

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- Absent
Board Member: John Hess, Tulare County - Absent
Board Member: Greg Sherman, College of the Sequoias – Absent

Wednesday, September 14, 2016

5:30 p.m.

Admin. Conference Room
220 N. Santa Fe, 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 1/27/16**

No comments. Moved by Board Member Larsen, seconded by Board Member Frost to accept the action agenda (4-0, Hernandez, Hess and Sherman absent).

3. **Authorization to Transfer the Santa Fe and Acequia 60 Parking Space Lot to the City of Visalia (Resolution 2016-03 Required).**

— In the past, State law did not allow parking lots to be transferred to cities, even if the purpose of the parking lot was to provide free public parking. That law has now been changed and allows the transfer of public parking lots to local governments for a government use. Last January, the board transferred one parking lot from the former RDA to the City. The City has recently discovered a second parking lot that is owned by the successor agency. The Oversight Board is being asked to transfer this property to the City of Visalia.

Board Member Frost discussed the transfer of the Santa Fe and Acequia Parking Space Lot from the former Redevelopment Agency to the City of Visalia. Moved by Vice Chair Cox, seconded by Secretary Larsen to adopt Resolution 2016-03 approving and directing the transfer of Property owned by the Former Visalia Redevelopment Agency for governmental use pursuant to Health and Safety Code § 34181(a)(1) (4-0, Hernandez, Hess and Sherman absent).

5:33 p.m.

Meeting Adjourned.

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, 220 N. Santa Fe Street, Visalia CA 93292, during normal business hours.

OVERSIGHT BOARD RESOLUTION NO. 2016-03

**A RESOLUTION OF THE OVERSIGHT BOARD
FOR THE VISALIA REDEVELOPMENT SUCCESSOR AGENCY APPROVING AND
DIRECTING THE TRANSFER OF PROPERTY OWNED BY THE FORMER VISALIA
REDEVELOPMENT AGENCY FOR GOVERNMENTAL USE PURSUANT TO
HEALTH AND SAFETY CODE SECTION 34181(a)(1)
[Acequia and Santa Fe – Parking Lot #19]**

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the Visalia Redevelopment Successor Agency (“Successor Agency”) is the successor agency to the dissolved Visalia Redevelopment Agency (“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; and

WHEREAS, the Oversight Board for the Visalia Redevelopment Successor Agency (“Oversight Board”) is the Successor Agency’s oversight board pursuant to Health and Safety Code Section 34179(a); and

WHEREAS, pursuant to Health and Safety Code Section 34177, successor agencies are required to dispose of assets and properties of the former redevelopment agency as directed by the oversight board, and 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 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, parking facilities and lots dedicated solely to public parking, and local agency administrative buildings, to the appropriate public jurisdiction for continued governmental use; and

WHEREAS, the former Redevelopment Agency owned seven (7) properties, including that certain property located at Acequia and Sante Fe – Parking Lot #19 (the “Property”), that is proposed to be transferred to the City for continued governmental use as a public parking garage in accordance with Health and Safety Code Sections 34177(e) and 34181(a)(1); and

WHEREAS, Health and Safety Code Section 34181(a)(2) states that “parking facilities and lots dedicated solely to public parking” do not include properties that generate revenues in excess of reasonable maintenance costs of the properties. The Property does not generate revenues in excess of the maintenance costs; and

WHEREAS, pursuant to Health and Safety Code Section 34181(f), before properties owned by the former Redevelopment Agency can be transferred by the Successor Agency, the transfer must be approved by the Oversight Board, by resolution adopted at a public meeting after notice to the public of the specific proposed action; and

WHEREAS, the actions of the Oversight Board are subject to review by the California State Department of Finance pursuant to Health and Safety Code Section 34179; and

WHEREAS, if the Department has approved a successor agency's long-range property management plan prior to January 1, 2016, the successor agency may amend its long-range property management plan once, solely to allow for retention of real properties that constitute "parking facilities and lots dedicated solely to public parking" for governmental use pursuant to Section 34181. An amendment to a successor agency's long-range property management plan under this subdivision shall be submitted to its oversight board for review and approval pursuant to Section 34179, and any such amendment shall be submitted to the Department prior to July 1, 2016. The Successor Agency staff discovered the ownership interests of the Property after July 1, 2016, during a title search.

WHEREAS, based on the information contained in the Staff Report presented to the Oversight Board relating to this proposed transfer of the Property to the City, the Property has been and is currently being used for a governmental purpose, and should be transferred to the City for continued governmental use, pursuant to Health and Safety Code Section 34181(a)(1);

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE VISALIA REDEVELOPMENT SUCCESSOR 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 transfer of the Property to the City for continued governmental use does not commit the Oversight Board to any action that may have a direct or indirect physical impact to the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

SECTION 3. Approval of the Transfer of Property. The Oversight Board hereby approves, authorizes and directs the transfer to the City of any interest that the Successor Agency may have in the Property (Acequia and Santa Fe – Parking Lot #19).

SECTION 4. Transmittal of Resolution to DOF. The Oversight Board hereby directs the Successor Agency to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding such transfer of the Property, including without limitation submittal of this Resolution to the State of California Department of Finance for approval.

SECTION 5. 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 the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 6. Certification. The City Clerk of the City of Visalia, acting on behalf of the Oversight Board as its Secretary shall certify to the adoption of this Resolution.

SECTION 7. 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 become effective in accordance with the provisions of said Section 34179(h).

PASSED AND ADOPTED: 09/14/2016

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 2016-03 passed and adopted by the Oversight Board of the Successor Agency to the Redevelopment Agency at a regular meeting held on September 14, 2016.

Dated: 09/15/16

MARK LARSEN, SECRETARY OF THE BOARD


By Gladys Ruiz, Recording Clerk