

REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RSA 23-\_\_\_\_\_

Introduced by Agency Member \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD, ACTING AS THE GOVERNING BOARD OF THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD, AUTHORIZING THE CITY MANAGER/EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT AMENDING THE GROUNDLEASE BETWEEN THE HAYWARD REDEVELOPMENT SUCCESSOR AGENCY AND 1069 B STREET LLC CALIFORNIA LIMITED LIABILITY COMPANY, AS SUCCESSOR IN INTEREST TO CINEMA PLACE HAYWARD, LLC

WHEREAS, in 2005, the Redevelopment Agency (RDA) entered into a ground lease with (Lease) the Cinema Place developer, which expires in 2056

WHEREAS, in 2007, the RDA entered into a Parking Lot Maintenance Agreement (Parking Agreement) with the Cinema Place developer for Municipal Lot 3; and

WHEREAS, the Lease and Parking Agreements were subsequently transferred to the Successor Agency and the current tenant, 1069 B Street, LLC (Levy).; and

WHEREAS, in March 2020 Federal, State, and Local branches of government issued orders regarding the state of emergency pertaining to the COVID-19 pandemic; and

WHEREAS, the COVID-19 orders resulted in closing non-essential commercial stores, indoor dining, and movie theaters such the local Century Theaters which operates Cinema Place; and

WHEREAS, while Cinema Place has re-opened, the theater reports approximately a 60% reduction in customer attendance from pre-pandemic levels; and

WHEREAS, in an effort to avoid closure of the Cinema Place and to prevent a vacant downtown anchor site, the City is interested in providing a financial assistance package that would incentivize Century Theaters from terminating their lease, and, instead encourage commitment of continued operation of, at minimum, the next three years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward, acting as the Governing Board of the Successor Agency for the Redevelopment Agency of the City of Hayward, authorizing the City Manager/Executive Director to enter into an agreement with 1069 B Street LLC temporarily amending the obligations under the Lease and Parking Agreements, as set forth in the staff report attached to this resolution.

IN HAYWARD, CALIFORNIA \_\_\_\_\_, 2023

ADOPTED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS:  
CHAIR:

NOES: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST: \_\_\_\_\_  
Secretary of the Redevelopment Successor  
Agency of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
General Counsel of the Redevelopment  
Successor Agency of the City of Hayward