RESOLVED that the Successor Agency is hereby directed to notify the California Department of Finance of the actions set forth in this Resolution in accordance with Health and Safety Code Section 34179(h).

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

HAYWARD, CALIFORNIA, January \_\_, 2016

ADOPTED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

ABSENT:

BOARD MEMBERS:

ATTEST:

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Chair of the Oversight Board