

Agenda

City of Visalia Oversight Board of the Successor Agency of the Redevelopment Agency of Visalia

Chair: Mike Olmos, City of Visalia
Vice Chair: Phil Cox, Tulare County
Secretary: Mark Larsen, Kaweah Delta Water Conservation District
Board Member: Eric Frost, City of Visalia
Board Member: Nathan Hernandez, Visalia Unified School District
Board Member: John Hess, Tulare County
Board Member: Greg Sherman, College of the Sequoias

Wednesday, August 28, 2013

5:30 p.m.

City Hall, Main Conference Room
707 West Acequia, Visalia CA

- 5:30 p.m. 1. Welcome and public comment
(Remind board members that these meetings are subject to the Brown Act)
- 5:35 p.m. 2. Accept Action Agenda from 2/26/13
- 5:40 p.m. 3. Approve the Long Range Property Management Plan (LRMP) pursuant to Health and Safety Code Section 34191.5. Resolution 2013-02 Required.
- 5:50 p.m. 4. Approve the immediate disposition of the Van Ness properties, APN 094-180-006 and -007, to the City for the purpose of developing a 911 emergency dispatch center and other public safety facilities. Resolution 2013-03 Required.

Next meeting: To be arranged

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing Impaired – Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Oversight Board of the Successor Agency after distribution of the agenda are available for public inspection in the Office of the City Clerk, 425 E. Oak Street, Suite 301, Visalia CA 93921, during normal business hours.

Action Agenda

City of Visalia Oversight Board of the Successor Agency of the Redevelopment Agency of Visalia

Chair: Mike Olmos, City of Visalia - Present
Vice Chair: Phil Cox, Tulare County - Present
Secretary: Mark Larsen, Kaweah Delta Water Conservation District - Present
Board Member: Eric Frost, City of Visalia - Present
Board Member: Nathan Hernandez, Visalia Unified School District – Present
Board Member: John Hess, Tulare County - Present
Board Member: Greg Sherman, College of the Sequoias - Absent

Tuesday, February 26, 2013

5:30 p.m.

City Hall, Council Chambers
707 West Acequia, Visalia CA

5:30 p.m.

1. Welcome and public comment

(Remind board members that these meetings are subject to the Brown Act)

Meeting called to order by Chair Olmos. No Public Comments.

2. Accept Action Agenda from 11/8/2012

No Comments. Moved by Board Member Larsen, seconded by Board member Hess to accept the action agenda (6-0, Sherman Absent).

3. Update on Department of Finance Due Diligence Reviews and Meet and Confer Process

Board member Frost gave an update on the items that Department of Finance rejected on the Housing Successor Agency's Due Diligence report and the outcome of the Meet and Confer meetings the City had regarding this matter. No action taken.

4. Review and Adoption of ROPS 13-14A and 13-14B. Resolution 2013-01 required.

Ruth Pena, Financial Analyst, reviewed the Required Obligation Payment Schedule (ROPS) for the time period of July 2013 to December 2013 and for January 2014 to June 2014. She provided a handout which revised the Summary of ROPS for July 2013 to December 2013.

Moved by Vice Chair Cox, seconded by Board member Hess to adopt **Resolution 2013-01** approving the ROPS for the time period of July 2013 to December 2013 and for January 2014 to June 2014 (6-0, Sherman Absent).

6:00 p.m.

Meeting adjourned.

Next meeting:

To be arranged.

Submitted by Gladys Ruiz, Recording Clerk for the Oversight Board.

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**City of Visalia
Oversight Board of the
Successor Agency of the Visalia Redevelopment Agency**

Meeting

Date: August 28, 2013

To: Successor Agency Oversight Board

From: Eric Frost, Administrative Services Director

Subject: Approval of the Long-Range Property Management Plan prepared by the Successor Agency pursuant to Health and Safety Code Section 34191.5.

Recommendation: That the Oversight Board takes the following actions:

1. Approve the Long-Range Property Management Plan that addresses the disposition and use of the real properties of the former Visalia Redevelopment Agency, pursuant to Health and Safety Code Section 34191.5 and direct that the Plan be submitted to the Department of Finance for approval.

Summary: Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan (“LRPMP”) that addresses the disposition and use of the real properties of the former redevelopment agency. The LRPMP must be submitted to the Oversight Board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of a finding of completion pursuant to Health and Safety Code Section 34179.7. Due to ongoing discussions with DOF regarding the transfer of \$3.4 million of the Central Area advance and the disposition of the Civic Center land, the Successor Agency to the Visalia Redevelopment Agency has not yet received a Finding of Completion from the Department of Finance. Even though these items do not yet have a resolution, the Successor Agency has prepared and is seeking approval of the Long-Range Property Management Plan in advance of receiving the Finding of Completion.

Discussion: Pursuant to Health and Safety Code section 34191.5, within six months after receiving a Finding of Completion from the Department of Finance (DOF), the Successor Agency is required to submit for approval to the Oversight Board and DOF a Long-Range Property Management Plan (LRPMP) that addresses the disposition and use of the real properties of the former redevelopment agency. The law requires specific details about the property such as date of acquisition, purpose of property, parcel data, estimate of value, history of contamination, and other data elements. The LRPMP may provide for retention of the property for governmental use, the retention of the property for future development, the sale of the property, or the use of the property to fulfill an enforceable obligation.

The Property Management Plan must be submitted to the Oversight Board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion. While there is no deadline in statute related to when DOF must complete its review of the LRPMPs, DOF will conduct the review of the plans as they are submitted on a flow basis. DOF's approval or objection to the LRPMP will be communicated via a letter to the Successor Agency. The LRPMP is not effective until it has been approved by the Department of Finance. Health and Safety Code Section 34191.5(2)(C) provides that property shall not be transferred to a successor agency, city, county or city and county, unless the LRPMP has been approved by the Oversight Board and the Department of Finance.

As addressed in further detail below, the City advanced monies from the General Fund to enable the Redevelopment Agency to acquire certain properties for development. The City has already commenced and expended funds for the design and planning for construction of a 911 emergency dispatch center and other public safety facilities on two of the properties acquired with the advance of funds from the City. Before proceeding further and expending additional public funds to obtain approvals for the financing and construction of this public safety project, the City must have some assurance that the properties can transfer to the City for this governmental purpose. Because of the critical timing for this project, the Successor Agency has prepared a LRPMP for Oversight Board and DOF approval, in advance of receiving the Finding of Completion, to address, among other things, the disposition of those properties acquired with the City's advance for development of the public safety project.

The properties addressed in the LRPMP are divided into two groups, as listed in Attachment 1, Long-Range Property Plan Checklist. Part A of the attached worksheet lists property that the DOF has reviewed and has determined that they are assets of the Successor Agency. These properties include a vacant piece of land that is to be used as a street dedication and a public parking lot. The street property meets the definition of being a "governmental use" property and the LRPMP designates that this property be transferred to the City for that purpose. The parking lot would be available for sale and disposition.

Part B lists three properties that were acquired by the Redevelopment Agency in 2001 and 2004 with funds that were advanced by the City from the General Fund. These properties were intended to be used for the development of a civic center and public safety project. In March 2011, because the properties had not yet been developed as intended, and the advance of funds from the General Fund had not been repaid, the Redevelopment Agency conveyed the properties to the City for the development of the future civic center, police headquarters and dispatch center. The fourth property is a small parcel on the south side of Goshen, east of Ben Maddox between Sonic Burger and the Transit Maintenance Facility, also acquired by the Redevelopment Agency with funds advanced by the City from the General Fund, for governmental use. This property was also conveyed to the City in March 2011 for development of a municipal corporation yard. The Redevelopment Agency conveyed these properties to the City in exchange for termination of the debt owed by the former Redevelopment Agency under

the agreement pursuant to which the General Fund monies were originally advanced by the City to the Redevelopment Agency to acquire the properties.

The current status of the land listed in Part B is that the DOF has directed that the properties be returned to the Successor Agency (which also reverses the termination of the Agency's debt under the advance agreement) and eventually be disposed of after a Finding of Completion is issued by DOF. The LRPMP provides that the land will eventually return to the City to be used for the public purposes that were the original intent when the properties were acquired.

The properties listed in Part A have already received DOF approval to move forward with the creation of a disposition plan.

Because of the critical timing associated with the design and construction of the public safety project by the City, the Successor Agency prepared and approved the LRPMP, and has submitted it to the Oversight Board for approval. Following approval by the Oversight Board, the LRPMP must be submitted to DOF for approval.

Attachments: #1, Long-Range Property Management Plan Checklist
#2, Map of Real Properties of the Former Redevelopment Agency

Visalia Successor Agency Land Assets
Long Range Property Management Plan
August 28, 2013



116 North West 5th Street
Vacant Parcel
3585 square feet
Zone Residential
Estimated Value: \$1,000 due to difficult
development conditions
Available for disposition – No City commitment

This parcel is a triangular piece occasioned by the transition of a square road grid merging into a diamond road grid. The parcel is in an older residential area and is too small for a standard home lot. The parcel will require a variance for development.



409 E Murray
Parking Lot
9,000 square feet
Zoned Residential
Estimated Value: \$64,000
Available for disposition – No City Commitment

The parcel was acquired through foreclosure on an older home. The home was demolished. City built a demonstration permeable concrete parking lot with solar lights. The area is an older residential area with transition to commercial care facilities.



Van Ness Property
Vacant Land
4.04 Acres
Zoned Service Commercial
Estimated Value: \$350,000
Proposed Development – Police Headquarters

The parcel is south of a feedlot and walnut dehydrator. The land is cleared but streets have no curb, gutters or storm drains.



Van Ness Property
Vacant Land
5.56 Acres
Zoned Service Commercial
Estimated Value: \$825,000
Proposed Development – Police Dispatch Center

The parcel is south of a feedlot and walnut dehydrator. The land is cleared but streets have no curb, gutters or storm drains.



Ben Maddox and Tipton
Vacant Land
22.71 Acres
Zoned Service Commercial
Estimated Value: \$1,527,762
Proposed Development – Civic Center Development

The parcel is south of a feedlot and walnut dehydrator. The land is cleared but streets have no curb, gutters or storm drains.



Ben Maddox and Goshen
Vacant Land
3.04 Acres
Zoned Service Commercial
Estimated Value: \$226,577
Proposed Development – City Corporation Yard

Property is surrounded on the East and South by the current City Corporation Yard. The property has been fenced and currently has Solid Waste Bins on the property. The property is bare dirt and is the remaining portion of a larger acquisition.

ATTACHMENT 2

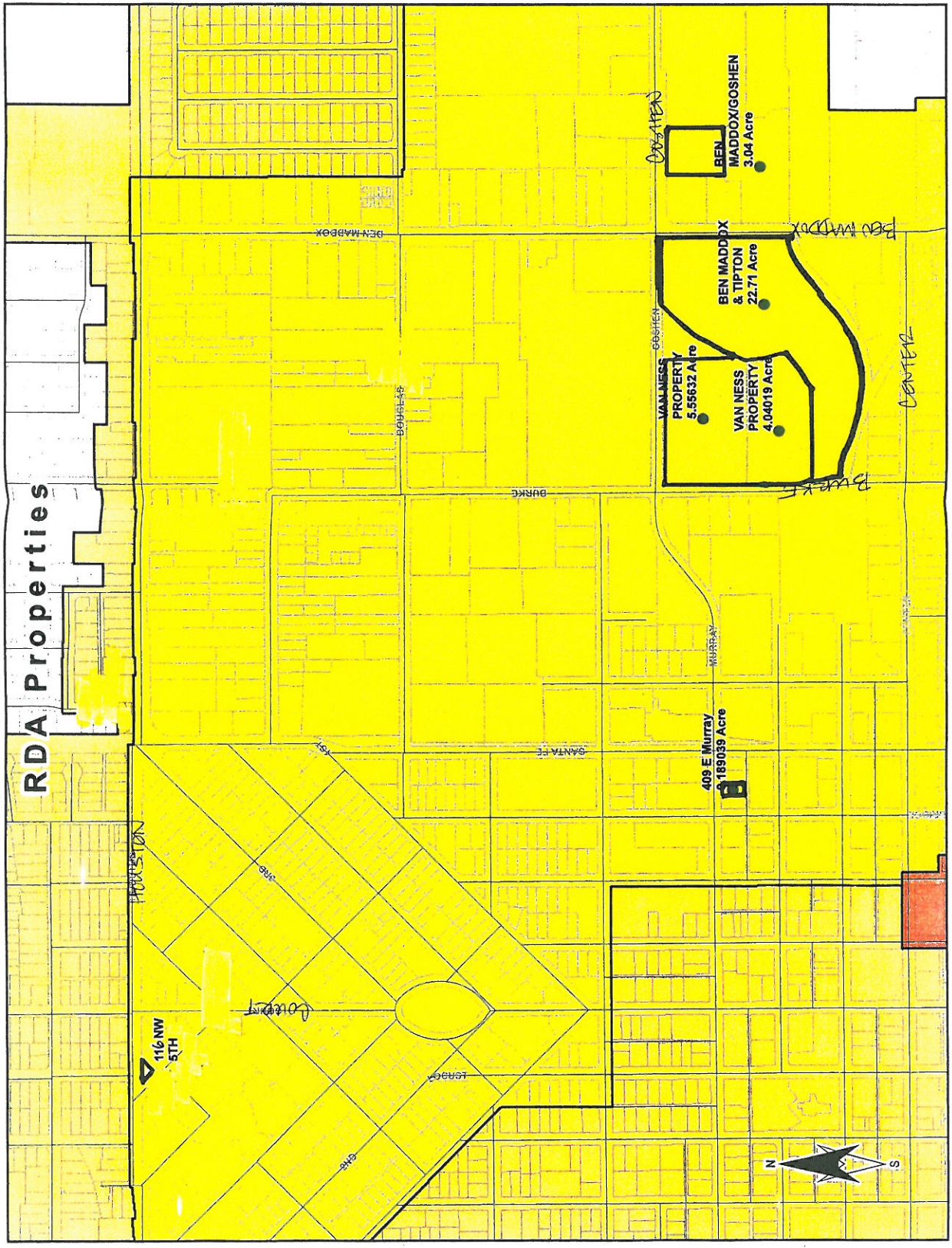
Map of Real Properties of the Former Redevelopment Agency



- RDA Properties
- Central Business District
- Central Visalia
- East Visalia
- Streets
- Parcels



Prepared by: GIS Dept.
 Date: 01-21-11



LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA - PART A

No.	Property Type	HSC 34191.5 (c)(2)		HSC 34191.5 (c)(1)(A)			Value Basis	Date of Estimated Current Value	SALE OF PROPERTY		HSC 34191.5 (c)(1)(B)	HSC 34191.5 (c)(1)(C)				HSC 34191.5 (c)(1)(D)	HSC 34191.5 (c)(1)(E)		HSC 34191.5 (c)(1)(F)	HSC 34191.5 (c)(1)(G)	HSC 34191.5 (c)(1)(H)	
		Permissible Use	Permissible Use Detail	Acquisition Date	Value at Time of Purchase	Estimated Current Value*			Proposed Sale Value	Proposed Sale Date	Purpose for which property was acquired	Address	APN #	Lot Size	Current Zoning	Estimate of Current Parcel Value	Estimate of Income/Revenue	Contractual requirements for use of income/revenue	History of environmental contamination, studies, and/or remediation, and designation as a brownfield site	Description of property's potential for transit oriented development	Advancement of planning objectives of the successor agency	History of previous development proposals and activity
1	Vacant Land	Governmental Use	Street Dedication	03/20/1990	1,000	1,000	Title Transfer	07/01/2013	N/A	N/A	Street Dedication	116 NW 5th Ave.	094-043-001	3,485 sq. ft.	Street	1,000	None	None	None	None	None	None
2	Parking Lot	Future Development	Single Family	05/03/2006	175,000	63,657	Neighboring Property Values	05/03/2006	N/A	N/A	Acquired through a foreclosure sale, for redevelopment purposes	409 E. Murray Ave.	094-274-003	8,235 sq. ft.	Single Family	63,657	None	None	None	None	None	None

* Successor Agency has not obtained an appraisal on these properties.

Parcel 1 Estimated Current Value is based on the original valuation at time of property acquisition and given recent recession and the size and location of this sliver parcel, it is difficult to determine what current actual value would be. Actual current value will be determined prior to conveyance.

Parcel 2 Estimated Current Value is based on the property valuation of a neighboring parking lot, which is valued at \$7.75 per sq.ft. Property was originally acquired through a foreclosure sale, and was at that time improved with a dilapidated single family residential structure that was subsequently demolished by the former Redevelopment Agency. Surface parking lot improvements were then constructed on the land as an interim use. Parcel is located in a residential area, surrounded by single family homes, and across the street from a neighborhood church.

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA - PART B

No.	Property Type	HSC 34191.5 (c)(2)		HSC 34191.5 (c)(1)(A)			Value Basis	Date of Estimated Current Value	SALE OF PROPERTY		HSC 34191.5 (c)(1)(B)	HSC 34191.5 (c)(1)(C)			HSC 34191.5 (c)(1)(D)	HSC 34191.5 (c)(1)(E)		HSC 34191.5 (c)(1)(F)	HSC 34191.5 (c)(1)(G)	HSC 34191.5 (c)(1)(H)		
		Permissible Use	Permissible Use Detail	Acquisition Date	Value at Time of Purchase	Estimated Current Value*			Proposed Sale Value	Proposed Sale Date	Purpose for which property was acquired	Address	APN #	Lot Size	Current Zoning	Estimate of Current Parcel Value	Estimate of Income/Revenue	Contractual requirements for use of income/revenue	History of environmental contamination, studies, and/or remediation, and designation as a brownfield site	Description of property's potential for transit oriented development	Advancement of planning objectives of the successor agency	History of previous development proposals and activity
1	Vacant Land	Governmental Use	911 Emergency Dispatch Center	03/18/2002	825,000	825,000	Acquisition	03/18/2002	N/A	N/A	Governmental Use	Van Ness	094-180-006	285,268 sq. ft.	Service Commercial	825,000	None	None	None	None	911 Emergency Dispatch Center	None
2	Vacant Land	Governmental Use	Police Headquarters / Public Safety Facilities	03/18/2002	350,000	350,000	Acquisition	03/18/2002	N/A	N/A	Governmental Use	Van Ness	094-180-007	207,758 sq. ft.	Service Commercial	350,000	None	None	None	None	Police and Public Safety Facilities	None
3	Vacant Land	Governmental Use	Civic Center Development	12/01/2004	1,527,762	1,527,762	Acquisition	12/01/2004	N/A	N/A	Governmental Use	Ben Maddox/Tipton	094-180-005	22.71 acres	Service Commercial	1,527,762	None	None	Brownsfield Site	None	Civic Center	None
4**	Vacant Land	Governmental Use	Municipal Corp Yard	09/27/2001	946,227	226,577	Prior sales information	09/27/2001	N/A	N/A	Governmental Use	Ben Maddox/Goshen	098-014-036	3.04 acres	Service Commercial	226,577	None	None	None	None	Public facilities	Remainder portion of larger parcel sold for development

* Successor Agency has not obtained an appraisal on these properties.
 Parcels 1, 2 and 3 Estimated Current Value is based on the original acquisition costs. Given the recent recession, it is difficult to determine what current actual valuation would be for these properties. Actual current value will be determined for each parcel prior to conveyance.
 Parcel 4 is the remnant portion of a larger parcel acquired by the former Redevelopment Agency for redevelopment purposes. The Estimated Current Value for Parcel 4 is based on the sales price received by the Redevelopment Agency for those portions of the larger parcel that were previously sold for development.

** Parcel 4 is surrounded by the City's transit maintenance facility and corporation yard to the east and south, and a fast food restaurant on the west. Uses to the north of Parcel 4 include a cattle yard and other similar or appurtenant uses.

OVERSIGHT BOARD RESOLUTION NO. 2013-02

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

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Visalia elected to become the successor agency to the Visalia Redevelopment Agency (“Successor Agency”) by Resolution No. COV 12-01 on January 17, 2012; and

WHEREAS, pursuant to Health and Safety Code Section 34173(g), the Successor Agency is now a separate legal entity from the City; and

WHEREAS, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan (“Property Management Plan”) that addresses the disposition and use of the real properties of the former redevelopment agency; and

WHEREAS, Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the Property Management Plan to the Successor Agency’s oversight board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion pursuant to Health and Safety Code Section 34179.7; and

WHEREAS, the City advanced monies from the General Fund to enable the Redevelopment Agency to acquire certain properties for development; and

WHEREAS, the City has already commenced and expended funds for the design and planning for construction of a 911 emergency dispatch center and other public safety facilities on two of the properties acquired with the advance of funds from the City; and

WHEREAS, before proceeding further and expending additional public funds to obtain approvals for the financing and construction of this public safety project, the City must have some assurance that the properties can transfer to the City for this governmental purpose; and

WHEREAS, because of the critical timing for this public safety project, the Successor Agency has prepared and approved a LRPMP and submitted it to the Oversight Board for approval approval, in advance of receiving the Finding of Completion, to address, among other things, the disposition of those properties acquired with the City’s advance for development of the public safety project; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE FORMER VISALIA REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the Property Management Plan through this Resolution does not commit the Successor Agency or Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The Secretary to the Oversight Board is authorized and directed to file, on behalf of the Oversight Board, a Notice of Exemption with the appropriate official of the County of Tulare, California, within five (5) days following the date of adoption of this Resolution.

Section 3. Approval of Property Management Plan. The Oversight Board hereby approves the Property Management Plan, in substantially the form currently on file with the City Clerk, subject to any minor and clarifying changes as may be approved by the Successor Agency's Executive Director and Successor Agency Counsel.

Section 4. Transmittal of Property Management Plan. The City Manager is hereby authorized and directed to take any action on behalf of the Oversight Board necessary to carry out the purposes of this Resolution and comply with applicable law regarding the Property Management Plan, including submitting the Property Management Plan to the State of California Department of Finance, and posting the approved Property Management Plan on the Successor Agency's website.

PASSED AND ADOPTED: 08/28/2013

MARK LARSEN, SECRETARY OF THE BOARD

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Mark Larsen, Secretary of the Oversight Board of the Successor Agency to the Redevelopment Agency of the City of Visalia, certify the foregoing is the full and true Oversight Board Resolution 2013-02 passed and adopted by the Oversight Board of the Successor Agency to the Redevelopment Agency at a regular meeting held on August 28, 2013.

Dated:

MARK LARSEN, SECRETARY OF THE BOARD

By Gladys Ruiz, Recording Clerk

City of Visalia
Oversight Board to the Successor Agency to the
Former Visalia Redevelopment Agency

Meeting

Date: August 28, 2013

To: Successor Agency Oversight Board

From: Eric Frost, Administrative Services Director

Subject: Approval of the immediate disposition of the Van Ness properties, APN 094-180-006 and -007, to the City for the purpose of developing a 911 emergency dispatch center and other public safety facilities

Recommendation: That the Successor Agency takes the following actions:

1. Approve the conveyance of the Van Ness properties, APN 094-180-006 and -007 (the "Public Safety Parcels"), to the City for the purpose of developing a 911 emergency dispatch center and other public safety facilities.

Summary: Pursuant to Health and Safety Code Section 34191.5, the Successor Agency is required to prepare a Long-Range Property Management Plan ("LRPMP"). Although the Successor Agency has not yet received a finding of completion from the Department of Finance, it is moving forward to obtain approval to convey certain properties to the City for a governmental use, pursuant to Health and Safety Code Sections 34191.3, 34177(e) and 34181(a). The Successor Agency is requesting approval of the immediate disposition of the Public Safety Parcels to the City for the purpose of developing a 911 emergency dispatch center and other public safety facilities.

Background Discussion: Health and Safety Code Section 34191.3 provides that the provisions of Sections 34177(e) and 34181(a) shall be suspended until the Department of Finance ("DOF") has approved the LRPMP, "except as those provisions apply to the transfers for governmental use." Pursuant to Health and Safety Code Section 34177(e), the Successor Agency is required to dispose of assets and properties of the former redevelopment agency as directed by the oversight board. Under Health and Safety Code Section 34181(a), the Oversight Board is required to direct the Successor Agency to dispose of all assets and properties of the former redevelopment agency, and may direct the successor agency to transfer ownership of assets and properties for a governmental purpose to the appropriate public jurisdiction. Section 34181(a) specifically identifies police and fire stations as a use for a governmental purpose.

The Public Safety Parcels, located on the southeast corner of Goshen and Burke, commonly known as the Van Ness property, were originally acquired by the Redevelopment Agency using General Fund monies advanced by the City for such acquisition.

In March 2011, because the properties had not yet been developed as intended, and the advance of funds from the General Fund had not been repaid, the Redevelopment Agency conveyed the Public Safety Parcels to the City for development of a 911 emergency dispatch center and other public safety facilities. The conveyance was intended to be in exchange for termination of the debt owed by the Redevelopment Agency under an advance agreement, in an amount equal to the General Fund monies advanced by the City to acquire the properties.

Based on an audit completed by the State Controller's Office, the Department of Finance (DOF) has directed that the properties be returned to the Successor Agency for disposition pursuant to an approved LRPMP and after issuance by DOF of a finding of completion pursuant to Health and Safety Code Section 34179.7. The LRPMP prepared by the Successor Agency, which has been transmitted for review and approval by the Oversight Board and DOF, provides that the Public Safety Parcels be conveyed to the City to be used for the development of a 911 emergency dispatch center and other public safety facilities, which is one of the public purposes that were the original intent in acquiring the properties.

Fiscal Impact. The Public Safety Parcels were acquired by the Redevelopment Agency, using General Funds monies advanced by the City for the purpose of acquiring such property. The advance from the General Fund is evidenced by an advance agreement between the City and the former Redevelopment Agency, in the amount of \$1,338,772. Under Health and Safety Code Section 34191.4(b), after issuance of a finding of completion by DOF, loan agreements entered into between the Redevelopment Agency and City shall be deemed to be enforceable obligations, if the Oversight Board finds that the loan was for legitimate redevelopment purposes. The loan can then be repaid to the City from future property taxes from the Redevelopment Property Tax Trust Fund ("RPTTF"), in accordance with specified terms as set forth in Section 34191.4(b).

As no tax increment funds were involved in the acquisition of the Public Safety Parcels, the Successor Agency has requested that the Public Safety Parcels be conveyed to the City in exchange for a credit under the advance agreement of the amount originally advanced by the City to acquire the Public Safety Parcels, and termination of the advance agreement. Termination of the advance agreement would effectively result in those RPTTF funds that would have been used to repay the advance to instead be available for disbursement to the taxing agencies.

OVERSIGHT BOARD RESOLUTION NO. 2013-03

RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE DISSOLVED VISALIA REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO THE CITY FOR GOVERNMENTAL PURPOSES (911 Emergency Dispatch Center and Other Public Safety Facilities)

WHEREAS, the Successor Agency to the Former Visalia Redevelopment Agency (“Successor Agency”) is the successor agency to the former Visalia Redevelopment Agency (“Redevelopment Agency”), pursuant to Health and Safety Code Section 34173, following dissolution of the Redevelopment Agency pursuant to AB x1 26, adopted in June 2011, and AB 1484, adopted in June 2012 (collectively, the “Dissolution Act”); and

WHEREAS, pursuant to Health and Safety Code Section 34177(e), the Successor Agency is required to “dispose of assets and properties of the former redevelopment agency as directed by the oversight board; and under Health and Safety Code Section 34181(a), the Oversight Board is required to 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 assets and properties for a governmental purpose to the appropriate public jurisdiction; and

WHEREAS, Health and Safety Code Section 34191.3 provides that the provisions of Section 34177(e) and 34181(a) shall be suspended until the Department of Finance (“DOF”) has approved a long-range property management plan, “except as those provisions apply to the transfers for governmental use;” and

WHEREAS, the City advanced monies from its General Fund to the Redevelopment Agency to enable the Redevelopment Agency to purchase certain properties, including parcels 094-180-006 and -007 located on the southeast corner of Goshen and Burke, commonly known as Van Ness (the “Site”) when those parcels were first acquired back in March 2002, and such advance of funds is evidenced by a General Fund Advance Agreement for the Van Ness Property, entered into between the City and Redevelopment Agency (“Advance Agreement”); and

WHEREAS, the Successor Agency desires to convey the Site to the City, and the City desires to accept such conveyance of the Site for purposes of development of a 911 emergency dispatch center and other public safety facilities;

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE DISSOLVED VISALIA REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Transfer of Site to the City. The Oversight Board hereby approves and authorizes the transfer of the Site to the City for development of a 911 emergency dispatch center and other public safety facilities, pursuant to Health and Safety Code Sections 34191.3, 34177(e) and 34181(a). The transfer of the Site to the City shall be in exchange for a credit against the outstanding debt owed to the City under the Advance Agreement, in an amount equal to the amount of funds advanced by the City to the Redevelopment Agency to acquire the Site. Subject to the conditions set forth in Section 3, below, the City Manager of the City of Visalia is hereby authorized and directed to take such actions and execute and record such documents as may be necessary to carry out the purposes of this Resolution, including without limitation submittal of this action to the Department of Finance for approval, and the conveyance of the Site to the City as provided for hereunder.

Section 3. Conditions to Transfer of Property to the City. The approvals set forth in Section 2, above, are conditioned upon the following:

- a. Approval of such transfer of property to the City by the Department of Finance; and
- b. The City shall have obtained all approvals necessary for the financing and construction of the 911 emergency dispatch center and/or other public safety facilities to be constructed on the Site.

Section 4. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution

Section 5. Certification. The Secretary to the Oversight Board shall certify to the adoption of this Resolution.

Section 6. Effective Date. Pursuant to Health and Safety Code Section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for five (5) business days, pending a request for review by the State of California Department of Finance.

PASSED AND ADOPTED: 08/28/2013

MARK LARSEN, SECRETARY OF THE BOARD

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Mark Larsen, Secretary of the Oversight Board of the Successor Agency to the Redevelopment Agency of the City of Visalia, certify the foregoing is the full and true Oversight Board Resolution 2013-03

passed and adopted by the Oversight Board of the Successor Agency to the Redevelopment Agency at a regular meeting held on August 28, 2013.

Dated:

MARK LARSEN, SECRETARY OF THE BOARD

By Gladys Ruiz, Recording Clerk