

# 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 - Absent  
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

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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)

Meeting called to order by Chair Olmos. No public comments.

5:35 p.m.

2. Accept Action Agenda from 2/26/13

Moved by Frost, Seconded by Cox to accept the action agenda (5-0, Larsen and Sherman Absent).

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.

Moved by Cox, seconded by Hernandez to adopt Resolution 2013-02 approving the Long Range Property Management Plan (5-0, Larsen and Sherman Absent).

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.

Moved by Cox, seconded by Hess to adopt Resolution 2013-03 approving and authorizing the conveyance of certain property commonly known as Van Ness, APN 094-180-006 and 007 to the City for the purpose of developing a 911 emergency dispatch center and other public safety facilities (5-0, Larsen and Sherman Absent).

6:15 p.m.

Meeting adjourned.

Next meeting:

To be arranged

Submitted by Eric Frost

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*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.*

**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: 8/30/13

MARK LARSEN, SECRETARY OF THE BOARD

  
By Gladys Ruiz, Recording Clerk

**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: 8/30/13

MARK LARSEN, SECRETARY OF THE BOARD



By Gladys Ruiz, Recording Clerk