

OVERSIGHT BOARD MEETING AGENDA

Monday, September 14, 2015
4:00 P.M.

Location!

Douglas Fir Room
2120 Milvia Street, 1st Floor
Berkeley, CA

All agenda items are for Discussion and Possible Action.

Public Comment Policy: *Members of the public may speak on any items on the Agenda and items not on the Agenda during the initial Public Comment period. Members of the public may also comment on any item listed on the agenda as the item is taken up. Members of the public may not speak more than once on any given item. The Chair may limit public comments to 3 minutes or less.*

1. Roll Call
2. Public Comment
3. Agenda Approval
4. Approval of Minutes of February 23, 2015 Meeting [Action Item, Attachment 1]
5. Review and Approve the Administrative Budget [Attachment 2]
6. Review and Approve the Recognized Obligations Payment Schedule 15-16B (for the period of January 1, 2016 through June 30, 2016) [Attachment 3]
7. Announcements

Oversight Board Meeting
Agenda – September 14, 2015

- The next regularly scheduled meeting is January 25, 2016 for ROPS 16-17A, for the period July-December 31, 2016. The OB Resolution must be submitted to the Department of Finance (DOF) no later than February 1, 2016. We recommend rescheduling to January 18, 2016 to allow sufficient reporting time.

8. Adjourn

ATTACHMENTS:

1. Draft Minutes of February 23, 2015, Oversight Board Meeting
2. Staff Report, Administrative Budget
Exhibit A: Administrative Budget, January 1, 2016 – June 30, 2016
3. Staff Report, Recognized Obligations Payment Schedule (ROPS) 15-16B
Exhibit B: ROPS 15-16B
4. Information item: Staff updates on questions from the board on real property and State legislation



*Berkeley
Redevelopment
Successor Agency*

Time: 4:00 p.m.

**Douglas Fir Room
Permit Service Center
2120 Milvia Street – Berkeley, CA
Secretary – Lourdes Chang, (510) 981-5419**

Draft Minutes of the February 23, 2015 Oversight Board Meeting

1. Attendance: Present: Arreguin, Brooks (For Carson), Decredico, Hardaway and Rinne. Riddle arrived 4:05 p.m.; Harper arrived 4:24 p.m. Absent: None. Staff: Angstadt and Chang. Members of the Public: 0

2. Public Comment.

None.

3. Agenda Approval

A motion to approve the agenda was passed. [M/S/C: Rinne/Decredico. Ayes: Arreguin, Brooks, Decredico, Hardaway and Rinne. Noes: None. Abstentions: None. Absent for Vote: Harper and Riddle]

4. Approval of Minutes of December 1, 2014 Meeting

A motion to approve the minutes of the December 1, 2014 meeting was passed. [M/S/C: Rinne/Decredico. Ayes: Arreguin, Brooks, Decredico, Hardaway and Rinne. Noes: None. Abstentions: None. Absent for Vote: Harper and Riddle]

5. Election of Oversight Board Chair and Vice-Chair for the term beginning January 1, 2015 – December 31, 2016

A motion to elect Jesse Arreguin as Oversight Board Chair was passed unanimously. [M/S/C: Decredico/Rinne. Ayes: Arreguin, Brooks, Decredico,

Hardaway and Rinne. Noes: None. Abstentions: None. Absent for Vote: Harper and Riddle]

A motion to elect Nancy Riddle as Oversight Board Vice Chair was passed unanimously. [M/S/C: Decredico/Rinne. Ayes: Arreguin, Brooks, Decredico, Hardaway and Rinne. Noes: None. Abstentions: None. Absent for Vote: Harper and Riddle]

6. Consider Adoption of a Resolution Approving a Bond Proceeds Expenditure Agreement to transfer the remaining 2005 Refunding Tax Allocation Bonds proceeds from the Successor Agency to the City of Berkeley and Approving the Bond Spending Plan

Eric Angstadt summarized staff recommendation to transfer the tax allocation bond proceeds from the Successor Agency to the City of Berkeley for implementation of three projects, as noted in Bond Spending Plan: (a) bike crossing improvements; (b) Gilman overcrossing preliminary study; and (3) sidewalk improvements on 7th and 8th Streets. Since the bonds were issued to fund specific projects, if the proceeds are not used for such purposes the funds would need to be used to repay the bond principal.

A motion passed to approve the Bond Proceeds Expenditure Agreement and Bond Spending Plan. [M/S/C: Decredico/Brooks. Ayes: Arreguin, Brooks, Decredico, Hardaway, Riddle and Rinne. Noes: None. Abstentions: None. Absent for Vote: Harper]

7. Consider Approving the Transfer of Housing Assets from the Successor Agency to the City Acting as Successor Agency for Housing

Eric Angstadt presented staff recommendation to approve the transfer of two properties – 1654 and 1631 Fifth Street- to the Successor Agency for Housing, per recommendation from the Department of Finance. The properties will be sold at fair market rate to any interested buyer. The Successor Agency has no control over what the use is of the sites once it transfers the properties to the Housing Successor Agency. Under an agreement with U.S. Department of Housing and Urban Development, proceeds from the sale of the properties will return to the City's CDBG program to be used for housing and other CDBG-eligible purposes. Oversight Board Member Riddle noted 1629 Fifth Street (APN 057-2117-012) was removed from the list and staff noted they would confirm if it should be included on the final list of assets to be transferred to the Housing Successor Agency.

A motion passed approving the transfer of Housing Assets as listed on the resolution and authorizing staff to amend the list to include 1629 Fifth Street if needed.

[M/S/C: Riddle/Decredico. Ayes: Arreguin, Brooks, Decredico, Hardaway, Riddle and Rinne. Noes: None. Abstentions: None. Absent for Vote: Harper]

8. Review and Approve the Revised Long-Range Property Management Plan (LRPMP)

A motion passed approving the Revised Long-Range Property Management Plan. [M/S/C: Rinne/Riddle. Ayes: Arreguin, Brooks, Decredico, Hardaway, Riddle and Rinne. Noes: None. Abstentions: None. Absent for Vote: Harper]

9. Review and Approve the Administrative Budget

Eric Angstadt presented the proposed Administrative Budget for July 1-December 31, 2015, and responded to Board questions regarding staffing costs, including legal costs for Successor Agency and Oversight Board, and other services required for the disposition of properties.

A motion passed approving the Administrative Budget. [M/S/C: Brooks/Riddle. Ayes: Arreguin, Brooks, Decredico, Hardaway, Harper, Riddle and Rinne. Noes: None. Abstentions: None]

10. Review and Approve the Recognized Obligations Payment Schedule 15-16A (for the period of July 1, 2015 through December 31, 2015)

Eric Angstadt presented the proposed ROPS 15-16A and noted the Gilman Overcrossing Preliminary Study was added to the list of capital improvements to be funded with the 2005 Refunding Tax Allocation Bond. Oversight Board Member Harper noted he will be voting against approval of the ROPS 15-16A and requested it to be reflected in the minutes that he was not present for agenda items #6-8 when the items were discussed.

A motion passed approving the ROPS 15-16A. [M/S/C: Brooks/Riddle. Ayes: Arreguin, Brooks, Decredico, Hardaway, Riddle and Rinne. Noes: Harper. Abstentions: None]

11. Announcements

- The next regularly scheduled meeting is April 27, 2015.

12. Future Agenda Items

Oversight Board
Draft Minutes of February 23, 2015 Meeting

13. Adjourn.

The meeting was adjourned at 4:30 p.m. (M/S/C: Harper/Riddle. Unanimous)

Approved on _____, 2015

_____, Lourdes Chang, Secretary

*Berkeley
Redevelopment
Successor Agency*

STAFF REPORT
September 14, 2015

To: Berkeley Redevelopment Successor Agency Oversight Board
From: Eric Angstadt, Director, Planning and Development
Subject: Semi Annual Administrative Budget for January 1, 2016-June 30, 2016

RECOMMENDATION

Adopt a Resolution approving the semi-annual Successor Agency budget for the six month fiscal period commencing January 1, 2016 through June 30, 2016 for administrative costs.

FISCAL IMPACTS OF RECOMMENDATION

ABx1 26 specifically dictates the amount of funds to be used for administration of the Successor Agency. Per ABx1 26, the Successor Agency's annual administrative costs will be an amount up to five percent of the property tax allocated to the Successor Agency for Fiscal Year (FY) 2015-16 and up to three percent of the property tax allocated to the Successor Agency each succeeding fiscal year, provided however that the annual amount shall not be less than \$250,000 for any fiscal year, or such lesser amount as agreed to by the Successor Agency.

CURRENT SITUATION AND ITS EFFECTS

On August 3, 2015, the Successor Agency was notified by the California State Department of Finance (Finance) that Assembly Bill 113 related to the reduction of the administrative costs allowance to continue winding down the Agency is still pending in the legislature; and until Assembly Bill 113 is enacted, the Successor Agency is unable to take advantage of the bill's administrative benefits. Finance will notify successor agencies when they can utilize the benefits provided by that measure. Until then, existing law governs.

Administrative costs include salaries for Successor Agency staff carrying out the necessary actions to wind down the Agency's affairs such as, preparing the Recognized Obligation Payment Schedule (ROPS), and Administrative Budget; making scheduled payments per the ROPS; scheduling and carrying out Oversight Board meetings; and operational costs associated with these actions.

The Budget is required to include all of the following:

1. Estimated amounts for RDA Successor Agency administrative costs for the upcoming six-month fiscal period.

2. Proposed sources of payment for the costs identified in 1 above.

The proposed source of payment for the administrative costs identified in Part 1 above is the Redevelopment Tax Trust Fund established and maintained by the County Auditor-Controller.

3. Proposals for arrangements for administrative and operations services provided by the City of Berkeley.

The Successor Agency does not have a cooperative agreement with the City of Berkeley; therefore, the City of Berkeley does not advance funds to the Successor Agency for reimbursement of incurred costs associated with administering the responsibilities and carrying out the functions of the Successor Agency.

BACKGROUND

On February 1, 2012, all redevelopment agencies were dissolved and successor agencies assumed the responsibilities of winding down the agencies. On February 28, 2012, the City of Berkeley Successor Agency took its first action, approving the Recognized Obligation Payment Schedule, which outlines the former Redevelopment Agency's enforceable obligations. The successor agency, created by the City of Berkeley to repay debts and dispose of assets, now needs budget authority to operate.

Upon adoption by the Successor Agency, the administrative budget is subject to review and approval by the Oversight Board. Preparation of the administrative budget will be completed annually by the Successor Agency until all matters of the former Redevelopment Agency are resolved

RATIONALE FOR RECOMMENDATION

Adoption of an administrative budget will allow the City, acting as Successor Agency, to comply with state law and will allow receipt of payment from the Redevelopment Property Tax Trust Fund (former tax increment revenue) for our administrative costs allowance.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Eric Angstadt, Director, Planning and Development, 510-981-7401

Attachments:

1: Resolution

Exhibit A: Administrative Budget

RESOLUTION NO. ##,###-N.S.

RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF BERKELEY APPROVING THE SEMI-ANNUAL ADMINISTRATIVE BUDGET FOR THE PERIOD JANUARY 1, 2016 THROUGH JUNE 30, 2016

WHEREAS, the successor agency is required to submit a semi-annual administrative budget and submit it to the Oversight Board for its approval; and

WHEREAS, the amount of funds to be used for administration of the Successor Agency's annual administrative costs; shall not be less than \$250,000 for any fiscal year, or such lesser amount as agreed to by the Successor Agency; and

WHEREAS, On August 3, 2015, the Successor Agency was notified by the California State Department of Finance (Finance) that Assembly Bill 113 related to the reduction of the administrative costs allowance to continue winding down the Agency is still pending in the legislature; and

WHEREAS, until Assembly Bill 113 is enacted, the Successor Agency is unable to take advantage of the bill's administrative benefits; and

WHEREAS, Finance will notify successor agencies when they can utilize the benefits provided by that measure; and

WHEREAS, administrative costs include salaries for Successor Agency staff carrying out the necessary actions to wind down the Agency's affairs; and

WHEREAS, the proposed administrative budget is to include; estimated amounts for administrative costs; proposed sources of payment and proposals for arrangements for administrative and operations services provided by the city.

NOW THEREFORE, BE IT RESOLVED by the Berkeley Redevelopment Successor Agency Oversight Board, that it hereby approves the attached semi-annual administrative budget as hereby approved.

Exhibits

- A. Administrative Budget

Berkeley Successor Agency

ABx1 26 specifically dictates the amount of funds to be used for administration of the Successor Agency. Per ABx1 26, the Successor Agency's annual administrative costs will be an amount up to five percent of the property tax allocated to the Successor Agency for Fiscal Year (FY) 2015-16 and up to three percent of the property tax allocated to the Successor Agency each succeeding fiscal year, provided however that the annual amount shall not be less than \$250,000 for any fiscal year, or such lesser amount as agreed to by the Successor Agency.

**Successor Agency Annual Budget
January 1, 2016 - June 30, 2016**

	Position	Description	FTE	Total Budget	ROPS-15-16B Jan-June 2016
	Admin/Operations	Admin Direct Labor	1.13	\$ 184,630.54	92,315.27
	Goldfarb & Lipman	Legal Assistance		\$ 2,000.00	1,000.00
	Sedgwick LLP	Oversight Board Legal Council		\$ 1,000.00	500.00
	Audit	Outside Audit		\$ 10,000.00	10,000.00
			1.13	\$ 197,630.54	\$ 103,815.27

Proposed source of payment - Redevelopment Property Tax Trust Fund (RPTTF)

*Berkeley
Redevelopment
Successor Agency*

STAFF REPORT
September 14, 2015

To: Berkeley Redevelopment Successor Agency Oversight Board
From: Eric Angstadt, Director, Planning and Development
Subject: Recognized Obligation Payment Schedule (ROPS 15-16B): January 1, 2016
– June 30, 2016

RECOMMENDATION

Adopt a Resolution approving a Recognized Obligation Payment Schedule (ROPS 15-16B) for the six month fiscal period commencing on January 1, 2016 and ending June 30, 2016.

FISCAL IMPACTS OF RECOMMENDATION

Preparation of the ROPS is in furtherance of allowing the Successor Agency to pay enforceable obligations of the former redevelopment agency. Adopting the ROPS does not create any new unfunded fiscal obligations for the City.

CURRENT SITUATION AND ITS EFFECTS

Successor agencies are required to prepare Recognized Obligation Payment Schedules ("ROPS") prior to each six-month fiscal period. The ROPS includes Successor Agency legally binding and enforceable obligations. The ROPS for the period commencing on January 1, 2016 and ending June 30, 2016 is due to the State Department of Finance (DOF) by October 5, 2015. Oversight Board approval by certification is required prior to submittal to the County Auditor-Controller, the State Controller's Office and the State Department of Finance and posted on the Successor Agency's website. Staff has the ability to make changes as necessary prior to submitting to the DOF.

The payments as listed below and in the ROPS 15-16B are anticipated to be made from Successor Agency funds between January 1, 2016 and June 30, 2016.

Description	Non- Administrative	Administrative
Savo Island Loan Payable - 2001 Loan from the COB Retiree Health Benefits Trust	\$15,680.00	
\$1M Bond - Issued in 1997 for affordable housing purposes	\$699,054.00	
Administrative Costs		\$103,815.00

1. Savo Island Loan Payable – This item is a 2001 loan from the City of Berkeley Retiree Health Benefits Trust to the former RDA that was used for affordable housing purposes.
2. \$1 Million Bond – These bonds, were issued in 1997 for affordable housing purposes. This distribution is for final payment. The RPTTF was increased significantly because the Successor Agency completed repayment of the 2005 Tax allocation revenue bonds in FY15.
3. Administrative Costs – For staff expenses; Goldfarb and Lipman LLP to provide legal assistance to the Agency; Sedgwick LLP as independent legal counsel for the Oversight Board, and the annual audit.

BACKGROUND

Upon dissolution of the Berkeley Redevelopment Agency on February 1, 2012 pursuant to AB X1 26, the Successor Agency to the Berkeley Redevelopment Agency was constituted and is governed by the members of the City Council. Successor agencies are required to prepare Recognized Obligation Payment Schedules prior to each six-month fiscal period. The purpose of the ROPS is to designate all enforceable obligations of the former redevelopment agency. The City Council, acting as the Successor Agency for the Redevelopment Agency, approved all prior ROPS which were subsequently approved by the Oversight Board and the Department of Finance.

RATIONALE FOR RECOMMENDATION

Adoption of a recognized obligation payment schedule will allow the City, acting as Successor Agency, to comply with state law and will allow required payments to be made.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Eric Angstadt, Director, Planning and Development, 510-981-7401

Attachments:

1: Resolution

Exhibit A: ROPS 15-16B

RESOLUTION NO. ##,###-N.S.

RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF BERKELEY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS15-16B) FOR THE PERIOD JANUARY 1, 2016 THROUGH JUNE 30, 2016

WHEREAS, Assembly Bill 1X 26 (the "Dissolution Act") and Assembly Bill 1X 27 (the "Alternative Redevelopment Program Act") were enacted on June 28, 2011, to significantly modify the Community Redevelopment Law (Health & Safety Code §33000, et seq.; the "Redevelopment Law"); and

WHEREAS, on August 11, 2011, the California Supreme Court agreed to review the California Redevelopment Association and League of California Cities' petition challenging the constitutionality of the Redevelopment Restructuring Acts; and

WHEREAS, on December 29, 2011, the California Supreme Court ruled that the Dissolution Act is largely constitutional and the Alternative Redevelopment Program Act is unconstitutional; and

WHEREAS, the Court's decision resulted in the dissolution of all California redevelopment agencies on February 1, 2012; and

WHEREAS, Section 34177(a)(1) of the Redevelopment Law, as reformed by the California Supreme Court in *Matosantos*, provides that on or after February 1, 2012, and until a Recognized Obligation Payment Schedule becomes operative, only payments required pursuant to an enforceable obligations payment schedule shall be made; and

WHEREAS, the City of Berkeley is the designated Successor Agency of the Redevelopment Agency of the City of Berkeley, within the meaning of AB 26; and

WHEREAS, Section 34177(a)(3) of the Redevelopment Law, as reformed by the California Supreme Court in *Matosantos*, provides that commencing on May 1, 2012, only those payments listed in a Recognized Obligation Payment Schedule may be made by the Successor Agency from the funds specified in the Recognized Obligation Payment Schedule; and

WHEREAS, the California Legislature adopted, and the Governor signed, Assembly Bill No. 1484 enacted as Stats. 2012, ch. 25 (hereinafter AB 1484) into law; and

WHEREAS, AB 1484, requires the Berkeley Redevelopment Successor Agency to prepare a Recognized Obligation Payment Schedule (ROPS) for the six month fiscal period commencing on January 1, 2016 and ending June 30, 2016; and

WHEREAS, the ROPS is subject to review by the State Controller and State Department of Finance, and approval by the Oversight Board; and

WHEREAS, staff will submit the ROPS to the State of California, Department of Finance, no later than October 5, 2015.

NOW THEREFORE, BE IT RESOLVED by the Berkeley Redevelopment Successor Agency Oversight Board, that it hereby approves Exhibit A, the attached Recognized Obligation Payment Schedule (ROPS 15-16B) and authorizes the Successor Agency to make such changes and revisions to the ROPS as deemed necessary based on the review and approval of the ROPS by the Department of Finance.

Recognized Obligation Payment Schedule (ROPS 15-16B) - Summary

Filed for the January 1, 2016 through June 30, 2016 Period

Name of Successor Agency: Berkeley
Name of County: Alameda

Current Period Requested Funding for Outstanding Debt or Obligation	Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding	
A Sources (B+C+D):	\$ -
B Bond Proceeds Funding (ROPS Detail)	-
C Reserve Balance Funding (ROPS Detail)	-
D Other Funding (ROPS Detail)	-
E Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 818,549
F Non-Administrative Costs (ROPS Detail)	714,734
G Administrative Costs (ROPS Detail)	103,815
H Total Current Period Enforceable Obligations (A+E):	\$ 818,549

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
I Enforceable Obligations funded with RPTTF (E):	818,549
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(51,175)
K Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 767,374

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
L Enforceable Obligations funded with RPTTF (E):	818,549
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N Adjusted Current Period RPTTF Requested Funding (L-M)	818,549

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

Name	Title
/s/	
Signature	Date

Berkeley Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail
 January 1, 2016 through June 30, 2016
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source					Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
								\$ 1,386,949		\$ -	\$ -	\$ -	\$ 714,734	\$ 103,815	\$ 818,549
2	Savo Island Loan Payable	Third-Party Loans	4/4/2003	9/1/2025	City Retiree Medical Trust	HTF - Affordable Housing		584,080	N				15,680		\$ 15,680
3	\$1Million Bond - City Loan	Bonds Issued On or Before 12/31/10	12/1/1997	12/15/2016	City of Berkeley	Housing Activities		699,054	N				699,054		\$ 699,054
4	Delaware Street Historical Project	City/County Loans On or Before 6/27/11	1/1/1998	12/31/2019	Successor Agency to CDBG	Land Assets & Loans Payable			Y						\$ -
6	Administration Costs	Admin Costs	7/1/2015	6/30/2016	City of Berkeley	Admin/Operations Plus Goldfarb & Lipman, Sedgwick LLP, Annual Audit & Fiscal Agent Fees		103,815	N					103,815	\$ 103,815
7	Financial Services	Fees	7/1/2015	6/30/2016	Bank of New York	Fiscal Agent Fee			Y						\$ -
21	Capital Projects/ Bicycle Crossing	Improvement/Infrastructure	7/1/2015	6/30/2018	City of Berkeley & Various Contractors	Bicycle X-ing Imprvmnts			Y						\$ -
25	Capital Projects/Pave Sidewalks NW Berk	Improvement/Infrastructure	7/1/2015	6/30/2018	City of Berkeley & Various Contractors	Pave Sidewalks NW Berk			Y						\$ -
29	Contract for Consulting Svcs or Purchase Order	Property Dispositions	1/1/2016	6/30/2016	Unknown	Title Reports & Appraisals			Y						\$ -
30	Purchase Order	Property Maintenance	1/1/2015	6/30/2016	Unknown	Property Repair & Maintenance			Y						\$ -
31	Real Estate Agent	Property Dispositions	7/1/2015	6/30/2016	Unknown	Assist with the sell of Agency owned properties			Y						\$ -
32	Capital Projects/Gilman Overcrossing Preliminary Study	Professional Services	7/1/2015	6/30/2016	City of Berkeley & Various Contractors	Gilman Overcrossing Preliminary Study			Y						\$ -

Berkeley Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other 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 [\[INSERT URL LINK TO CASH BALANCE TIPS SHEET \]](#)

A	B	C	D	E	F	G	H	I	
		Fund Sources							
		Bond Proceeds		Reserve Balance		Other	RPTTF		
	Cash Balance Information by ROPS Period	Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	Comments	
ROPS 14-15B Actuals (01/01/15 - 06/30/15)									
1	Beginning Available Cash Balance (Actual 01/01/15)	1,367,488	-	-	452,500	286,551	139,553	1/1/2015 Cash Balance \$2,246,092.6	
2	Revenue/Income (Actual 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015	116					88,807	January Receipts \$88,807, June Receipts \$68.080	
3	Expenditures for ROPS 14-15B Enforceable Obligations (Actual 06/30/15) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q	1,367,604			452,500	161,965	108,263		
4	Retention of Available Cash Balance (Actual 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
5	ROPS 14-15B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15B PPA in the Report of PPA, Column S	No entry required						51,175	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ -	\$ -	\$ 124,586	\$ 68,922	6/30/15 Ending balance \$312,763 (51,175+124,586+68,922+68,080)	
ROPS 15-16A Estimate (07/01/15 - 12/31/15)									
7	Beginning Available Cash Balance (Actual 07/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ -	\$ -	\$ -	\$ -	\$ 124,586	\$ 120,097	124,586+,120,098+68,080=312,763	
8	Revenue/Income (Estimate 12/31/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during June 2015						68,080	June 2015 Receipt here	
9	Expenditures for ROPS 14-15B Enforceable Obligations (Estimate 12/31/15)					72,648	125,000	Savo Loan of \$41,680 due 9/1/15; \$1M Bond Payment approved in ROPS 14-15B \$30,968	
10	Retention of Available Cash Balance (Estimate 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
11	Ending Estimated Available Cash Balance (7 + 8 - 9 -10)	\$ -	\$ -	\$ -	\$ -	\$ 51,938	\$ 63,177		

Berkeley Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Prior Period Adjustments
 Reported for the ROPS 14-15B (January 1, 2015 through June 30, 2015) Period Pursuant to Health and Safety Code (HSC) section 34186 (c)
 (Report Amounts in Whole Dollars)

ROPS 14-15B Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS 14-15B (January through June 2015) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 15-16B (January through June 2016) period will be offset by the SA's self-reported ROPS 14-15B prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the county auditor-controller (CAC) and the State Controller.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	
Item #	Project Name / Debt Obligation	Non-RPTTF Expenditures						RPTTF Expenditures											Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 15-16B Requested RPTTF)
		Bond Proceeds		Reserve Balance		Other Funds		Non-Admin					Admin						
		Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Available RPTTF (ROPS 14-15B distributed + all other available as of 01/1/15)	Net Lesser of Authorized / Available	Actual	Difference (If K is less than L, the difference is zero)	Authorized	Available RPTTF (ROPS 14-15B distributed + all other available as of 01/1/15)	Net Lesser of Authorized / Available	Actual	Difference (If total actual exceeds total authorized, the total difference is zero)	Net Difference (M+R)	
		\$ 987,992	\$ 788,000	\$ 138,502	\$ 138,494	\$ 142,370	\$ 476,011	\$ 34,438	\$ 34,438	\$ 34,438	\$ 3,153	\$ 31,285	\$ 125,000	\$ 125,000	\$ 125,000	\$ 105,110	\$ 19,890	\$ 51,175	
1	2005 Tax Allocation	787,992	788,000	138,502	138,494	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
2	Savo Island Loan	-	-	-	-	133,840	133,840	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
3	\$1Million Bond - City Loan	-	-	-	-	8,530	342,171	22,438	22,438	\$ 22,438	-	\$ 22,438	-	-	-	-	-	\$ 22,438	
4	Delaware Street Historical Project	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
6	Administration Costs	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	125,000	125,000	-	105,110	-	\$ -	
7	Financial Services	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
8	Labor Agreement Obligations: Compensated Absence for Employees	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
11	Contract for Consulting Svcs	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
15	Contract for Consulting Svcs	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
16	Contract for Consulting Svcs	-	-	-	-	-	-	10,000	10,000	\$ 10,000	1,228	\$ 8,772	-	-	-	-	-	\$ 8,772	
17	Contract for Consulting Svcs	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
20	Capital Projects/ Vehicle Turning	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
21	Capital Projects/ Bicycle Crossing	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
22	Capital Projects/ Univ Ave Ped	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
23	Capital Projects/ San Pablo Ped Improv	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
24	Capital Projects/ Ped X-ing Gilman/5th&10th	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
25	Capital Projects/Pave Sidewalks NW Berk	200,000	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
26	Capital Projects/ Install Audible Signals	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	
27	Capital Projects/ ACT Stop @ Univ/SPA & 4th	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	-	-	-	-	-	\$ -	

Berkeley Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Prior Period Adjustments
 Reported for the ROPS 14-15B (January 1, 2015 through June 30, 2015) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)
 (Report Amounts in Whole Dollars)

ROPS 14-15B Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS 14-15B (January through June 2015) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 15-16B (January through June 2016) period will be offset by the SA's self-reported ROPS 14-15B prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the county auditor-controller (CAC) and the State Controller.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	
Item #	Project Name / Debt Obligation	Non-RPTTF Expenditures						RPTTF Expenditures											Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 15-16B Requested RPTTF)
		Bond Proceeds		Reserve Balance		Other Funds		Non-Admin					Admin						
		Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Available RPTTF (ROPS 14-15B distributed + all other available as of 01/1/15)	Net Lesser of Authorized / Available	Actual	Difference (If K is less than L, the difference is zero)	Authorized	Available RPTTF (ROPS 14-15B distributed + all other available as of 01/1/15)	Net Lesser of Authorized / Available	Actual	Difference (If total actual exceeds total authorized, the total difference is zero)	Net Difference (M+R)	
		\$ 987,992	\$ 788,000	\$ 138,502	\$ 138,494	\$ 142,370	\$ 476,011	\$ 34,438	\$ 34,438	\$ 34,438	\$ 3,153	\$ 31,285	\$ 125,000	\$ 125,000	\$ 125,000	\$ 105,110	\$ 19,890	\$ 51,175	
28	Capital Projects/ ACT Stop @ SP/Cedar & Delaware	-		-		-		-		\$ -		\$ -						\$ -	
29	Contract for Consulting Svcs or Purchase Order	-		-		-		-		\$ -		\$ -						\$ -	
30	Purchase Order	-		-		-		2,000	2,000	\$ 2,000	1,925	\$ 75						\$ 75	

Attachment 4: Information Item Staff updates on questions from the Chair

1. What is the status of the sale of the properties in West Berkeley formerly owned by the Redevelopment Agency and transferred to the Successor Agency? Has any sale been completed?

The properties located at 1654 Fifth Street (vacant, single-family dwelling) and 1631 Fifth Street (vacant, undeveloped site; "community garden") was approved for transfer by the DOF effective July 1, 2015. However, it will take some time before they are transferred and sold.

The property adjacent to 1654 5th Street (1650 5th Street) has a shed in the rear that encroaches onto the shared non-exclusive easement by 2.88 feet. Since the encroachment is located in the easement and not beyond the property line; we can correct this issue before selling the property by submitting an Amendment to the Driveway Easement and a Certificate of Correction (COC). The existing easement is 104', it was reduced to 100'.

The surveyor completed the revised description for Certificate of Correction. Our legal consultants drafted the Amendment to the Easement. These documents are being reviewed by the title company to make sure they will suffice to take care of the problem. Since the changes will reduce the easement area for the property owners by 4 feet it's an alteration of property rights. Because of that, we need to amend the easement and have the adjacent property owners sign the amendment.

It was suggested that we wait until the corrections are recorded before we transfer the property to a new owner (City). Once the documents are recorded planning staff will record the Quitclaim Deed and Certificate of Acceptance to transfer the properties from the former Redevelopment Agency to the City as Housing Successor.

Once the properties are transferred over to the Housing Successor Agency, the Successor Agency and Oversight Board will no longer need to manage the site and will no longer have jurisdiction over the fate of the properties. The Housing Successor Agency will dispose of the properties and deposit the proceeds from the sale into the City's Housing Trust Fund to be used for housing and/or CDBG-eligible activities per the CDBG Close-out Agreement. The Health, Housing & Community Services Dept will be responsible for disposition of the properties.

2. There are some important changes to the dissolution act being considered by the state Legislature. How will these bills affect our dissolution process in Berkeley?

See attachment from the State Department. The Assembly Bill is still pending in the legislature; and until it's enacted, the Successor Agency is unable to take advantage of the bill's changes to the dissolution act. Finance will notify successor agencies when we can utilize the benefits provided by that measure. Until then, existing law governs.

Davidson, Amy

From: LGU <LGU@LISTSERV.DOF.CA.GOV> on behalf of Redevelopment Administration
<RedevelopmentAdministration@DOF.CA.GOV>
Sent: Monday, August 03, 2015 10:54 AM
To: LGU@LISTSERV.DOF.CA.GOV
Subject: AB 113 Clarifications

Dear Successor Agency,

The California State Department of Finance (Finance) has received numerous inquiries from Successor Agencies (SAs) related to the administrative benefits afforded to SAs contained in Assembly Bill 113. Unfortunately, while we understand many of the proposals such as the Annual Recognized Obligation Payment Schedule (ROPS) and the Last and Final ROPS processes will significantly reduce your administrative workload and provide a pathway to less state oversight, Assembly Bill 113 is still pending in the legislature.

Until Assembly Bill 113 is enacted, you are unable to take advantage of the bill's administrative benefits. Finance is aware of the many beneficial changes Assembly Bill 113 proposes and is prepared to act quickly in carrying out our role when the bill passes. Finance will notify successor agencies when they can utilize the benefits provided by that measure. Until then, existing law governs and successor agencies are reminded of the following:

- Successor agencies should not list remaining 2011 bond proceeds on the ROPS 15-16B (housing and non-housing), unless the proceeds are encumbered by an enforceable obligation that existed prior to June 28, 2011.
- Public parking lots are not eligible for transfer to the former redevelopment agency's (RDA) sponsoring city as a government purpose property.
- Former tax increment on pension and state water project override levies that are not needed for payment on a SAs indebtedness obligations cannot flow to the levying taxing entity and should continue to flow to SAs.
- Agreements between cities and their former RDA related to highway improvement projects are still not enforceable obligations.
- Final and Conclusive requests are limited to those obligations that possess an irrevocable pledge of property tax and where the allocation of property tax revenue is expected to occur over time.
- Successor agencies still need to submit a bi-annual ROPS.
- City/RDA loan repayments are limited to the repayment formula outlined in HSC section 34191.4 (b) (2) (A).

Thank you,

Department of Finance
Redevelopment Agency Administration

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<http://listserv.dof.ca.gov/scripts/wa.exe?TICKET=NzM1ODQzIGRoYXJkYXdheUBDSS5CRVJLRUxFWS5DQS5VUyBMR1UgIOBtXc5jQXeU&c=SIGNOFF>