

CITY OF SAN LEANDRO
Successor Agency Oversight Board

October 10, 2012
9:00a.m.-10:00a.m.

Sister Cities Gallery
San Leandro Civic Center
835 East 14th Street

HIGHLIGHTS

Board Members: Dr. Hal Gin, Surlene Grant, Steve Hernandez, John Jermanis, Morgan Mack-Rose and Supervisor Wilma Chan

City staff present: Interim Community Development Director Liao, City Attorney Williams, Assistant Business Development Manager Battenberg, City Attorney Bloch, Business Development Manager Kay, Secretary Gonzalez

Public present: Anthony Varni

The meeting was called to order at 9:00a.m.

1. Call to Order/Announcements

- a. Roll Call -
- b. Adoption of October 3, 2012 Oversight Board
M/S/C Grant/Jermanis; Ayes 5, Noes 0
- c. Announcements:
 - Per prior direction of the Oversight Board, staff is pursuing obtaining legal counsel. The next Oversight Board meeting is scheduled for October 31, 2012 at 9:00 a.m.

Oversight Board member Morgan Mack-Rose arrived at 9:05a.m.

2. Approval of Due Diligence Review for the Low and Moderate Income Housing Fund of the Successor Agency

Interim Community Development Director Liao reviewed the process, specifying that the review was limited strictly to affordable housing funds, which could not be utilized for anything else. Liao confirmed the Review showed there were no unobligated funds, the City had reported all funds appropriately and there were no public comments last week at the mandated meeting and presentation. Liao noted the next steps:

October 15, 2012: Deadline to submit the report to the Department of Finance (DOF)
November 2012: DOF will respond, with the opportunity to meet and confer
December 2012: The non-housing DDR process will begin

Member of the public Anthony Varni stated he represented the largest creditor to the Successor Agency and the Oversight Board needed independent counsel. He stated this is due to the transfer of non-housing assets which were not included in the DDR, combined with the Certificate of Completion not being issued. He stated this undercuts public confidence

because Oversight Board is supposed to oversee these transfers. It would be most prudent to have independent counsel, since the audit was to check the numbers, but the accountants noted that they did not check and investigate under the DDR.

Chairperson Chan clarified if the comment was related to item #2 or item #3 on the Agenda; Varni stated it pertained to the general actions of the Oversight Board.

Liao confirmed that the DDR was executed in full compliance with DOF requirements.

Action

Approval of the Resolution Approving of Due Diligence Review for the Low and Moderate Income Housing Fund of the Successor Agency

M/S/C Gin/Grant; Ayes 6, Noes 0

3. Oversight Board Adoption of Resolution Approving the Successor Agency Conveyance of Certain Former Redevelopment Agency Assets to the City of San Leandro

Business Development Manager Battenberg identified the types of parcels presented for conveyance as public purpose parcels, such as sidewalks, parking lots, easements, with two (2) parcels for which the City of San Leandro and the Redevelopment Agency (RDA) had agreements. These properties, 2101 Marina Boulevard and 268 Parrott Street, had been owned by the City and separate agreements were executed with the purpose of the Redevelopment Agency developing the properties and then returning the proceeds from any sale to the City. Staff stated the development did not occur and the properties should be returned to the City, per these agreements. AB1x26 and AB1484 defines the process for transferring and disposing of real properties following a Due Diligence Review and a Finding of Completion, however, they also allow for the disposal of properties outside this process when appropriate. The statute specifically provides for the disposal of public parcels. The DOF has 60 days to review the properties; if they object the Oversight Board could direct the Successor Agency to reenter into the agreements for 2101 Marina Boulevard and 268 Parrot Street.

Board discussion included a request for clarification as to why 2101 Marina Blvd and 268 Parrott St. can be transferred at this time, when other RDA properties cannot. Staff reviewed the agreement outlining the properties were owned by the City, transferred to the RDA to develop on the City's behalf. The other properties were purchased by the RDA. Staff also shared that the estimated value of the two properties was relatively low.

Action

Approval of the Resolution Approving the Successor Agency Conveyance of Certain Former Redevelopment Agency Assets to the City of San Leandro

M/S/C Jermanis/Gin; Ayes 6, Noes 0

4. Board Comments

5. Public Comments – None

6. Adjourn - The meeting was adjourned at 9:25a.m.