



REGULAR MEETING AGENDA

SUCCESSOR AGENCY OVERSIGHT BOARD
CITY OF CLAYTON, CA

THURSDAY, OCTOBER 20, 2016

4:00 p.m.

*Third Floor Conference Room, Clayton City Hall
6000 Heritage Trail, Clayton, CA 94517*

OVERSIGHT BOARD MEMBERS

Howard Geller, Mayor of Clayton
John Hild, Contra Costa Office of Education
Karen Mitchoff, Contra Costa County Supervisor
Dan Richardson, Clayton resident

Mindy Gentry, former RDA Staff
Vito Impastato, CCC Fire Protection District
Jonah Nicholas, Contra Costa Community
College District

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail on Monday prior to the Board meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the Oversight Board after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

REGULAR MEETING AGENDA
OVERSIGHT BOARD
SUCCESSOR AGENCY, CITY OF CLAYTON

Thursday October 20, 2016

1. CALL TO ORDER AND ROLL CALL – Board Chairman Dan Richardson

2. CONSENT CALENDAR

Consent Calendar items are typically routine in nature and are considered for approval by the Board with one single motion. Members of the Board, Audience or Staff wishing an item removed from the Consent Calendar for the purpose of public comment, question, input or action different than recommended may request so through the Board Chairman.

(a) Information Only – No action to be taken

1. Letter dated August 22, 2016 re: new Committee member designation from Contra Costa County Office of Education
2. Updated Oversight Board to the Clayton Successor Agency Roster
3. State Dept. of Finance Approval with modification of 10th ROP's for
4. State Dept. of Finance denial of the January 29, 2016 Oversight Board Approved Long Range Property Management Plan and transfer due to technical issue and direction to re-file.

(b) Minutes of the Oversight Board's meeting of January 29, 2016.

3. OVERSIGHT BOARD ACTION ITEMS

- (a) Consideration of Resolution No. 03-2016 Approving an Agreement and Repayment Schedule for the Supplemental Educational Revenue Augmentation Fund Loan (SERAF)
(Kevin Mizuno, Clayton Finance Manager)

4. OVERSIGHT BOARD PUBLIC HEARING ITEMS

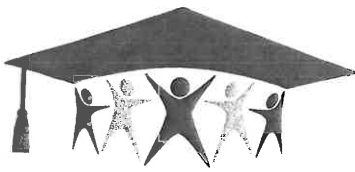
- (a) Consideration of Resolution No. 04-2016 Approving the Transfer of Certain Property (The Grove Park) owned by the Former Redevelopment Agency of the City of Clayton, to the City of Clayton, for Governmental Use Pursuant to California Health and Safety Code Section 34181(a)(1).
(Laura Hoffmeister, Asst.to the City Manager)

5. PUBLIC COMMENT ON NON-AGENDA ITEMS

Members of the public may address the Oversight Board on items within the Board's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Meeting table and submit it in advance to the Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chairperson's discretion. When one's name is called or you are recognized by the Chairperson as wishing to speak, the speaker shall approach the Board and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Board may respond to statements made or questions asked, or may at its discretion request Successor Agency Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the Oversight Board.

- 6. ADJOURNMENT** – the meeting is adjourned on call by the Chairperson.
The Oversight Board's next meeting will be scheduled as needed.



Contra Costa County Office of Education

77 Santa Barbara Road, Pleasant Hill, CA 94523 • (925) 942-3388
Karen Sakata, Superintendent of Schools

Agenda Date: 10/20/16

Agenda Item: 2a(i)

August 22, 2016

Janet Brown, Clerk of the Oversight Board
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Dear Ms. Brown:

Pursuant to California Health and Safety Code Section 34179(a)(4), the Contra Costa County Superintendent of Schools is notifying you of a change in appointment to the Clayton Oversight Board. Effective immediately, Ofelia Roxas will be replaced by John Hild, Director of General Services. John can be contacted by email at jhild@cccocoe.k12.ca.us, or by telephone at 925-942-3333.

Please contact Mr. Hild with information regarding the time and place of your next Oversight Board meeting.

Signed:

Associate Superintendent
Business and Administrative Services

8/24/16

Date

Printed Name

CC: Karen Sakata, County Superintendent of Schools



Agenda Date: 10/20/16

OVERSIGHT BOARD
CLAYTON SUCCESSOR AGENCY

Agenda Item: 2a (2)

9/5/16

Board Members	
<p>Howard Geller Mayor, City of Clayton 6000 Heritage Trail Clayton, CA 9451 Office: 925-673-7300 hgeller@ci.clayton.ca.us</p>	<p>Mindy Gentry Former RDA Employee (Com. Dev. Dir.) 6000 Heritage Trail Clayton, CA 9451 Office: 925-673-7300 mgentry@ci.clayton.ca.us</p>
<p>Vito Impastato Contra Costa County Fire Protection District 1012 Pandero Way Clayton, CA 94517 925-595-1717 vimpastato@iafflocal1230.org</p>	<p>Jonah Nicholas, Board Member Contra Costa Community College District 500 Court Street Martinez, CA 945536 Office 925-229-6944 jnicholas@4cd.edu; or Christia Chellew (cchellew@4cd.edu)</p>
<p>Dan Richardson Public Member 5565 Morningside Drive Clayton, CA 94517 925-672-3712 bckpckdan@comcast.net</p>	<p>Karen Mitchoff County Supervisor, District IV Contra Costa County Board of Supervisors 2151 Salvio Street, Suite R Concord, CA 94520 925-521-7100 SupervisorMitchoff@bos.cccounty.us; or Anne O (Anneo@bos.cccounty.us) Lisa Chow (Lisa.Chow@bos.cccounty.us)</p>
<p>John F. Hild, Business Services Director Contra Costa County Office of Education 77 Santa Barbara Road Pleasant Hill, CAS 94523 925-942-3333 jhild@cccocoe.k12.ca.us</p>	
Successor Agency Staff	
<p>Gary Napper City Manager 6000 Heritage Trail Clayton, CA 94517 925-673-7300 gnapper@ci.clayton.ca.us</p>	<p>Karen Tiedemann Special Legal Counsel Goldfarb & Lipman 1300 Clay Street, 11th Floor Oakland, CA 94612 Phone: 510-836-6336 Karen M. Tiedemann KTiedemann@goldfarbblipman.com</p>
<p>Laura Hoffmeister Assistant to the City Manager 6000 Heritage Trail Clayton, CA 94517 925-673-7300 LHoffmeister@ci.clayton.ca.us</p>	<p>Kevin Mizuno, Finance Manager 6000 Heritage Trail Clayton, CA 94517 925-673-7300 kmizuno@ci.clayton.ca.us</p>



Agenda Date: 10/20/16

Agenda Item: 2a(3)

EDMUND G. BROWN JR. • GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

April 11, 2016

Mr. Kevin Mizuno, Finance Manager
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Dear Mr. Mizuno:

Subject: 2016-17 Annual Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (o) (1), the City of Clayton Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule for the period July 1, 2016 through June 30, 2017 (ROPS 16-17) to the California Department of Finance (Finance) on January 29, 2016. Finance has completed its review of the ROPS 16-17.

Based on a sample of line items reviewed and application of the law, Finance made the following determinations:

- Item No. 3 – Supplemental Educational Revenue Augmentation Fund loan repayment in the total outstanding amount of \$592,412 is not allowed. HSC section 34191.4 (b) (3) (A) allows this repayment to be equal to one-half of the increase between the ROPS residual pass-through distributed to the taxing entities in that fiscal year and the ROPS residual pass-through distributed to the taxing entities in the fiscal year 2012-13 base. Further, HSC section 34171 (d) (1) (G) requires the Oversight Board (OB) to approve a repayment schedule for the repayment of the amounts borrowed.

The Agency has not submitted an OB action approving the repayment schedule. Once the OB approves the loan and the loan repayment schedule, and the corresponding OB action is approved by Finance, the Agency may request funding for this item on future ROPS. Therefore, this item is not an enforceable obligation and the requested amount of \$592,412 for the ROPS 16-17 period is not eligible for Redevelopment Property Tax Trust Fund (RPTTF) funding at this time.

- The Agency's claimed administrative costs exceed the allowance by \$18,085. HSC section 34171 (b) (3) limits the fiscal year 2016-17 Administrative Cost Allowance (ACA) to three percent of actual distributed RPTTF in the preceding fiscal year or \$250,000, whichever is greater; not to exceed 50 percent of the distributed RPTTF in the preceding fiscal year. As a result, the Agency's maximum ACA is \$231,915 for the fiscal year 2016-17. Although \$250,000 is claimed for administrative cost, only \$231,915 is available pursuant to the cap. Therefore, the \$18,085 of excess administrative cost is not allowed.

- On the ROPS 16-17 form, the Agency reported cash balances and activity for the period of July 1, 2015 through June 30, 2016. Pursuant to HSC section 34177 (I) (1) (E), agencies are required to use all available funding sources prior to RPTTF for payment of enforceable obligations. During our review, which may have included obtaining financial records, Finance determined the Agency possesses funds that should be used prior to requesting RPTTF. Therefore, with the Agency's consent, the funding source for the following item has been reclassified to Other Funds and in the amount specified below:
 - Item No. 16 – 2014 Refunding Tax Allocation Bonds. The Agency requested \$330,000 from RPTTF; however, Finance is reclassifying \$121,997 to Other Funds. This item is an enforceable obligation for the ROPS 16-17 period. However, the obligation does not require payment from property tax revenues and the Agency has \$121,997 in available Other Funds. Therefore, Finance is approving RPTTF in the amount of \$208,003 and the use of Other Funds in the amount of \$121,997, totaling \$330,000 for the July 1, 2016 through December 2016 period (ROPS A period).

Except for the item denied in whole or in part or the item that has been adjusted, Finance is not objecting to the remaining items listed on your ROPS 16-17. If you disagree with Finance's determination with respect to any items on your ROPS 16-17, except for those items which are the subject of litigation disputing Finance's previous or related determinations, you may request a Meet and Confer within five business days of the date of this letter. The Meet and Confer process and guidelines are available at Finance's website below:

http://www.dof.ca.gov/redevelopment/meet_and_confer/

The Agency's maximum approved RPTTF distribution for the reporting period is \$916,118 as summarized in the Approved RPTTF Distribution Table on Page 4 (See Attachment).

ROPS distributions will occur twice annually, one distribution for the ROPS A period, and one distribution for the January 1, 2017 through June 30, 2017 (ROPS B period) based on Finance's approved amounts. Since Finance's determination is for the entire ROPS 16-17 period, the Agency is authorized to receive up to the maximum approved RPTTF through the combined ROPS A and B period distributions.

On the ROPS 16-17 form, the Agency was not required to report the estimated obligations versus actual payments (prior period adjustment) associated with the July 1, 2015 through December 31, 2015 period (ROPS 15-16A). The Agency will report actual payments for ROPS 15-16A and ROPS 15-16B on the ROPS 18-19 form pursuant to HSC section 34186 (a) (1). A prior period adjustment will be applied to the Agency's future RPTTF distribution. Therefore, the Agency should retain any difference in unexpended RPTTF.

Please refer to the ROPS 16-17 schedule used to calculate the total RPTTF approved for distribution:

<http://www.dof.ca.gov/redevelopment/ROPS>

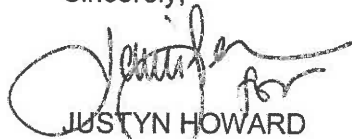
Absent a Meet and Confer, this is Finance's determination related to the enforceable obligations reported on your ROPS for the period July 1, 2016 through June 30, 2017. This determination only applies to items when funding was requested for the 12-month period. Finance's determination is effective for this time period only and should not be conclusively relied upon for

future ROPS periods. All items listed on a future ROPS are subject to review and may be denied even if it was not denied on this ROPS or a preceding ROPS. The only exception is for items that have received a Final and Conclusive determination from Finance pursuant to HSC section 34177.5 (i). Finance's review of Final and Conclusive items is limited to confirming the scheduled payments as required by the obligation.

The amount available from the RPTTF is the same as the amount of property tax increment available prior to the enactment of the redevelopment dissolution statutes. Therefore, as a practical matter, the ability to fund the items on the ROPS with property tax is limited to the amount of funding available to the Agency in the RPTTF.

Please direct inquiries to Nichelle Thomas, Supervisor, or Michael Barr, Lead Analyst at (916) 445-1546.

Sincerely,



JUSTYN HOWARD
Program Budget Manager

cc: Ms. Laura Hoffmeister, Assistant City Manager, City of Clayton
Mr. Bob Campbell, Auditor-Controller, Contra Costa County

Attachment

Approved RPTTF Distribution			
For the period of July 2016 through June 2017			
	ROPS A Period	ROPS B Period	Total
Requested RPTTF (excluding administrative obligations)	\$ 806,200	\$ 592,412	\$ 1,398,612
Requested Administrative RPTTF	125,000	125,000	250,000
Total RPTTF requested for obligations on ROPS 16-17	931,200	717,412	\$ 1,648,612
Total RPTTF requested	806,200	592,412	1,398,612
<u>Denied Item</u>			
Item No. 3	0	(592,412)	(592,412)
<u>Reclassified Item</u>			
Item No. 16	(121,997)	0	(121,997)
Total RPTTF authorized	684,203	0	\$ 684,203
Total Administrative RPTTF requested	125,000	125,000	250,000
Administrative costs in excess of the cap (see Administrative Cost Allowance Cap table below)	0	(18,085)	(18,085)
Total Administrative RPTTF authorized	125,000	106,915	\$ 231,915
Total RPTTF approved for distribution	809,203	106,915	\$ 916,118

Administrative Cost Allowance Cap Calculation	
Actual RPTTF distributed for fiscal year 2015-16	\$ 713,829
Less sponsoring entity loan and Administrative RPTTF	250,000
Actual RPTTF distributed for 2015-16 after adjustment	463,829
Administrative Cap for 2016-17 per HSC section 34171 (b)	231,915
ROPS 16-17 Administrative RPTTF after Finance adjustments	250,000
Administrative Cost Allowance in excess of the cap	\$ (18,085)



February 11, 2016

Mr. Kevin Mizuno, Finance Manager
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Dear Mr. Mizuno:

Subject: Objection of Oversight Board Action

The City of Clayton Successor Agency (Agency) notified the California Department of Finance (Finance) of its January 29, 2016 Oversight Board (OB) resolution on January 29, 2016. Pursuant to Health and Safety Code (HSC) section 34179 (h), Finance has completed its review of the OB action.

Based on our review and application of the law, OB Resolution No. 02-2016, approving the Long-Range Property Management Plan (LRPMP) of the Agency pursuant to HSC section 34181 and 34191.5 (b), is not approved.

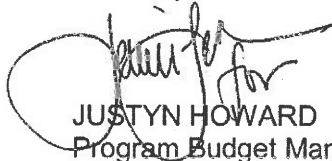
HSC section 34191.3 (a) requires Finance to approve LRPMPs prior to January 1, 2016 in order for the LRPMP to be effective. However, the Agency did not submit an OB approved LRPMP to Finance before the statutory deadline.

Absent an approved LRPMP, the Agency no longer has the ability to dispose of real property assets through the LRPMP process. Therefore, the Agency's real property assets are required to be disposed of pursuant to HSC section 34177 (e) and HSC section 34181 (a). A separate OB action must be submitted to Finance for the disposition of the identified property.

As authorized by HSC section 34179 (h), Finance is returning your OB action to the board for reconsideration.

Please direct inquiries to Nichelle Thomas, Supervisor, or Michael Barr, Lead Analyst at (916) 445-1546.

Sincerely,



JUSTYN HOWARD
Program Budget Manager

cc: Ms. Laura Hoffmeister, Assistant City Manager, City of Clayton
Mr. Bob Campbell, Auditor-Controller, Contra Costa County

Agenda Date: 10/20/16

Agenda Item: 2b

The Oversight Board Meeting Minutes of January 29, 2016
were not available at time of agenda packet preparation



Agenda Date: 10/20/16

Agenda Item: 3a

STAFF REPORT

TO: CITY OF CLAYTON SUCCESSOR AGENCY OVERSIGHT BOARD

FROM: KEVIN MIZUNO, FINANCE MANAGER, CPA

DATE: OCTOBER 20, 2016

SUBJECT: ADOPTION OF A RESOLUTION APPROVING AN AGREEMENT AND REPAYMENT SCHEDULE FOR THE SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND LOAN

RECOMMENDATION

It is recommended that the Oversight Board to the City of Clayton Successor Agency adopt the attached Resolution approving an Agreement and a repayment schedule for the Supplemental Educational Revenue Augmentation Fund (SERAF) loan.

BACKGROUND

Pursuant to Health and Safety Code Section 33690, the RDA was compelled by the state to make a SERAF payment for fiscal year 2009-10. Because the RDA did not have sufficient funds in its discretionary project account to make the legally imposed payment, it borrowed funds, in the principal amount of \$592,412, from its Low and Moderate-Income Housing Fund ("LMIHF"), as allowed by said Section 33690 (the "SERAF Loan"). This need for this loan was caused by insufficient tax increment revenues of the RDA in FY 2009-10 to pay the State of California mandated diversion of local redevelopment agency monies in FY 2009-10 to help patch its State budget deficit. Pursuant to the state legislation that permitted the RDA to borrow monies from its LMIHF to pay its state-mandated SERAF, the borrowed monies must ultimately be repaid to the LMIHF.

Unexpectedly, Assembly Bill 1X 26 ("AB 26"), enacted in June 2011, and AB 1484 ("AB 1484"), enacted in June 2012, and other subsequent legislation (collectively, the "Dissolution Act") required the sudden dissolution of redevelopment agencies throughout the State and established certain procedures and requirements for the wind-down of their activities.

The City's Successor Agency is the successor entity to the former RDA and, pursuant to the Dissolution Act, is responsible for the wind-down of the affairs of the former RDA, including without limitation the performance and repayment of all enforceable obligations of the former RDA.

Pursuant to Health and Safety Code Section 34176, the City elected to retain the housing assets and functions previously performed by the RDA.

Health and Safety Code Section 34171(d)(1)(G) defines "enforceable obligations" to include amounts borrowed from, or payments owing to, the LMIHF, provided the repayment schedule is approved by the Oversight Board. Health and Safety Code Section 34176(e)(6)(B) provides that loans of monies borrowed from the LMIHF may be repaid after fiscal year 2013-14, with certain restrictions and limitations. All such repayments must be transferred to a Low and Moderate Income Housing Asset Fund established pursuant to Section 34176(d) as a housing asset, and must be used in a manner consistent with the affordable housing requirements of the Community Redevelopment Law.

Health and Safety Code Section 34191.4(b) provides that, following issuance of a finding of completion by the California Department of Finance ("DOF"), and approval by the Oversight Board with a finding that the SERAF Loan was for legitimate redevelopment purposes, a SERAF Loan shall be deemed to be an enforceable obligation, and may be repaid subject to the restrictions set forth in Health and Safety Code Sections 34191.4(b)(3) and 34176(e)(6)(B).

The former Clayton Redevelopment Agency's (RDA's) SERAF payment was required by law, pursuant to Health and Safety Code Section 33690. Further, borrowing from the LMIHF to make the legally required SERAF payment was specifically authorized by said Section 33690. In addition, Health and Safety Code Section 33020.5 provides, in part, that "redevelopment" also includes payments to school districts in the fiscal year specified in Section 33690. Conclusively, the FY 2009-10 SERAF loan was a lawful and authorized action at that time.

SERAF loans are enforceable obligations pursuant to Health and Safety Code Section 34171(d)(1)(G), whereby such loan payments are to be repaid to the LMIHF, with Oversight Board approval of the repayment schedule. Originally, the former RDA Board of Directors purposely established a repayment schedule of four (4) years, without accrued interest, so as not to decimate the cash flow of the RDA's discretionary fund or to hinder redevelopment projects in the works or in the pipeline.

The principal amount of \$592,412 was scheduled for repayment in the Successor Agency's Recognized Obligation Payment Schedule (ROPS) in four (4) equal payments of \$148,103, commencing FY 2011-12 and ending in FY 2014-15. AB 1484, which was adopted in late June 2012 as clean-up legislation to AB X1 26, modified language relative to repayment of internal and City-Successor Agency loans, resulting in a delay in paying off the SERAF Loan. In short, the legislation continues to require that the Oversight Board adopt a repayment schedule for these loans, but also limits the amount of the repayment based on a formula specified in Section 34176(e)(6)(B) of the Health and Safety Code (HSC) to "*...one-half of the increase between the amount distributed to taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 in that fiscal year and the amount distributed to taxing entities pursuant to that paragraph in the 2012-13 base year.*" In layman's terms, this means that the maximum payment for these type of loans cannot be more than one-half of the increase in the residual amount of Redevelopment Property

Tax Trust Fund (RPTTF) resources available for distribution to taxing entities after enforceable obligations are repaid for the fiscal year in which the payment is proposed versus the residual amounts distributed to affected taxing entities in FY2012/13.

As a result of the State’s “clean-up” legislation passed after the adoption of the Successor Agency’s first two ROPS, the DOF disallowed repayment on the SERAF loan line item, and has continued to disallow repayment through the most recent 2016-2017 ROPS. In its Determination Letter approving the 2016-2017 ROPS dated April 11, 2016, the DOF stated “Once the OB approves the loan and the loan repayment schedule, and the corresponding OB action is approved by the DOF, the Agency may request funding for this item on future ROPS.” Following approval of the SERAF Loan and the repayment schedule by the Oversight Board, the SERAF Loan will be placed on the next ROPS to be submitted to the Oversight Board and DOF.

DISCUSSION

Pursuant to the DOF’s April 11, 2016 Determination Letter, Staff has calculated the SERAF loan repayment schedule applying the restrictions established by HSC section 34176(e)(6)(B). The “residual amounts” available for distribution to taxing entities, which is a key component in calculating the maximum annual repayments, were obtained from the Contra Costa County Auditor-Controller’s Office (ACO) through the ROPS process pursuant to HSC section 34183(a)(4). The residual amounts are determined by the ACO by deducting pass-through payments, approved ROPS obligations, and ACO administrative costs from the incremental property taxes collected in the former redevelopment areas. The following is a calculation of the maximum SERAF loan repayment amount for FY 2017-18.

Base Year:	<u>ROPS II</u> July - Dec 2012	<u>ROPS III</u> Jan - June 2013	<u>Total For Base</u> <u>Year</u>
Total Residual Balance	<u>304,032</u>	<u>1,310,545</u>	<u>1,614,577</u>
Comparison Year:	<u>ROPS 15-16A</u> July - Dec 2015	<u>ROPS 15-16B</u> January - June 2016	<u>Total For</u> <u>Comparison Year</u>
Total Residual Balance	<u>1,489,456</u>	<u>2,094,377</u>	<u>3,583,833</u>
	A Total Residual Balance for Comparison Year		3,583,833
	B Total Residual Balance for Base Year		<u>1,614,577</u>
	A-B Difference of Residual Balance		1,969,256
	Divide Difference by two		+2
	Maximum Repayment Amount Authorized Per Fiscal Year		<u>984,628</u>

As the chart illustrates, the maximum repayment amount authorized per fiscal year far exceeds the outstanding principal balance of the SERAF loan. Consistent with the Oversight Board’s original approval of the SERAF loan repayment terms on April 26, 2012, the balance of the SERAF loan will be payable to the Successor Housing Agency in four equal principal installments of \$148,103 beginning in the fiscal year 2017-18 and ending in the fiscal year 2020-21 ROPS period. Again, their parallel repayment plan over four (4) years mirrors the former RDA’s intent and will lessen the impact of their repayment on the underlying public taxing entities’ shares of local property taxes, including the City of Clayton.

FISCAL IMPACT

The SERAF Loan payments will be made by the RDA Successor Agency (Fund No. 615) to the Successor Housing Agency (Fund No. 616) of the City of Clayton. The loan repayment monies may only be used for affordable housing purposes as defined by redevelopment law. A loan repayment of \$148,103 is being requested for fiscal year 2017-18 in the upcoming ROPS due to the DOF by February 1, 2017.

Respectively submitted,



Kevin Mizuno, CPA
Finance Manager

- Attachment 1 – Oversight Board Resolution Approving an Agreement and Repayment Schedule of a Loan Owed to the Former Redevelopment Agency's Low and Moderate Income Housing Fund in Accordance with Health & Safety Code Sections 34171(d)(1)(G) and 34176(e)(6)(A-B)
 - Exhibit A – SERAF Loan Agreement and Repayment Schedule

RESOLUTION NO. 3-2016

**A RESOLUTION APPROVING AN AGREEMENT FOR THE
REPAYMENT OF A LOAN OWED TO THE FORMER
REDEVELOPMENT AGENCY'S LOW AND MODERATE INCOME
HOUSING FUND IN ACCORDANCE WITH HEALTH & SAFETY
CODE SECTION 34171(d)(1)(G) and 34176(e)(6)(A-B)**

**THE OVERSIGHT BOARD
Successor Agency for the City of Clayton, California**

WHEREAS, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the City Council (the "City Council") of the City of Clayton (the "City") activated the Redevelopment Agency of the City of Clayton (the "Redevelopment Agency") and adopted City Ordinance No. 243 on July 20, 1987 adopting the Redevelopment Plan for the Clayton Redevelopment Project Area (the "Redevelopment Plan"), as amended from time to time; and

WHEREAS, Assembly Bill 1X 26 ("AB 26"), enacted in June 2011, AB 1484 ("AB 1484"), enacted in June 2012, and other subsequent legislation (collectively, the "Dissolution Act") required the dissolution of redevelopment agencies and established certain procedures and requirements for the wind-down of their activities; and

WHEREAS, on January 17, 2012, by Resolution No. 03-2012, the Clayton City Council did exercise its priority right and took action to become the Successor Agency to the former Redevelopment Agency ("Successor Agency"), and pursuant to Health and Safety Code Section 34173(g), the Successor Agency is a separate public entity from the City; and

WHEREAS, pursuant to Health and Safety Code Section 34176, the City Council also elected to become the successor housing entity ("Housing Successor") and retain the housing assets and functions of the former Redevelopment Agency; and

WHEREAS, prior to its dissolution, the Redevelopment Agency became obligated under Health and Safety Code Section 33690 to make specified payments into the local "Supplemental Education Revenue Augmentation Fund" (SERAF) for fiscal year 2009-10; and

WHEREAS, because the Redevelopment Agency's discretionary project fund did not have sufficient funds to make the payments, it borrowed funds from its Low and Moderate-Income Housing Fund ("LMIHF"), as authorized by said Section 33690 (the "SERAF Loan"); and

WHEREAS, on May 19, 2010, the Redevelopment Agency borrowed the original principal sum of Five Hundred Thousand and Four Hundred Twelve (\$592,412) from the LMIHF in order to satisfy its FY 2009-10 SERAF payment obligation; and

WHEREAS, Health and Safety Code obligated the Redevelopment Agency to repay the SERAF Loan, but this obligation was not satisfied at the time of the Redevelopment Agency's dissolution and, accordingly, the Successor Agency must arrange for the repayment of the SERAF Loan; and

WHEREAS, Health and Safety Code Section 34176(e)(6)(B) provides that, commencing in fiscal year 2014-15, the Successor Agency may start repaying the SERAF Loan with funds from the Redevelopment Property Tax Trust Fund (RPTTF) administered by the Contra Costa County Auditor-Controller's Office (ACO), subject to prior approval and certain findings by the Oversight Board in accordance with Health and Safety Code Section 34191.4(b); and

WHEREAS, under Health and Safety Code Section 34171(d)(1)(G), the Redevelopment Agency's SERAF Loan repayment obligation is an enforceable obligation and, as such, it may be included on the Recognized Obligation Payment Schedules (ROPS) prepared by the Successor Agency under Health and Safety Code Section 34177; and

WHEREAS, the amount of each SERAF Loan payment which may be included on a ROPS is limited by Health and Safety Code Section 34176(e)(6)(B) to an amount equal to: one-half of the increase between the amount distributed by the ACO to taxing entities pursuant to paragraph (4) of Health and Safety Code Section 34183(a) in the then current fiscal year and the amount distributed to taxing entities pursuant to that same paragraph in the 2012-13 base fiscal year; and

WHEREAS, the principal balance of the SERAF Loan will be requested for payment on the ROPS by the Successor Agency and be repaid to the Housing Successor in four equal instalments of One Hundred Forty-Eight Thousand One Hundred and Three dollars (\$148,103) commencing in fiscal year 2017-18 and ending fiscal year 2020-21; and

WHEREAS, Health and Safety Code Section 34176(e)(6)(A) requires that all SERAF Loan repayment installment monies be paid into the LMIHF and used for purposes consistent with the Health and Safety Code's affordable housing requirements; and

WHEREAS, on September 20, 2016 at a regularly scheduled public meeting the City Council, in its capacity as Housing Successor, and Successor Agency Board, did execute an Agreement to Repay Loan From the Low- and Moderate-Income Housing Fund of the Former Redevelopment Agency of the City of Clayton for Legally Required Payments to the Supplemental Educational Revenue Augmentation Fund (SERAF)

("SERAF Loan Repayment Agreement") to acknowledge the amount of the SERAF Loan currently outstanding, to provide for the repayment of the outstanding amount borrowed from the LMIHF, and to have the payments deposited into the newly-created Low- and Moderate-Income Housing Asset Fund to be used by the City of Clayton, as the Housing Successor, for affordable housing purposes, as provided in Health and Safety Code Section 34176(e)(6)(A).

NOW, THEREFORE, BE IT RESOLVED the Oversight Board to the Successor Agency finds that the SERAF Loan was made in accordance with the Health and Safety Code for legitimate redevelopment purposes. This finding is based on the following facts:

a. The funds were borrowed from the LMIHF solely and explicitly to make the required payment into SERAF pursuant to Health and Safety Code Section 33690, which section specifically states in subsection (f) that it was the intent of the Legislature that said payment would directly or indirectly assist in the financing or refinancing, in whole or in part, of the community's redevelopment projects pursuant to Section 16 of Article XVI of the California Constitution.

b. Health and Safety Code Section 33020.5 provides, in part, that "redevelopment" includes payments to school districts in the fiscal year specified in Section 33690.

BE IT FURTHER RESOLVED in accordance with Health and Safety Code Section 3417(d)(1)(G) and Section 34176(e)(6)(B), the Oversight Board to the Successor Agency approves a SERAF Loan Repayment Agreement, including the Loan Repayment Schedule attached thereto (Exhibit A). The Oversight Board further authorizes execution of the SERAF Loan Repayment Agreement on behalf of the Oversight Board, subject to any minor, technical or clarifying changes as may be approved by the Oversight Board. The approval and authorization set forth above are subject to approval of the SERAF Loan Repayment Agreement by the City Council, the Oversight Board (with the required finding) and DOF.

BE IT FURTHER RESOLVED the Successor Agency is authorized to include the amount of each SERAF Loan repayment installment on each ROPS prepared by the Successor Agency commencing on or after the ROPS period beginning July 1, 2017. Notwithstanding any terms and conditions set forth in the SERAF Loan Repayment Agreement, the repayment of amounts owing to the Housing Successor under the SERAF Loan Repayment Agreement shall be subject to the limitations and restrictions set forth in Health and Safety Code Sections 34176(e)(6) and 34191.4(b).

BE IT FURTHER RESOLVED once received from the ACO, every SERAF Loan repayment installment will be paid by the Successor Agency to the City of Clayton (as the Housing Successor) and deposited into the Low and Moderate Income Housing Asset Fund created by the City (as the Housing Successor), the outstanding balance of

the SERAF Loan will be reduced by a corresponding amount, and the City (as the Housing Successor) will use the funds only for the purposes consistent with the Health and Safety Code's affordable housing requirements.

PASSED, APPROVED AND ADOPTED by the Oversight Board to the Successor Agency of the Redevelopment Agency of the City of Clayton, California at a regular public meeting thereof held on the 20th day of October 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE OVERSIGHT BOARD FOR THE
SUCCESSOR AGENCY FOR THE
CITY OF CLAYTON, CA

Dan Richardson, Chair

ATTEST:

Laura Hoffmeister, Clerk of the Board

AGREEMENT TO REPAY LOAN FROM THE LOW- AND MODERATE INCOME HOUSING FUND OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF CLAYTON FOR LEGALLY REQUIRED PAYMENTS TO THE SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF)

THIS AGREEMENT (this “Agreement”) is entered into this 20th day of September, 2016, by and between the SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CLAYTON, a public body (the “Successor Agency”) and the CITY OF CLAYTON, in its capacity as the Housing Successor to the former Redevelopment Agency of the City of Clayton (“Housing Successor”).

RECITALS

The Housing Successor and the Successor Agency (individually, a “Party” and collectively, the “Parties”) enter into this Agreement with reference to the following facts and circumstances:

A. Pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.), the City Council of City activated the Redevelopment Agency of the City of Clayton (the “Redevelopment Agency”).

B. Pursuant to Health and Safety Code Section 33690, the Redevelopment Agency was required to make a payment to the Supplemental Educational Revenue Augmentation Fund (“SERAF”) for fiscal year 2009-10. Because the Redevelopment Agency did not have sufficient funds to make the payment, it borrowed funds from its Low and Moderate-Income Housing Fund (“LMIHF”), as authorized by said Section 33690 (the “SERAF Loan”).

C. Assembly Bill 1X 26 (“AB 26”), enacted in June 2011, AB 1484 (“AB 1484”), enacted in June 2012, and other subsequent legislation (collectively, the “Dissolution Act”) required the dissolution of redevelopment agencies and established certain procedures and requirements for the wind-down of their activities.

D. The Successor Agency is the successor entity to the former Redevelopment Agency and, pursuant to the Dissolution Act, is responsible for the wind-down of the former Redevelopment Agency, including without limitation the performance and repayment of all enforceable obligations of the former Redevelopment Agency.

E. Pursuant to Health and Safety Code Section 34176, the City of Clayton elected to retain the housing assets and functions previously performed by the Redevelopment Agency.

F. Health and Safety Code Section 34176(e)(6)(B) provides that after fiscal year 2013-14, loans of monies borrowed from the Low and Moderate Income Housing Fund may be repaid, with certain restrictions and limitations.

G. Health and Safety Code Section 34191.4(b) provides that, following issuance of a finding of completion by the California Department of Finance (“DOF”), and approval by the Oversight Board with a finding that the SERAF Loan was for legitimate redevelopment

purposes, the SERAF Loan shall be deemed to be an enforceable obligation, and may be repaid subject to the restrictions set forth in Health and Safety Code Sections 34191.4(b)(3) and 34176(e)(6)(B).

H. The Successor Agency received a Finding of Completion from DOF on December 30, 2015.

I. The parties desire to enter into this Agreement to acknowledge the amount of the SERAF Loan currently outstanding, to provide for the repayment of the outstanding amount borrowed from the LMIHF, and to have the payments deposited into the newly-created Low- and Moderate-Income Housing Asset Fund to be used by the Housing Successor for affordable housing purposes, as provided in Health and Safety Code Section 34176(e)(6)(A).

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, including the mutual promises and covenants contained herein, the Parties mutually agree as follows:

1. Recitals. All of the above recitals are true and correct and are incorporated herein and made a part hereof.

2. Purpose. The purpose of this Agreement is to document the obligation to repay the SERAF Loan as an enforceable obligation to be listed by the Successor Agency on each successive Recognized Obligation Payment Schedule (“ROPS”), as required to be prepared under Health and Safety Code Section 34177, until such time as the SERAF Loan has been fully repaid.

3. Loan Amount. The Parties acknowledge that the current outstanding amount owed under the SERAF Loan is \$592,412.

4. Schedule of Repayment. Pursuant to Health and Safety Code Section 34176(e)(6)(B), repayments of SERAF Loans are restricted to the formula set forth therein. The repayment of the SERAF Loan each fiscal year shall be equal to the lesser of (i) the amount of \$148,103, or (ii) the maximum amount allowed under Health and Safety Code Section 34176(e)(6)(B).

5. Deposit in Low- and Moderate-Income Housing Asset Fund. Repayments of the SERAF Loan shall be made to the City of Clayton, in its capacity as the Housing Successor. The City, as the Housing Successor, shall deposit such repayments in a Low- and Moderate-Income Housing Asset Fund, established pursuant to Health and Safety Code Section 34176(d), and shall use such repayment amounts in accordance with the requirements for such Fund.

[Signatures on following page]

IN WITNESS WHEREOF, the Housing Successor and Successor Agency have executed this Agreement as of the date first set forth above.

**CITY OF CLAYTON, in its capacity
as the Housing Successor to the former
Redevelopment Agency of the City of Clayton**

By: _____
Gary A. Napper, City Manager

ATTEST:

By: _____
Janet Brown, City Clerk

APPROVED AS TO FORM:

By: _____
Malathy Subramanian,
Best Best & Krieger LLP
City Attorney

**SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY
OF THE CITY OF CLAYTON**

By: _____

ATTEST:

By: _____

APPROVED AS TO FORM:

By: _____
Successor Agency Counsel



Agenda Date: 10/20/16

Agenda Item: 4a

STAFF REPORT

TO: OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CLAYTON

FROM: LAURA HOFFMEISTER, ASST. TO THE CITY MANAGER

MEETING DATE: October 20, 2016

SUBJECT: CONSIDER A RESOLUTION APPROVING THE TRANSFER OF CERTAIN PROPERTY ("The Grove Park") OWNED BY THE FORMER REDEVELOPMENT AGENCY TO THE CITY OF CLAYTON FOR GOVERNMENTAL USE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34181(a)(1)

RECOMMENDATION

It is recommended the Oversight Board adopt the attached Resolution approving the transfer of certain property, The Grove Park, owned by the former Redevelopment Agency to the City for governmental use pursuant to Health and Safety Code Section 34181(a)(1) – the Dissolution Act [ABx1 26 and AB 1484].

BACKGROUND

AB 26, AB 1484 and other subsequent legislation, the "Dissolution Act", eliminated redevelopment agencies throughout the state of California on February 1, 2012; initiating the "wind down" of the former redevelopment agencies' activities and obligations.

The Successor Agency to the Redevelopment Agency of the City of Clayton (Successor Agency) is the successor entity to the former Redevelopment Agency of the City of Clayton (Redevelopment Agency) and is responsible for the wind-down of the affairs of the former Redevelopment Agency, including without limitation the disposition of assets and properties of the former Redevelopment Agency as directed by the Oversight Board to the Successor Agency (Oversight Board).

Health and Safety Code Section 34181(a)(1) provides that the Oversight Board shall direct the Successor Agency to dispose of all assets and properties of the former Redevelopment Agency; however, the Oversight Board may instead direct the Successor Agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as parks, to the appropriate public jurisdiction.

Subject: Resolution approving the transfer of certain property, The Grove Park, owned by the former Redevelopment Agency to the City for governmental use pursuant to Health and Safety Code Section 34181(a)(1)– the Dissolution Act [ABx1 26 and AB 1484].

Meeting Date: October 20, 2016

By letter December 30, 2015, the California Department of Finance (DOF) issued to the Successor Agency a finding of completion (FOC) in accordance with Health and Safety Code Section 34179.7, signifying the Successor Agency's full compliance with certain specified payment obligations under the Dissolution Act. Pursuant to Health and Safety Code Section 34191.5(b), no later than six months following the issuance to the Successor Agency of the FOC, the Successor Agency is required to prepare a Long-Range Property Management Plan (LRPMP) to address the disposition and use of the real properties of the former Redevelopment Agency.

A LRPMP was prepared by the Successor Agency containing information on the property owned by the former Redevelopment Agency. The LRPMP was approved by the Oversight Board (Resolution 02-2016) on January 29, 2016, and submitted to DOF for review and approval. By letter dated February 11, 2016, DOF informed the Successor Agency that DOF's obligation to review the LRPMP ended on December 31, 2015. As a result, the property of the former Redevelopment Agency must be disposed of in accordance with Health and Safety Code Section 34181. Approval of this Resolution (04-2016) will supersede the prior Resolution (02-2016).

The staff recommends the Oversight Board review the report and materials, open the public hearing, take any public comment, and adopt Resolution 0-2016 (Attachment 1) which includes directing staff to forward the Resolution, Long Range Property Management Plan and any other materials necessary for to the Dept. of Finance for its review and approval and directing the Successor Agency to transfer title to the City of Clayton for "The Grove Park".

DISCUSSION

There was only one property held in title by the Redevelopment Agency. The property is an approximate 1.14 acre property known as "The Grove Park", Assessor's Parcel Number (APN) 119-015-007 located at 6100 Main Street in the City of Clayton (Grove Park Property). The site is fully developed as an active public park, including amenities such as a gazebo, picnic tables, paved paths, grass/irrigation, lighting and sound speakers, a restroom building and tot lot.

The final LRPMP that was prepared by the Successor contained various information on the Grove Park Property required by Health and Safety Code Section 34191.5, including parcel data, acquisition information, environmental information, development plans and activity, potential for transit-oriented development and advancement of planning objectives and proposed property disposition. For information purposes, a copy of the LRPMP approved by the Oversight Board is attached hereto.

HSC Section 34181 states "The oversight board shall direct the successor agency to.... dispose of all assets and properties of the former redevelopment agency; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction...." [Underlining added.]

Subject: Resolution approving the transfer of certain property, The Grove Park, owned by the former Redevelopment Agency to the City for governmental use pursuant to Health and Safety Code Section 34181(a)(1)– the Dissolution Act [ABx1 26 and AB 1484].

Meeting Date: October 20, 2016

Because the Grove Park Property was developed and improved and has continually served as a government purpose asset in accordance with Section 34181, public park, it should be transferred to the City for continued governmental use.

FISCAL IMPACT

Once approved by the Oversight Board and DOF, the Successor Agency and City can then take the steps to transfer the Grove Park Property from the Successor Agency to the City of Clayton. There is no financial impact to either the Successor Agency or the City with this transfer other than nominal document preparation costs and recording fee. The Grove Park Property has been maintained by the City, and will continue to be maintained by the City, which is paid for through a special parcel tax (CFD 2006-1) which was approved by the voters (81.25%) through 2036-37.

ATTACHMENTS

1. Resolution 04--2016
2. Long Range Property Management Plan
3. Background Materials related to The Grove Park property
4. DOF Letter dated February 11, 2016

RESOLUTION NO. 04 -2016

**RESOLUTION APPROVING THE TRANSFER OF CERTAIN
PROPERTY [“The Grove Park” – Assessor Parcel Number (APN)
119-015-007] OWNED BY THE FORMER REDEVELOPMENT AGENCY
OF THE CITY OF CLAYTON TO THE CITY OF CLAYTON FOR
GOVERNMENTAL USE PURSUANT TO
HEALTH AND SAFETY CODE SECTION 34181(a)(1)**

THE OVERSIGHT BOARD

Successor Agency for the City of Clayton, California

WHEREAS, Assembly Bill 1X 26, enacted in June 2011, and as modified by the Supreme Court of the State of California in the matter of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, and further modified by Assembly Bill 1484, enacted in June 2012, and other subsequently adopted legislation (collectively, the “Dissolution Act”) dissolved and set out procedures for the wind-down of the affairs of all redevelopment agencies throughout the State effective February 1, 2012; and

WHEREAS, the Successor Agency to the Redevelopment Agency of the City of Clayton (“Successor Agency”) is the successor entity to the former Redevelopment Agency of the City of Clayton (“Redevelopment Agency”) and is responsible for the wind-down of the affairs of the former Redevelopment Agency, including without limitation the disposition of assets and properties of the former Redevelopment Agency as directed by the Oversight Board to the Successor Agency (“Oversight Board”); and

WHEREAS, Health and Safety Code Section 34181(a)(1) provides that the Oversight Board shall direct the Successor Agency to dispose of all assets and property of the former Redevelopment Agency; however, the Oversight Board may instead direct the Successor Agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as parks, to the appropriate public jurisdiction; and

WHEREAS, Health and Safety Code Section 34181(f) provides that all actions taken by the Oversight Board pursuant to subdivision 34181(a) shall be approved by resolution of the Oversight Board at a public meeting after at least 10 days’ notice to the public, and that such action shall be subject to review by the Department of Finance (“DOF”) pursuant to Health and Safety Code Section 34179; and

WHEREAS, the Redevelopment Agency owned one parcel of land, consisting of an approximately 1.14 acre property known as “The Grove Park,” Assessor’s Parcel Number (APN) 119-015-007, located at 6100 Main Street in the City of Clayton (“Grove Park Property”), which is fully developed as an active public park, including amenities such as a gazebo, picnic tables, paved paths, grass/irrigation, lighting and sound speakers, a restroom building and a tot lot;

WHEREAS, this Resolution shall supersede Oversight Board Resolution No. 2-2016, which previously approved a Long Range Property Management Plan for the Successor Agency and authorized the transfer of the Grove Park Property, but was not approved by DOF because it was not received prior to January 1, 2016.

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CLAYTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Incorporation of Recitals. The foregoing recitals are true and correct, and are incorporated herein and made an operative part of this Resolution.

Section 2. Approval of Conveyance of Property. The Oversight Board hereby approves, authorizes and directs the conveyance to the City of any interest that the Successor Agency may have in the Grove Park Property, Assessor Parcel Number (APN) 119-015-007, located at 6100 Main Street in the City of Clayton.

Section 3. Authorization to Implement Resolution. The Oversight Board hereby authorizes and directs Successor Agency staff, in cooperation with City staff, to take such actions and execute such documents as is necessary to effectuate such transfers, and convey the Grove Park Property to the City.

Section 4. Submittal of Action to DOF. Staff is hereby authorized and directed to submit this Resolution and all other appropriate information to DOF for review in accordance with Health and Safety Code Section 34179(h). The approvals and authorizations set forth in Sections 2 and 3 of this Resolution are conditioned upon either (a) approval by DOF of the Oversight Board's action under this Resolution to approve the conveyance of the Grove Park Property to the City as a governmental use property pursuant to Health and Safety Code Section 34181(a)(1), or (b) if DOF does not request a review within five business days, the Oversight Board's action becomes effective in accordance with said Section 34179(h).

Section 5. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

Section 6. Effective Date. This Resolution shall become effective in accordance with Health and Safety Code Section 34179(h), which authorizes DOF to review all actions taken by the Oversight Board.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Oversight Board for the Successor Agency to the Redevelopment Agency of the City of Clayton at a noticed public meeting thereof held on the 20th day of October, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE OVERSIGHT BOARD FOR THE
SUCCESSOR AGENCY FOR THE
CITY OF CLAYTON, CA

Dan Richardson, Chair

ATTEST:

Laura Hoffmeister, Clerk of the Board

Successor Agency: Cleveon
 COUNTY: Contra Costa

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA

No.	Address or Description	APN	Primary Type	Permissible Use	If Sale of Property, specify intended use of sale proceeds	Reasonable Use Detail	HSC 34191.6 (X)(A)			Date of Estimated Current Value	Estimated Current Value Agency Estimate	SALE OF PROPERTY (if applicable)		Purpose for which property was acquired	HSC 34191.6 (X)(B)		HSC 34191.6 (X)(C)		HSC 34191.6 (X)(D)		HSC 34191.6 (X)(E)		HSC 34191.6 (X)(F)		HSC 34191.6 (X)(G)		HSC 34191.6 (X)(H)	
							Acquisition Date	Value at Time of Acquisition	Estimated Current Value			Proposed Sale Value	Proposed Sale Date		Lot Size	Structure/Source	Estimate of Current Record Value	Annual Estimate of Total/Intentional Value	Are there any structural reasons outside for use of	Has there been historic environmental contamination, including soil or remediation, and designation as a hazardous site for the property?	Does the property have the potential as a transit oriented development?	When there are advancements to the successor agency's planning, does transit?	Does the property have a history of previous development proposals and activity?					
1	The Grove Park 9190 Main Street	119-915-001	Park/Open Space	Governmental Use		public owned facility improved downtown park	Sept/Oct 1999	626,000	2,627,000	June 2008	Estimate	N/A	N/A	public park	1.14 acres	PD	2,627,000	N/A	No	No	No	Yes	No					

The Grove Park

- There is only one parcel that the RDA (now SA) has in ownership
- It is a one acre downtown public park (The Gove Park)
- It is fully developed as a public park and the funding for the development included state grant (Roberti-Zerberg) funds.
- The funding requires it to remain a public park for a minimum of 20 years.
- The City does not have any intention of not having this as a public park as it is very well used by the community and for community events.
- There are no RDA/SA funds used in the capital or operations as it has a public passed special tax that is used to fund its operations and maintenance.
- Pursuant to the dissolution regulations after acceptance by the DOF of the DDRs, the City is prepared to submit its LRPMP for this one parcel.
- The plan will be to transfer title from the Redevelopment Agency /RDA Successor Agency to the City of Clayton.

Below are some pictures of our downtown The Grove Park





LONG-RANGE PROPERTY MANAGEMENT PLAN CHECKLIST

Instructions: Please use this checklist as a guide to ensure you have completed all the required components of your Long-Range Property Management Plan. Upon completion of your Long-Range Property Management Plan, email a PDF version of this document and your plan to:

Redevelopment_Administration@dof.ca.gov

The subject line should state "[Agency Name] Long-Range Property Management Plan". The Department of Finance (Finance) will contact the requesting agency for any additional information that may be necessary during our review of your Long-Range Property Management Plan. Questions related to the Long-Range Property Management Plan process should be directed to (916) 445-1546 or by email to Redevelopment_Administration@dof.ca.gov.

Pursuant to Health and Safety Code 34191.5, within six months after receiving a Finding of Completion from Finance, the Successor Agency is required to submit for approval to the Oversight Board and Finance a Long-Range Property Management Plan that addresses the disposition and use of the real properties of the former redevelopment agency.

GENERAL INFORMATION:

Agency Name: **City of Clayton**

Date Finding of Completion Received: **December 30, 2015**

Date Oversight Board Approved LRPMP: **January 29, 2016**

Long-Range Property Management Plan Requirements

For each property the plan includes the date of acquisition, value of property at time of acquisition, and an estimate of the current value.

Yes No **The estimated value at acquisition in September 1999 is \$626,000 based on County Assessor information; current value is apx. \$2,627,000 (\$2,100,000 final improvement construction cost from City CIP documents, plus the \$626,000 in land acquisition costs – June 2008)**

For each property the plan include the purpose for which the property was acquired.

Yes No **Downtown Economic Development Stimulus opportunity**

For each property the plan includes the parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

Yes No **Assessor's Parcel No.(APN): 119-015-007; 6100 Main Street, Clayton CA.; 1.14 acres; Zoning-Planned Development (PD); Town Center Specific Plan: Public Owned Facility (PF); General Plan: Public Park (PU).**

For each property the plan includes an estimate of the current value of the parcel including, if available, any appraisal information.

Yes No **The estimated final improvement construction cost and land costs: \$2,627,000 (\$626,000 land acquisition cost based on County Assessor information; \$2,100,000 final improvement construction cost from City CIP documents.)**

For each property the plan includes an estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

Yes No **Not applicable public park.**

For each property the plan includes the history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

Yes No **Not applicable the site is a developed downtown public park.**

For each property the plan includes a description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

Yes No **Not applicable the site is a developed downtown public park.**

For each property the plan includes a brief history of previous development proposals and activity, including the rental or lease of the property.

Yes No **Not applicable the site is a developed downtown public park.**

For each property the plan identifies the use or disposition of the property, which could include 1) the retention of the property for governmental use, 2) the retention of the property for future development, 3) the sale of the property, or 4) the use of the property to fulfill an enforceable obligation.

Yes No **Retention of the property for governmental use as it is a developed downtown public park. (construction included use of Roberti - Zberg State Park grant funds that require the park to be maintained as such for a minimum of 20 years. Completion was apx. 2008 thus the site must remain a developed public park through apx. 2028. It is an active and popular downtown gathering place with many public amenities and improvements that draws people to our downtown, as such the only future plan would be for the title to be transferred from the Redevelopment Agency to the City.**

The plan separately identifies and list properties dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.

Yes No **Retention of the property for governmental use as it is a developed downtown public park. Construction included use of Roberti - Zberg State Park grant funds that require the park to be maintained as such for a minimum of 20 years. Completion was apx. 2008 thus the site must remain a developed public park through apx. 2028.**

ADDITIONAL INFORMATION

- If applicable, please provide any additional pertinent information that we should be aware of during our review of your Long-Range Property Management Plan.

There is only one parcel that the RDA (now SA) has in ownership that is currently a public use property and needs to have title transferred to the City of Clayton. The property to have title transfer is an apx. one acre downtown public park. It is fully developed as a public park and the funding for the development included state grant (Roberti-Zeberg) funds. The funding requires it to remain a public park for a minimum of 20 years. The City does not have any intention of not having this as a public park as it is very well used by the community and for community events. There are no RDA/SA funds used in the capital or operations as it has a public passed special tax that is used to fund its operations and maintenance.

Attached (pg. 3) are some pictures of our downtown "The Grove Park" and supplemental supporting information (Att. 2)

**The Grove Park
Downtown Clayton
6100 Main Street**



Agency Contact Information

Name: Laura Hoffmeister
 Title: Assistant to the City Manager
 Phone: 925-673-7308
 Email: LHoffmeister@ci.clayton.ca.us
 Date: January 29, 2016

Name: Kevin Mizuno
 Title: Finance Manager
 Phone: 925-673-7309
 Email: kmizuno@ci.clayton.ca.us
 Date: January 29, 2016

Department of Finance Local Government Unit Use Only

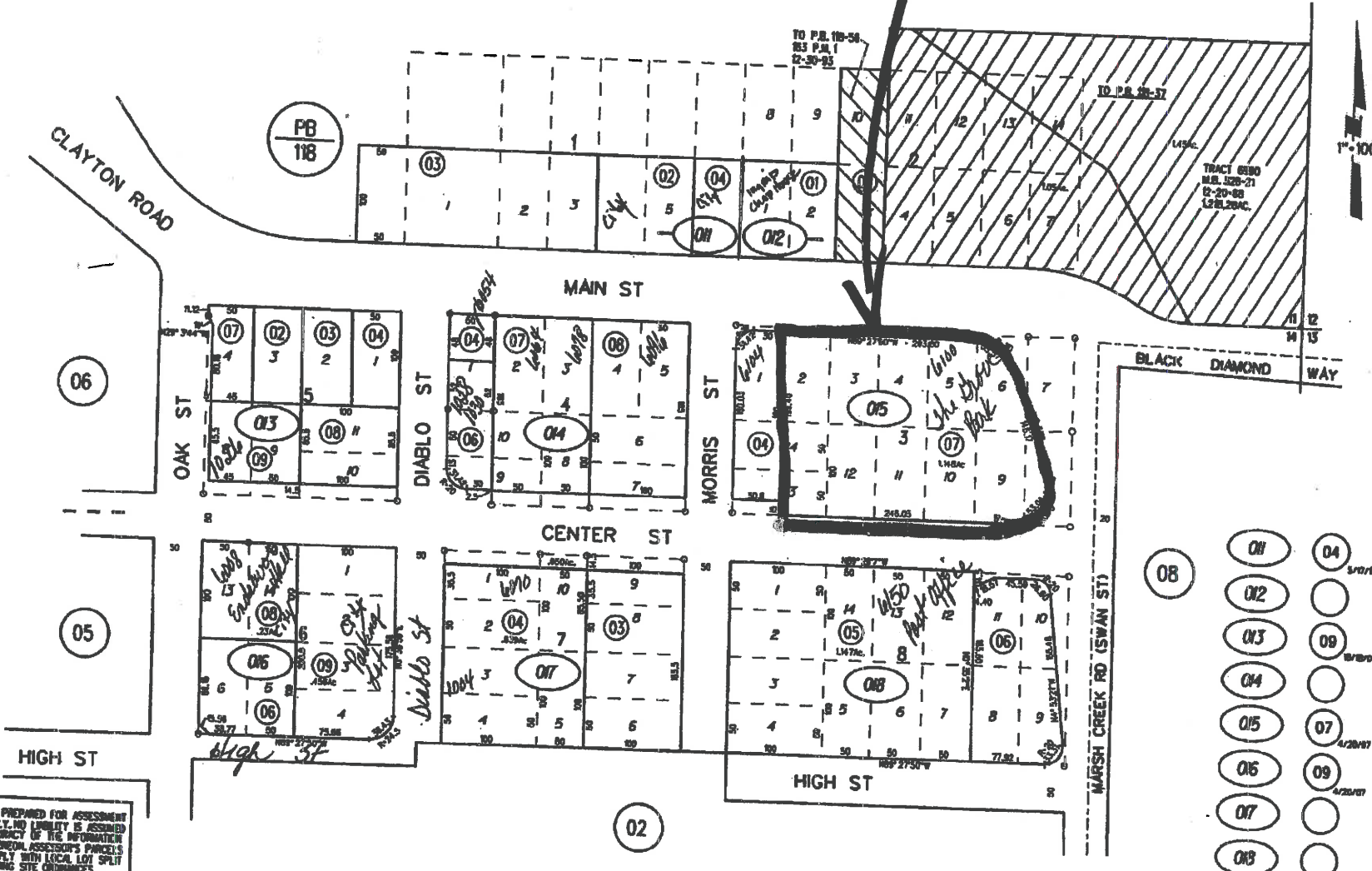
DETERMINATION ON LRPMP: APPROVED DENIED

APPROVED/DENIED BY: _____ DATE: _____

APPROVAL OR DENIAL LETTER PROVIDED: YES DATE AGENCY NOTIFIED: _____

The Grove Park
APN 119-015-007

POR SE 1/4 SEC 11 T1N R1W MDBM
TOWN OF CLAYTON



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION INDICATED HEREON. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

ASSESSOR'S MAP
BOOK 119 PAGE 1
CONTRA COSTA COUNTY, CALIF.

ATTACHMENT 3

PRYOR PROPERTIES 1655 GARNET LN CONCORD CA 94519 TOWN OF CLAYTON POR LOT 1 BLK 4	119-014-004-4 01026/132 2001	18,475	26,058	44,533	13001 119-014-004-4
PRYOR PROPERTIES 1655 GARNET LN CONCORD CA 94519 TOWN OF CLAYTON POR LOTS 1,9,10 BLK 4	119-014-006-9 01026/129 2001	47,491	93,903	141,394	13001 119-014-006-9
GIOVANNI DORENDA TRE C/O BARBARA M CARNEY 963 HAWTHORNE DR WALNUT CREEK CA 94596 TOWN OF CLAYTON POR BLK 14	119-014-007-7 16777/964 1991	44,336	207,798	252,134	13001 119-014-007-7
AUSTIN DOLORES L TRE 21 FREITAS DR MORAGA CA 94556 TOWN OF CLAYTON LOTS 4-6 & POR LOT 7 BLK 4	119-014-008-5 16142/791 1990	183,964	33,474	217,438	13081 119-014-008-5
SANDHU SUKHDEV & BALWINDER K SANDHU BALWINDER KAUR 6104 MAIN ST CLAYTON CA 94517 TOWN OF CLAYTON POR LOTS 1,13&14 BLK 3	119-015-004-3 95212/310 1995	182,266	769,302	951,568	13001 119-015-004-3
CLAYTON REDEVELOPMENT AGENCY 6000 HERITAGE TRL CLAYTON CA 94517	119-015-007-6 99266/034 1999	626,890		626,890	13001 119-015-007-6 NONTAXABLE CY
DOMINA JOANN B TRE PO BOX 466 CLAYTON CA 94517 TOWN OF CLAYTON LOT 5 & POR LOT 6 BLK 6	119-016-006-7 08846/999 2008	129,840	114	129,954	13006 119-016-006-7
CLAYTON CITY OF 6000 HERITAGE TRAIL CLAYTON CA 94517 TOWN OF CLAYTON LOTS 13 & 14 BLK 6	119-016-008-3 01280/779 2001	176,626	1,865,153	2,041,779	13006 119-016-008-3 NONTAXABLE CY
CLAYTON CITY OF C/O ENGINEERING DEPT 6000 HERITAGE TRL CLAYTON CA 94517	119-016-009-1 06407/394 2006	321,228		321,228	13086 119-016-009-1 NONTAXABLE CY
ALDERETTE MACIAN L & ALICE TRE C/O CAROLYN J SADER 630 N SAN MATEO DR SAN MATEO CA 94401 TOWN OF CLAYTON LOTS 6-8 & POR OF 9 BLK 7	119-017-003-3 13887/028 2013	73,850		73,850	13006 119-017-003-3
RONALD NUNN FAMILY 10500 BRENTWOOD BLVD BRENTWOOD CA 94513 TOWN OF CLAYTON LOTS 2/5 POR LOT 1&10 BLK 7	119-017-004-1 13019/668 2013	497,247	100,454	597,701	13006 119-017-004-1
OCEAN WEST NEVADA CORP 5900 N GRANITE REEF RD STE 100 SCOTTSMOUTH NV 89420 FOR TOWN OF CLAYTON	119-018-005-7 00016/173 2008	768,577	1,625,640	2,394,217	13006 119-018-005-7
BALES NATHAN J TRE BUSCAGLIA RICHARD & CHERYL TRE 45 VIA FALLON ORINDA CA 94563 TOWN OF CLAYTON LOT 8 & POR LOTS 9-11 BLK A	119-018-006-5 13009/586 2013	194,701	607,053	801,754	13006 119-018-006-5

4

RECORDING REQUESTED BY
NORTH AMERICAN TITLE COMPANY
Escrow No. 99100975 Order No. 99100975
AND WHEN RECORDED MAIL TO

Name: REDEVELOPMENT AGENCY OF THE
CITY OF CLAYTON
Street: 924 Main Street
Address: Martinez, CA 94553
City & State:

CONTRA COSTA Co Recorder Office
STEPHEN L. WEIR, Clerk-Recorder
DOC- 1999-0266034-00
Recd @ North American Title
T, OCT 07, 1999 08:00:00
CLA \$500.00 FRE \$0.00
Ttl Pd \$500.00 Nbr-0000003728
Jna/R2/1-4

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INDIVIDUAL GRANT DEED

A.P.N. 119-015-005 and 006

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ 550.00 . City Transfer Tax is \$ _____
(x) computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale.
() Unincorporated area: (x) City of Clayton _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, JAMES E. COX, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AND CHRISTINE COX, AN UNMARRIED WOMAN, WHO AQUIRED TITLE AS HUSBAND AND WIFE AS JOINT TENANTS hereby GRANT(S) to REDEVELOPMENT AGENCY OF THE CITY OF CLAYTON

the following described real property in the CITY OF CLAYTON
County of Contra Costa , State of California:
PLEASE SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Dated: 9/24/99

James E. Cox
Christine Cox

STATE OF CALIFORNIA) SS.
COUNTY OF Contra Costa)
On October 5, 1999 before me,
CAROL J. EVERETT, personally appeared
James E. Cox

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal
Signature: [Signature]



(This area for official notarial seal)

MAIL TAX STATEMENTS TO: SAME AS ABOVE

NAME

ADDRESS

CITY/STATE/ZIP

State of California

266 J34

County of Contra Costa

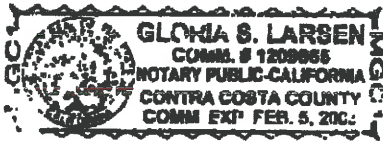
On September 24, 1999 before me, Gloria S. Larsen
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Christine Cox
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY



DESCRIPTION OF ATTACHED DOCUMENT

Grant Deed

DESCRIPTION OF DOCUMENT (OPTIONAL)

State of _____

County of _____

On _____ before me, _____
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared _____
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

DESCRIPTION OF ATTACHED DOCUMENT

DESCRIPTION OF DOCUMENT (OPTIONAL)

"Exhibit A"

266034

Description: The land referred to herein is situated in the State of California, County of CONTRA COSTA, CITY OF CLAYTON, and is described as follows:

ALL OF LOTS 10 THROUGH 12 AND PORTIONS OF LOTS 2 THROUGH 9, 13, AND 14, IN BLOCK 3, AS SAID LOTS AND BLOCK ARE DELINEATED ON THAT MAP ENTITLED "MEMORANDUM MAP OF THE TOWN OF CLAYTON", AS FILED IN THE OFFICE OF THE RECORDER, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, IN BOOK E OF MAPS AT PAGE 101 1/2, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2 (E MAPS 101 1/2); THENCE SOUTH 00° 32' 10" WEST, ALONG THE WEST LINE OF SAID LOT 2, 5.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF MAIN STREET; THENCE SOUTH 89° 27' 50" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 203.80 FEET; THENCE, ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 64° 38' 32" AN ARC DISTANCE OF 33.57 FEET TO A POINT OF COMPOUND CURVATURE, SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF MARSH CREEK ROAD; THENCE, FOLLOWING SAID RIGHT OF WAY LINE, ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, THE RADIUS OF WHICH BEARS SOUTH 64° 38' 42" WEST AND HAVING A RADIUS OF 570.00 FEET, THROUGH A CENTRAL ANGLE OF 14° 35' 33", AN ARC DISTANCE OF 145.17 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, THE RADIUS OF WHICH BEARS SOUTH 79° 14' 15" WEST AND HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 101° 17' 55", AN ARC DISTANCE OF 53.04 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF CENTER STREET; THENCE, ALONG SAID RIGHT OF WAY, SOUTH 00° 32' 10" WEST, 5.00 FEET; THENCE NORTH 89° 27' 50" WEST, 247.71 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 00° 32' 10" EAST, 195.00 FEET TO THE TRUE POINT OF BEGINNING.

**A.P. NOS.: 119-015-005
 119-015-006**

END OF DOCUMENT

Order No. 99100975

RESOLUTION NO. 99-12

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF
CLAYTON AUTHORIZING ACCEPTANCE OF A GRANT DEED FROM
JAMES E. COX, ET AL, FOR "THE GROVE" PARCEL**

WHEREAS, the City Council and Redevelopment Agency Board of Directors of the City of Clayton have previously authorized purchase of unimproved property commonly known as "The Grove" in Clayton (herein the "Property") from owners, JAMES E. COX, et al; and

WHEREAS, said purchase transaction is closing through Escrow No. 99100975 at North American Title, Walnut Creek, California, office, consistent with the terms of a purchase agreement previously approved of by the City Council and the Redevelopment Agency Board of Directors as aforesaid.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the City of Clayton Redevelopment Agency hereby accepts the Grant Deed executed by JAMES E. COX, et al, for "The Grove" parcel, more particularly described in Exhibit "A" attached hereto and made a part hereof, and authorizes the Agency officials to cause said deed to be recorded in the Contra Costa County Recorder's office at close of the aforementioned escrow.

Adopted by the Board of Directors of the City of Clayton Redevelopment Agency at a regular meeting of said Agency held on October 5, 1999, by the following vote:

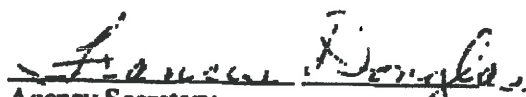
AYES: Agency Members Laurence, Littorno, Pierce, Vice Chair Manning, Chair Peterson

NOES: None

ABSENT: None


Chairperson

ATTEST:

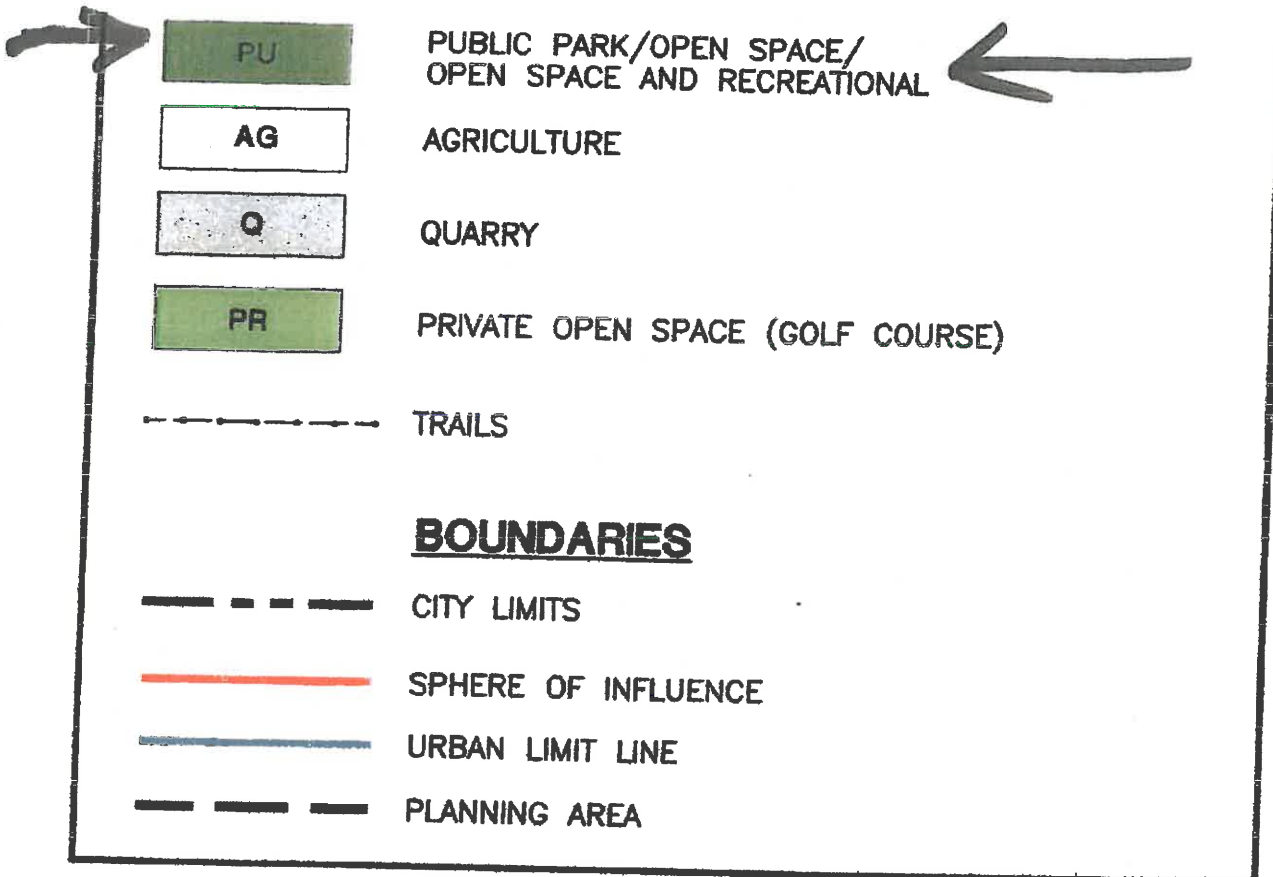

Agency Secretary

APPROVED BY ADMINISTRATION:


Executive Director

I hereby certify that the foregoing resolution was duly and regularly passed by the Redevelopment Agency of the City of Clayton at a duly noticed regular meeting held on October 5, 1999.

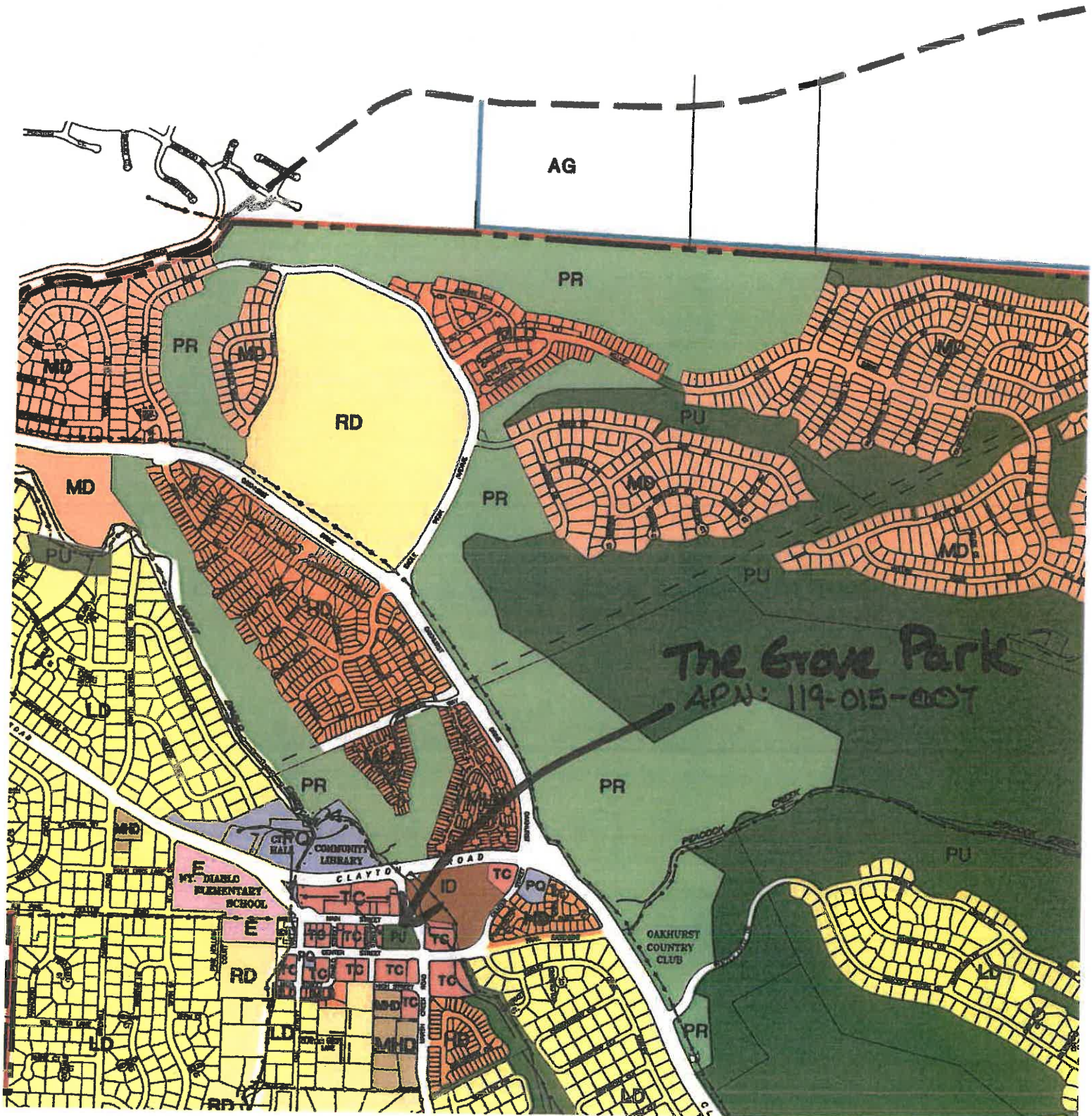

Agency Secretary



DATE	RESOLUTION NUMBER	AMENDMENT
7/17/85	22-85	ADOPTION OF CLAYTON 2000 GENERAL PLAN
5/6/87	21-87	KELLER RANCH
3/2/88	13-88	GREYSTONE ESTATES
4/17/90	25-90	OAKWOOD SUBDIVISION
6/15/93	43-93	DOUGLAS ROAD
2/21/95	06-95	MARSH CREEK CIRCLE
6/28/95	43-95	MARSH CREEK ROAD SPECIFIC PLAN
12/1/98	64-98	DIABLO VILLAGE
7/18/00	49-2000	MARSH CREEK ROAD/CLAYTON ROAD
6/1/04	23-2004	DOWNTOWN PARK
7/19/05	03-05	CITY HALL / COMMUNITY LIBRARY
4/5/05	13-2005	OAK CREEK CANYON
12/21/04	63-2004	DIABLO POINTE
2/6/07	05-2007	TOWN CENTER AND VICINITY
4/3/12	11-2012	OLD MARSH CREEK ROAD/CLAYTON ROAD

GENERAL PLAN MAP

GENERAL PLAN DIAGRAM



Official Zoning Map

February 2013*

Legend

Residential Districts

R-10	10,000 S.F. Minimum Lot Size
R-12	12,600 S.F. Minimum Lot Size
R-15	15,000 S.F. Minimum Lot Size
R-20	20,000 S.F. Minimum Lot Size
R-40	40,000 S.F. Minimum Lot Size
R-40-H	40,000 S.F. Minimum Lot Size (Horses Allowed)

M-R	MULTIPLE FAMILY LOW DENSITY (7.6-10 UNITS PER GROSS ACRE)
M-R-M	MULTIPLE FAMILY MEDIUM DENSITY (10.1-15 UNITS PER GROSS ACRE)
M-R-H	MULTIPLE FAMILY HIGH DENSITY (15.1-20 UNITS PER GROSS ACRE)

Other Districts

PD	Planned Development
PF	Public Facility
L-C	Limited Commercial
A	Agricultural

Zoning Map

-----	City Limits
=====	Zoning Boundary
_____	Lot Line

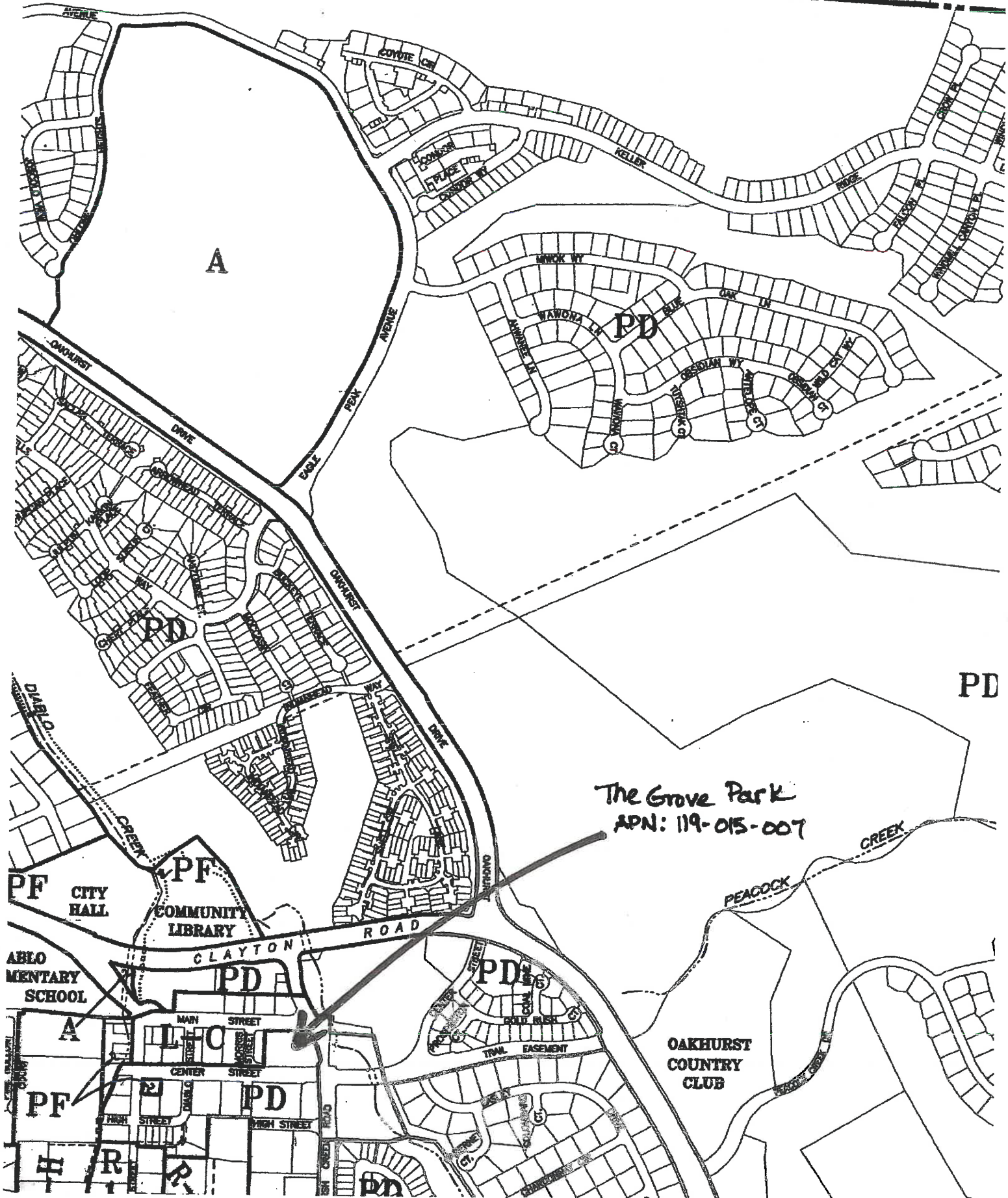
COUNTER COPY

*Thru Ord. No. 440

CITY OF CONCORD

COUNTY OF CONTRA COSTA

CITY OF CLAYTON



condominiums located where higher densities may be appropriate, such as near major public transportation and commercial centers. Development within this density shall be encouraged to use a PUD concept and standards with incorporation of significant design and amenity in the project. Structural coverage, excluding recreational amenities, shall not exceed 65% of the site area.

INSTITUTIONAL RESIDENTIAL— Senior housing at a density of 7.6 to 20 units per gross acre. This designation is intended for development of various forms of senior housing under the sponsorship of public or quasi-public agencies. Group dining, limited vehicles, medicine-dispensing services, and other characteristics and amenities make this form of housing unique. Development intensity can reach 100 percent structural coverage for individual parcels. Structural coverage shall not exceed 50 percent of the site area.

PUBLIC FACILITY—Publicly-owned facilities such as government offices and facilities, community centers, museums, parks and recreational areas, the Community Library, the fire station, the Clayton Corporation Yard, and ancillary structures and uses.

2.4 HISTORIC RESOURCES

The Town Center contains a variety of historic buildings, sites, and features which add character and charm to the community. Some of these historic buildings have been in continual use for commercial purposes. Other buildings have been restored or converted to various commercial and civic uses. Based upon the *Clayton Heritage Preservation Task Force Report*, the following buildings and structures are recognized as historic resources in the Town Center.

Endeavor Hall
Keller Ranch House
De Martini Winery
Joel Clayton Dairy Cellar
Keller Lane Bridge
Clayton-Pape House
Clayton Club
Former Pioneer Inn
Former La Cocotte Restaurant

PAGES 15-22 DELETED BY RESOLUTION NO. 05-2008, DATED 2/5/08

(Chapter 2 amended by Resolution No. 05-2008, dated 2/5/08)



DEPARTMENT OF PARKS AND RECREATION
P.O. Box 942896 • Sacramento, CA 94296-0001
(916) 653-7423

Major General Anthony L. Jackson, USMC (Ret), Director

June 5, 2013

Received

JUN 06 2013

City of Clayton

Dear Grant Recipient,

Your agency has one or more projects funded with State Bond and/or Federal Land and Water Conservation Fund grants administered through the Office of Grants and Local Services (OGALS). The grant contract associated with these programs requires that the grantee properly operate and maintain these grant-funded sites in return for the public's investment.

In July 2013, OGALS representatives will begin conducting site inspections to verify that this contract requirement is being met. Project visits will help OGALS determine if the site is present and functioning, clean and inviting, and reasonably open to the public.

If you need a list of your agency's grant-funded sites, or if you would like to discuss these inspections further, please contact your Project Officer. A list of Project Officers can be found on OGALS website at www.parks.ca.gov/grants.

OGALS looks forward to its continued partnership with your agency. Working together, we can ensure that the recreational opportunities these sites provide remain available to your local community for years to come.

Sincerely,

Jean Lacher, Chief
Office of Grants and Local Services



DEPARTMENT OF PARKS AND RECREATION
P.O. Box 942896 • Sacramento, CA 94296-0001

Major General Anthony L. Jackson, USMC (Ret), Director

June 6, 2013

Gary Napper
City Manager
City of Clayton
6000 Heritage Trail
Clayton, CA 94517-1250

C: GARY
NAPPER
Laci
RBT Z.ber
Grove PK
File
RZT
Received
JUN 11 2013
City of Clayton

Re: Audit of Project #02-07-019 Clayton Downtown Park (aka The Grove Park)
(APN: 119-015-007)

Dear Gary Napper,

Enclosed is a copy of the Audit Report that was completed by the California Department of Parks and Recreation, Audits Office on the above referenced grant. The auditors determined that there are no audit exceptions and recommend that your project be closed with no further action. Congratulations on your project's successful conclusion!

If you have any questions regarding the audit process or the enclosed report, please call me at (916) 654-8686 or by email at Cristelle.Taillon@parks.ca.gov.

Sincerely,

Luan Ambrogio
Cristelle Taillon
Project Officer

Enclosure

cc: Project File

State of California – The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
AUDIT REPORT

DATE MAY 31 2013

PROJECT Clayton: Downtown Park PROJECT NO. 02-07-019

GRANT PARTICIPANT City of Clayton CONTRACT NO. C0207037

I. PROJECT DATA

Bond Act/Program: 2002 Bond: Per Capita

Related Grant Project No(s): None

Other Source of Funds: City Redevelopment Agency Fund, City Parkland Dedication Fees

Year of Appropriation:	<u>2003/04</u>	Final Billing \$	<u>2,021,855.59</u>	Project Type	<u>Development</u>
Grant Amount \$	<u>220,000.00</u>	Match Amount \$	<u>0.00</u>	Total Amount \$	<u>220,000.00</u>
				Interest Amount \$	<u>0.00</u>
Date Agreement Signed by DPR	<u>11/4/2005</u>	Project Period	<u>7/1/2003</u>	to	<u>6/30/2011</u>

II. PROJECT SCOPE PER GRANT AGREEMENT

Per Contract:

These funds are for the acquisition and development of neighborhood, community, and regional parks and recreation lands and facilities.

Per Application:

Construction of a 1 acre community downtown park on publicly owned property that was designed by a citizens committee as an "active" park.

III. AUDIT FINDINGS

The Participant completed the project as proposed through a properly awarded construction contract. Total eligible costs of \$1,359,060.12 exceed the grant amount. For further details, see Supplemental Audit Information.

IV. GRANT PARTICIPANT'S COMMENT

The Participant was notified of the audit findings and is in agreement.

V. RECOMMENDATION

Close the project with no further action.

RECEIVED
 JUN 03 2013
 OFFICE OF GRANTS
 & LOCAL SERVICES

AUDITOR 
 Mary Phongmany

REVIEWER 
 Arthur Lee

SUPPLEMENTAL AUDIT INFORMATION

Clayton Downtown Park
City of Clayton
Project Number 02-07-019

Cost Summary

Construction Contract	<u>Eligible Costs</u>
Total	<u>\$ 1,359,060.12</u>
	<u>\$ 1,359,060.12 *</u>
Grant Amount	\$ 220,000.00
Less Payments to Date	(220,000.00)
Amount Due to Participant	<u>\$ -</u>

* Balance of the total eligible costs less the grant amount was paid through City Redevelopment Agency Fund and City Parkland Dedication Fees

Agency Report for the City of Clayton

OGALS
Grants
Management
System

DIRECTOR

Gary Napper, City Manager

Email: gnapper@ci.clayton.ca.us

Phone: (925) 673-7300 ext.

Fax: (925) 672-4917

Mobile: ()

6000 Heritage Trail, Clayton, CA 94517-1250

GRANTS COORDINATOR

Charlie Mullen, Community Services Director

Email: cmullen@ci.clayton.ca.us

Phone: (925) 673-7343 ext.

Fax:

Mobile: ()

6000 Heritage Trail, , Clayton, CA 94517-

NO CURRENT PROJECT CONTACTS FOUND

NO CURRENT BLOCK GRANT CONTRACTS FOUND

NO UNENCUMBERED CONTRACTS FOUND

NO CURRENT PROJECTS FOUND

SITES THAT NEED TO BE OPEN AND MAINTAINED

Clayton Downtown Park (aka The Grove Park : APN 119-015-007)

Westwood Park

**CITY OF CLAYTON
REDEVELOPMENT AGENCY
BUDGET
FISCAL YEAR 2007-2008**



**Clayton, California
www.ci.clayton.ca.us**

2007/08-2011/12 Capital Improvement Program

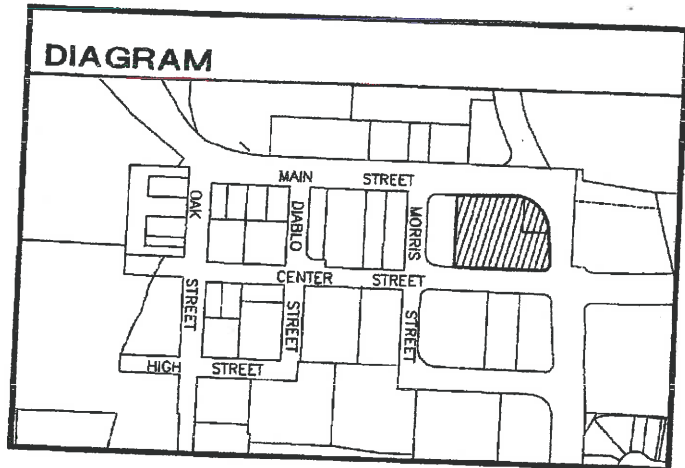
Category	Project Number	Project
Parks	10367	Downtown Park

DESCRIPTION - LOCATION

Install landscaping improvements in downtown park on former "Grove" property.

COMMENTS

Construction delayed until maintenance funding established



Estimated Cost	Prior Yrs.	2007-08	2008-09	2009-10	2010-11	2011-12	Future	TOTAL
Preliminary Design								
Final Design	\$124,000							\$124,000
Construction		\$1,760,700						\$1,760,700
CM/Inspection		\$125,000						\$125,000
ROW Acquisition								
Other								
TOTAL	\$124,000	\$1,885,700						\$2,009,700

Funding (Sources)	Prior Yrs.	2007-08	2008-09	2009-10	2010-11	2011-12	Future	TOTAL
RDA	\$1,702,682							\$1,702,682
Prop. 40	\$249,784							\$249,784
Park Dedication	\$57,234							\$57,234
Total	\$2,009,700							\$2,009,700

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2009/10 to 2013/14

Completed and Active Projects - FY 98/99 thru 07/09

Project Number	Project Category	Project	Comp. Sched.	Comp. Actual	Original Budget	Actual Cost
10330	Streets	Overlays	99/00	99/00	\$ 570,000.00	\$ 514,000.00
10331	Streets	Slurry Seals	na	na	\$ -	included in 10330
10332	Streets	High Street Bridge	98/99	98/99	\$ 65,000.00	\$ 65,000.00
10333	Streets	Marsh Creek Road - TEA-21	99/00	02/03	\$ 1,300,000.00	\$ 1,300,000.00
10334	Parks	Community Dog Park	99/00	00/01	\$ 27,500.00	\$ 27,500.00
10335	Parks	El Molino Park	98/99	98/99	\$ 76,000.00	\$ 30,000.00
10336	Parks	Lydia Lane Park Ph. II	future		\$ 60,000.00	
10337	Facilities	Keller House Preservation	05/06	05/06	\$ 219,523.00	\$ 219,523.00
10337A	Facilities	Keller House Rehabilitation	future		\$ 1,780,477.00	
10338	Facilities	Endeavor Hall	00/01	00/01	\$ 1,500,000.00	\$ 1,450,000.00
10339	Facilities	Youth Center/Gym	01/02	02/03	\$ 4,900,000.00	\$ 4,900,000.00
10340	Landscape	Marsh Creek Road Landscape	98/99	98/99	\$ 630,000.00	\$ 400,000.00
10341	Streets	Center Street Crossing	99/00	00/01	\$ 172,000.00	\$ 172,000.00
10342	GHAD	Windmill Debris Basin	98/99	98/99	\$ 75,000.00	\$ 75,000.00
10343	GHAD	Crow Debris Basin	future		\$ 100,000.00	
10344	GHAD	Obsidian Landslide	02/03	04/05	\$ -	included in 10347
10345	GHAD	Clayton Rd. Landslides	99/00	00/01	\$ 1,315,000.00	\$ 1,240,000.00
10346	GHAD	Black Diamond Landslide**	na	na	\$ -	\$ -
10347	GHAD	V-ditch Repairs	02/03	04/05	\$ 150,000.00	\$ 144,063.00
10347A	GHAD	Eagle Peak Slope Repair	future		\$ 1,125,000.00	
10348	GHAD	Keller Ridge Drive Area Slope Repair	future		\$ 50,000.00	
10349	GHAD	Community Park Slide Repair	future		\$ 100,000.00	
10350	Facilities	Downtown Elec. Conn.	99/00	99/00	\$ 25,000.00	\$ 40,000.00
10351	Facilities	Fire Station	00/01	00/01	\$ 1,680,000.00	\$ 1,610,000.00
10352	Landscape	Library Landscaping	00/01	02/03	\$ 157,000.00	\$ 194,000.00
10353	Streets	Downtown Revitalization	00/01	01/02	\$ 2,000,000.00	\$ 3,003,500.00
10354	Streets	Four Oaks Area	01/02	01/02	\$ 175,000.00	\$ 237,700.00
10355	Streets	Oak Street Bridge	00/01	00/01	\$ 60,000.00	\$ 62,000.00
10356	Landscape	Westwood Open Space	01/02	01/02	\$ 205,000.00	\$ 166,000.00
10357	Facilities	Old City Hall Renovation	98/99	98/99	\$ 80,000.00	\$ 72,000.00
10358	Facilities	Grove Property Acquisition	99/00	99/00	\$ 500,000.00	\$ 500,000.00
10359	Facilities	Endeavor Hall Parking I	00/01	01/02	\$ 107,000.00	\$ 108,000.00
10360	Facilities	Endeavor Hall Parking II	07/08	07/08	\$ 150,000.00	\$ 165,500.76
10361	Facilities	Stanley Property Acquisition	future		\$ 325,000.00	
10362	Facilities	Stanley Property Parking**	future		\$ -	\$ -
10363	Facilities	Corp. Yard Expansion	99/00	03/04	\$ 483,000.00	\$ 589,720.00
10364	Streets	Downtown Signage**	na	na	\$ -	\$ -
10365	Facilities	Library Parking Expansion	00/01	01/02	\$ -	included in 10352
10366	Facilities	Police Parking Expansion	01/02	03/04	\$ -	included in 10363
10367	Parks	Downtown Park	07/08	07/08	\$ 1,387,018.00	\$ 2,100,000.00
10368	Parks	City Hall Park**	na	na	\$ -	\$ -
10369	Streets	Marsh Creek Road Narrowing**	na	na	\$ -	\$ -
10370	Creeks	Creek Revitalization	future		\$ 3,000,000.00	
10371	Streets	Survey Monuments	02/03	04/05	\$ 30,000.00	\$ 30,000.00
10372	Streets	Traffic Signal Modifications	99/00	00/01	\$ 10,000.00	\$ 9,900.00
10373	Streets	Peacock Creek Dr. Signal	01/02	02/03	\$ 175,000.00	\$ 155,000.00
10374	Parks	North Valley Park	99/00	00/01	\$ 50,000.00	\$ 45,000.00
10375	Parks	Samuel Ct. Park	future		\$ 75,000.00	
10376	Facilities	Equestrian Staging Area	99/00	01/02	\$ 140,000.00	\$ 140,000.00
10377	Streets	DVMS - Right Turn Lane	01/02	01/02	\$ 42,000.00	\$ 51,100.00
10378	Streets	Keller Ridge Drive Planters	99/00	00/01	\$ 100,000.00	\$ 100,000.00
10379	Streets	Pine Hollow Road - Entry	future		\$ 300,000.00	