

DRAFT RESOLUTION NO. OB 21(15)

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED LOMPOC REDEVELOPMENT AGENCY APPROVING A REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN PER HEALTH AND SAFETY CODE SECTION 34191.5

WHEREAS, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding ABX1 26 (the "Dissolution Act") largely constitutional; and

WHEREAS, under the Dissolution Act and the California Supreme Court's decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Lompoc Redevelopment Agency (the "former RDA"), were dissolved on February 1, 2012; and

WHEREAS, under the Dissolution Act, the City of Lompoc ("City") serves as the Successor Agency to the former RDA (the "Successor Agency"), subject to all limitations, conditions and qualifications as provided in the Dissolution Act; and

WHEREAS, pursuant to Health and Safety Code subsection 34191.5(b), the Successor Agency is required to prepare a Long-Range Property Management Plan (LRPMP) that addresses the disposition and use of the real properties of the former Redevelopment Agency; and

WHEREAS, the report was required to be submitted to the Oversight Board and the State Department of Finance ("DOF") for approval no later than six months following the issuance to the Successor Agency of the finding of completion, which the Successor Agency received on June 7, 2013; and

WHEREAS, the original deadline for DOF approval of long-range property management plans was extended by the Legislature from January 1, 2015 to January 1, 2016 by Assembly Bill 1963; and

WHEREAS, the initial LRPMP was submitted and approved by the Oversight Board on September 16, 2013, and submitted to the DOF for final approval; and

WHEREAS, the DOF has requested the Successor Agency consider an alternative use for the parking lots owned by the Successor Agency from governmental use to future development; and

WHEREAS, the LRPMP has been revised; the revised LRPMP must be submitted to, and approved by, the Oversight Board prior to it being submitted to DOF; and

WHEREAS, in accordance with Health and Safety Code subsection 34180(f)(1), if the City is to retain any property for future redevelopment activities, the City must reach a

compensation agreement with the taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Health and Safety Code section 34188, for the value of the property retained.

NOW, THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF LOMPOC, DOES HEREBY RESOLVE, FIND AND DETERMINE AS FOLLOWS:

Section 1. The Recitals set forth above are true and correct, and are incorporated herein by reference.

Section 2. At a publicly noticed meeting on January 23, 2015, the Oversight Board reviewed the revised LRPMP for the Old Town Commercial (OTC) Parking Lots consisting of 13 individual parcels (Parcels 091-103-02, -03, -04, -05, -08, -09, -10, -11, -12, -20 and Parcels 085-161-018, -019 and -020), the Successor Agency's interest in the \$700,000 loan secured by real property (Parcels 085-122-16 and -21), and the \$150,000 loan secured by real property (Parcels 089-213-13, -14, -15, and -26) and made the following findings:

- A. The parking lot parcels were assembled for the purpose of assisting a proposed development;
- B. The parcels currently are primarily used for parking for Santa Barbara commuters who ride the Clean Air Bus Monday through Friday, although certain parcels are also used as the site of a weekly farmers market from which the Successor Agency receives no revenue;
- C. Permissible uses of the parcels under the Dissolution Act include the retention of the property by the City for future development;
- D. The City is required by the LRPMP to reach compensation agreements for the parking lot parcels with the taxing entities;
- E. The termination of the lien interest in the Lompoc Theater parcels would be in the best interest of the taxing entities and would release the liability of the property demonstrated by the September 18, 2014 Appraisal which states a negative value -- \$-100,000. Should the property be transferred to an organization willing to assume this liability and rehabilitate this property, the property's value would increase and the taxing entities would receive increased property tax revenues and potentially, increased sales tax revenue due to increased activity in the downtown area;
- F. The Successor Agency should retain its deed of trust on the Sanchez Properties, LLC, parcels, the revenue from which offsets the Successor Agency's need for funds from other sources.

Section 3. The Executive Director of the Successor Agency or designee is authorized and directed to take all actions necessary to implement this Resolution, including without limitation, the submittal of the approved Revised LRPMP to the State Department of Finance.

Section 4. Pursuant to Health & Safety Code section 34191.5, the Oversight Board directs the Successor Agency to immediately take any action as required under the Dissolution Act to implement this Resolution and the decisions of the Oversight Board as set forth in the LRPMP upon approval by the Department of Finance.

Section 5. The provisions of this resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the resolution or their applicability to other persons or circumstances.

Section 6. The Executive Director of the Successor Agency and the Finance Director, and their designees, are authorized and directed to take such actions as necessary and appropriate to carry out and implement the intent of this resolution, including without limitation, the establishment of separate accounts and funds as necessary to appropriately document the receipts and expenditures of the City acting in its capacity as Successor Agency to the former RDA.

Section 7. The Oversight Board Secretary shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 23th day of January __ 2015, by the following vote:

AYES:
NOES:
ABSENT:
APPROVED:

Sheldon Smith, Chairman
Oversight Board to the Successor Agency of the
the Dissolved Lompoc Redevelopment Agency

ATTEST:

Stacey Alvarez, Secretary
Oversight Board to the Successor Agency of the
Dissolved Lompoc Redevelopment Agency

Exhibit A - Successor Agency of the Dissolved Lompoc Redevelopment Agency
Revised Long Range Property Management Plan