

DESIGNATED LOCAL AUTHORITY
RIVERBANK CITY HALL NORTH
COUNCIL CHAMBERS
6707 THIRD STREET
RIVERBANK CA 95367-2305

SPECIAL MEETING

AGENDA

TUESDAY, DECEMBER 1, 2015 – 10:00AM

CALL TO ORDER: CHAIR WENDELL NARAGHI

ROLL CALL: Chair Wendell Naraghi
Vice Chair Walter Schmidt
Treasurer Paul Baxter



CONFLICT OF INTEREST

Declaration by Board Members who would have a direct Conflict of Interest on any scheduled item to be considered should be stated at this time.

1. PUBLIC BUSINESS FROM THE FLOOR (No action can be taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the Board.

2. CLOSED SESSION (Items will be individually discussed prior to Board action)

Item 2.1: Conference with Real Property Negotiators
Government Code Section 54956.8
Property: APN #132-009-001; 132-009-001; 132-009-023
Under Negotiation: Price, terms of payment, or both

3. REPORT FROM CLOSED SESSION

Item 3.1: Report from Closed Session Item 2.1 Conference with Real Property Negotiators

Recommendation: Verbal Report by the Chair on direction provided to consultant/staff during Closed Session.

Item 3.2 Resolution RVDLA 2015-003 Approving a Purchase and Sale Agreement for the Sale of Real Property*

*Purchase and Sales Agreement will be distributed to the public at the meeting pending the discussion held during Closed Session.

Recommendation: Consider Approval of a Resolution Authorizing a Purchase and Sale Agreement for the Sale of Real Property.

4. COMMENTS (Informational Only – No action to be taken)

Item 6.1: Consultant Comments

Item 6.2: Board Comments

ADJOURNMENT

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AFFIDAVIT OF POSTING			
DATE:	November 24, 2015	TIME:	10:00 AM
NAME:	Marisela H. Garcia	TITLE:	Director of Finance

Notice Regarding Americans with Disabilities Act:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (209) 863-7122. Notification 48-hours before the meeting will enable the Board to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102.35.104 ADA Title II].

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Designated Local Authority shall be in English and anyone wishing to address the Board is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

Any documents, not privileged or of a closed session, produced by DLA consultants and distributed to a majority of the DLA Board regarding any item on this agenda will be made available at South City Hall, 6617 Third Street, Riverbank, CA.

RESOLUTION NO. RVDLA 2015-003

A RESOLUTION OF THE RIVERBANK DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY TO THE RIVERBANK REDEVELOPMENT AGENCY, APPROVING A PURCHASE AND SALE AGREEMENT FOR THE SALE OF REAL PROPERTY BY THE DESIGNATED LOCAL AUTHORITY IN ACCORDANCE WITH THE DESIGNATED LOCAL AUTHORITY'S APPROVED LONG RANGE PROPERTY MANAGEMENT PLAN

WHEREAS, the Riverbank Designated Local Authority, as Successor Agency to the Riverbank Redevelopment Agency ("DLA"), has been established to wind down of the affairs of the former Riverbank Redevelopment Agency ("Agency") in accordance with the California Health and Safety Code ("HSC") Section 34179; and

WHEREAS, the DLA completed the Due Diligence Reviews ("DDR's") required under HSC Section 34179.5 and submitted them for approval to the Oversight Board to the DLA ("Oversight Board") and the California Department of Finance ("DOF"); and

WHEREAS, the Oversight Board and the DOF reviewed and approved the DDR's; and

WHEREAS, as a result of the approval of the DDR's and resulting payments of excess funds to the county auditor-controller, DOF issued the DLA a "Finding of Completion" as described in HSC Section 34179.7; and

WHEREAS, as a result of its receipt of Finding of Completion, the DLA was required to (i) prepare a "Long Range Property Management Plan" ("LRPMP") meeting the requirements of HSC Section 34191.5(c), and (ii) submit the LRPMP to the Oversight Board and the DOF for approval within six months of the date of the Finding of Completion; and

WHEREAS, the DLA prepared its LRPMP in accordance with HSC Section 34191.5(c) and submitted it to the Oversight Board for approval; and

WHEREAS, on November 1, 2013, the Oversight Board approved the LRPMP and directed that it be submitted to the DOF for approval in accordance with HSC Section 34191.5(c); and

WHEREAS, on February 11, 2014, the Oversight Board approved the "Amended" LRPMP and directed that it be submitted to the DOF for approval in accordance with HSC Section 34191.5(c); and

WHEREAS, as required by HSC Section 34191.5(a), the DLA has established a "Community Redevelopment Property Trust Fund" ("CRPTF") to serve as a repository for the real property held by the DLA; and

WHEREAS, the LRPMP lists three (3) properties held by the DLA ("Disposition Parcels") that are to be sold to third parties, with the proceeds being used to pay enforceable obligations of the DLA; and

WHEREAS, the DLA received notice of DOF's approval of the LRPMP on June 9, 2014; and

WHEREAS, HSC Section 34181(a) requires the Oversight Board to direct the DLA to dispose of all the former redevelopment agency's non-housing assets and properties; and

WHEREAS, the DLA and Oversight Board previously approved execution of a contract with Lee & Associates ("Broker Listing Contract") to provide brokerage services for the sale of the Disposition Parcels; and

WHEREAS, the DLA desires to approve a Purchase and Sale Agreement to be entered into by the DLA for the sale of the Disposition Properties in accordance with the LRPMP and direct certain other actions related thereto.

NOW, THEREFORE, THE DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY OF THE RIVERBANK REDEVELOPMENT AGENCY, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

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

SECTION 2. The DLA hereby approves and directs the entry by DLA staff into a Purchase and Sale Agreement for the sale of the Disposition Properties substantially in the form attached hereto. DLA staff is directed to utilize the proceeds of the sale of the Disposition Properties to make payments on the enforceable obligations listed on any ROPS approved by DOF, with excess proceeds (if any) to be distributed to other taxing entities in accordance with HSC Section 34179.5(c)(2)(B).

SECTION 4. The DLA is authorized to sell and transfer the Disposition Parcels as soon as reasonably practical after Oversight Board and DOF approval of the Purchase and Sale Agreement.

SECTION 5. The DLA and its staff are authorized and directed to do any and all things, and to execute any and all documents, including, without limitation, a Purchase and Sale Agreement substantially in the form attached hereto, which they may deem necessary or advisable to effectuate this Resolution. Any previously-taken acts or previously-executed documents in furtherance of the subject matter hereof are hereby ratified.

SECTION 6. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable. The DLA hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 7. This Resolution shall take effect from and after the date of the Oversight Board and DOF's approval of the foregoing in accordance with HSC section 34179(h).

PASSED, APPROVED AND ADOPTED at a special meeting of the Designated Local Authority, as Successor Agency to the Riverbank Redevelopment Agency, held this 1st day of December, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson, Riverbank Designated Local Authority, as Successor Agency to the Riverbank Redevelopment Agency

ATTEST:

Secretary

Attachment: Purchase and Sale Agreement