

# 2014 LONG RANGE PROPERTY MANAGEMENT PLAN



*Prepared for the:*  
Successor Agency to the Calipatria  
Redevelopment Agency  
of the City of Calipatria  
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# **2013 LONG RANGE PROPERTY MANAGEMENT PLAN**

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## **CITY COUNCIL/ SUCCESSOR AGENCY BOARD**

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Maria Nava-Froelich, *Mayor*

Richard O. Jones, *Mayor Pro Tem*

Fred Beltran, *City Councilmember*

Heather Beltran, *City Councilmember*

Fidel Flores, *City Councilmember*

## **CITY STAFF**

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Romualdo J. Medina, *City Manager/Executive Director*

Katherine R. Lopez, *Finance Officer*



# 2013 LONG RANGE PROPERTY MANAGEMENT PLAN

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## I. Introduction

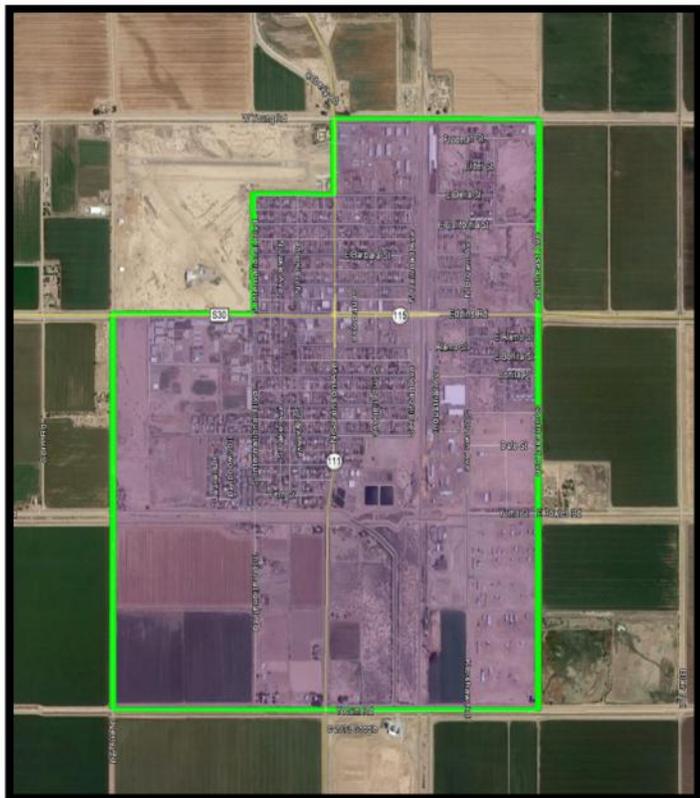
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The City of Calipatria (the “City”) is located in Imperial County (the “County”) and is approximately 23 miles north of the City of El Centro along State Route 111. The City incorporated on February 25, 1918 and currently encompasses an area of approximately 3.7 square miles. The California Department of Finance (the “DOF”) reports the City’s population to be 7,134 as of January 1, 2013.

### *Former Redevelopment Agency*

The former Calipatria Redevelopment Agency of the City of Calipatria (the “Agency”) was organized on November 28, 1989, with the adoption of Ordinance No. 267, pursuant to §33000 *et seq.* of the California Health and Safety Code (the “HSC”) and was responsible for the administration of redevelopment activities within the City.

The Redevelopment Plan for Calipatria Redevelopment Project Area (the “Redevelopment Plan”) was approved by Ordinance No. 282 adopted by the City Council July 23, 1991, and amended by Ordinance No. 300 on December 13, 1994. The Calipatria Redevelopment Project Area (the ‘Project Area”) consists of approximately 822 acres and includes approximately 95% of the City’s incorporated area. The Project Area is zoned for commercial, industrial, and residential uses with single family residential property as the dominant land use.





The Redevelopment Plan is summarized as follows:

<b>Calipatria Agency Plan Chronology</b>	
	<b>Project Area</b>
<b>Plan Adoption</b>	
Date of Adoption	July 23, 1991
Ordinance Number	282
Number of Years Plan is Effective	30
Total Project Area Size	822 Acres
<b>Time Limits</b>	
For Commencement of Eminent Domain <sup>1</sup>	July 23, 2003
For Establishment of Indebtedness <sup>2</sup>	July 23, 2011
For Effectiveness of Plan	July 23, 2031
For Repayment of Indebtedness	July 23, 2041
<b>Financial Limits</b>	
Maximum Lifetime Tax Increment	\$84,750,000
Maximum Bonded Debt Outstanding	
<b>Amendments/Legislative Compliance Mandatory Regulations</b>	
Amendment No. 1 Ordinance No. 300	December 13, 1994
SB 53 Compliance (Yes/No):	No
SB 1809 (Yes/No):	N/A
AB 987 Compliance (Yes/No):	No
AB 1389 Compliance (Yes/No):	No
<b>Discretionary Regulations</b>	
SB 211:	No
SB 1045:	No
SB 1096:	No

### ***Dissolution of Redevelopment Agencies***

Trailer bills ABx1 26 and ABx1 27 were signed by the Governor of California on June 28, 2011, making certain changes to the HSC, including adding Part 1.8 (commencing with §34161) (“Part 1.8”) and Part 1.85 (commencing with §34170) (“Part 1.85”) to Division 24 of the HSC. The California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)) alleging that ABx1 26 and ABx1 27 were unconstitutional. On December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding ABx1 26, invalidating ABx1 27, and holding that ABx1 26 may be severed from ABx1 27 and enforced independently. The Supreme Court generally revised the effective dates and deadlines for performance of obligations under HSC Part 1.85 arising before May 1, 2012 to take effect four months later while leaving the effective dates or deadline for performance of obligations under HSC Part 1.8 unchanged. Consistent with the applicable provisions of the HSC, the City Council elected to serve in the capacity of the Successor Agency to the Redevelopment Agency of the City of Calipatria (the “Successor Agency”).

Further, on June 27, 2012, the Governor signed budget trailer bill AB 1484 into law, resulting in further procedural and substantive changes to the duties of and procedures to be followed by successor agencies, oversight boards, county auditor-controllers and the California Department of Finance (the “DOF”). This includes, but is not limited to, the manner in which the Successor Agency disposes of real property assets.



Specifically, AB 1484 added HSC §34191.5 that requires the Successor Agency to prepare a Long Range Property Management Plan (the “LRPMP”) as a prerequisite to the disposition of real property assets.

### ***Long Range Property Management Plan***

Per the applicable provisions of the HSC, no later than six (6) months after a successor agency receives its Finding of Completion from the DOF (per HSC §34179.7), the Successor Agency must submit its LRPMP to the Oversight Board and the DOF for approval. The LRPMP must include an inventory (with specified information) about each property, and address the use or disposition of each property. Permitted uses for the property pursuant to AB 1484 include:

1. Retention of the property for governmental use;
2. Retention of the property for future development;
3. Sale of the property; and
4. Use of the property to fulfill an enforceable obligation.

Upon DOF’s approval of the LRPMP, the properties are to be placed in a Community Redevelopment Property Trust Fund administered by the Successor Agency in accordance with the approved LRPMP. If the LRPMP plan calls for use or liquidation (sale to obtain revenues) of a property for a project identified in an approved redevelopment plan, that property is to be transferred to the sponsoring community for that purpose. If the LRPMP calls for the liquidation of the property or use of revenues from the property for purposes other than a project identified in a redevelopment plan or other than to fulfill an enforceable obligation, the proceeds from the sale are to be distributed as property taxes to the taxing entities. A general outline of real property disposition procedure is included as Exhibit “A.”

This LRPMP was prepared in compliance with those pertinent sections of the HSC that govern the LRPMP’s prerequisites, content, and approval process. For ease of review, the pertinent sections of the HSC are included in Exhibit “B.”

The Successor Agency received its Finding of Completion from the DOF on August 7, 2013 (Exhibit “C”). The LRPMP was approved by Resolution of the Successor Agency Board on January 28, 2014 (Exhibit “D”) and by Resolution of the Oversight Board on February 6, 2014 (Exhibit “E”).



## II. Summary of Successor Agency Properties

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The Successor Agency has control of two (2) parcels, all of which are located within the boundaries of the City of Calipatria and are subject to the provision of the Agency's Project Area Redevelopment Plans and subsequent amendments, the Agency's Five-Year Implementation Plan 2009/2010 through 2013/2014, and the City's General Plan, Municipal Code and land use regulations, and the County's Airport Land Use Compatibility Plan.

The parcels have been divided into two (2) sites as summarized in the table below:

<i>Summary of Successor Agency Properties</i>						
<b>Site No.</b>	<b>Site Reference</b>	<b>Address</b>	<b>Assessor Parcel No.<sup>1</sup></b>	<b>Zone<sup>2</sup></b>	<b>Lot Size (acres)</b>	<b>Permissible Use</b>
1	Park Property	California Street / Brown Avenue	023-143-004	OS-G	0.17	Government Use
2	Alamo Street Property	Alamo Street / Centro Avenue	023-311-003	DC	0.52	Future Development

<sup>1</sup> See Exhibit "F" for Assessor Parcel Maps

<sup>2</sup> See Exhibit "G" for zoning map

OS-G – General Open Space

DC – Downtown Core



### III. Property to be Retained for Government Use

**Site No. 1**  
**Park Property**  
California Street / Brown Avenue  
APN: 023-143-004



**A. Permissible Use (HSC 34191.5(c)(2)):**

Site No. 1 is the Park Property and is proposed to be transferred to the City of Calipatria for government use pursuant to HSC 34181(a) at no cost to the City.

**B. Acquisition of Property (HSC 34191.5(c)(1)(A) and 34191.5(c)(1)(B)):**

The Park Property was acquired by the Agency on July 21, 1995 for the purpose of alleviating physical blight through an addition to Hernandez Park. Staff continues to search the archives for the acquisition price of the Park Property.

There is no estimated current value (“ECV”) for the Park Property.

**C. Site Information (HSC 34191.5(c)(1)(C)):**

The Park Property consists of one (1) 0.17-acre parcel (APN: 023-143-004) located at Northwest corner of California Street and Brown Avenue. The total acreage of Hernandez Park is 3.68 acres, including the Park Property. Although a separate parcel, the Park Property has been fully incorporated within and functions as a part of Hernandez Park. The Park’s restrooms and shaded picnic area are located on the Park Property.



The Park Property is zoned General Open Space (OS-G) with the County's Airport Land Use Compatibility Plan zone being Approach/Departure Zone (B-1). The OS-G zone designation allows for recreational uses and activities, while the B-1 designation restricts allowed uses. Restrictions for the B-1 zone include day care centers, hospitals, nursing homes, highly noise-sensitive uses, above ground storage, storage of highly flammable materials, and hazards to flight.

**D. Estimated Current Value (HSC 34191.5(c)(1)(D)):**

There is no ECV for the Park Property. However, considering the existing use of the Property as a park, the Property brings with it on-going maintenance costs which would have a negative appraised value if value were to be determined on an income basis.

**E. Site Revenues (HSC 34191.5(c)(1)(E)):**

There is no revenue generated from the Park Property.

**F. History of Environmental Contamination ((HSC 34191.5(c)(1)(F)):**

There is no history of environmental reports for the Park Property.

**G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC 34191.5(c)(1)(G)):**

There is no potential for a TOD development in conjunction with the Park Property.

The continued use of the Park Property as a part of Hernandez Park advances the Successor Agency's and the City's planning objectives to provide the citizens of the City with a place to conduct recreational activities and maintain compatible land uses with the County's Airport Land Use Compatibility Plan.

**H. History of Previous Development Proposals and Activity (HSC 34191.5(c)(1)(H)):**

There is no history of previous development proposals and activity for the Park Property. Hernandez Park has existed since at least 1992.

**I. Sale of Property:**

Park Property is proposed to be transferred to the City of Calipatria for governmental use pursuant to HSC 34181(a), at no cost to the City for the reasons stated above.

**J. Implementation of the Long-Range Property Management Plan:**

Following the approval of the LRPMP by the DOF, the Successor Agency will implement the LRPMP. The transfer of the Park Property to the City of Calipatria will occur only after the LRPMP is approved by the DOF. The transfer will occur at no cost to the City.



## IV. Property to be Retained for Future Development

**Site No. 2**  
**Alamo Street Property**  
Alamo Street / Centro Avenue  
APN: 023-311-003



- A. **Permissible Use (HSC §34191.5(c)(2)):**  
Site No. 2 is the “Alamo Street Property” and is proposed to be retained the City of Calipatria for future development pursuant to HSC 34191.5(c)(2).
- B. **Acquisition of Property (HSC §34191.5 (c)(1)(A) and §34191.5(c)(1)(B)):**  
The Alamo Street Property was acquired by the Agency on February 16, 1999 for \$15,000 for the purpose of alleviating economic and physical blight.
- The estimated current value (the “ECV”) for Alamo Street Property is unknown and will be determined through an appraisal.
- C. **Site Information (HSC §34191.5(c)(1)(C)):**  
The Alamo Street Property consists of one (1) 0.52-acre parcel (APN: 023-311-003) located at Northwest corner of Alamo Street and Centro Avenue.
- The Alamo Street Property is zoned Downtown Core (DC) with the County’s Airport Land Use Compatibility Plan zone being Other Airport Environs Zone (D). The DC zone designation allows



for commercial uses and activities, while the D designation accommodates compatible uses in conjunction with the Calipatria Airport and required deed notices for residential development.

***D. Estimated Current Value (HSC §34191.5 (c)(1)(D)):***

To determine an ECV for the Alamo Street Property, a sales comparable analysis was conducted through the National Data Collective<sup>1</sup>. No sales comparable data was located within the past 48 months and within a 20 mile radius of the Property. Therefore the ECV is unknown and will be determined through an appraisal.

***E. Site Revenues (HSC §34191.5(c)(1)(E)):***

There are no site revenues generated from the Alamo Street Property.

***F. History of Environmental Contamination (HSC §34191.5 (c)(1)(F)):***

There is no known history of environmental reports for the Alamo Street Property.

***G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC §34191.5 (c)(1)(G)):***

There is no potential for a TOD in conjunction with Alamo Street Property.

The City proposes to retain the Alamo Street Property for the future development of affordable housing. This advances the Successor Agency's and City's planning objectives for the Project Area through the development of affordable housing that will lead to the replacement, rehabilitation, and preservation of the supply of low and moderate income housing units and off-site improvements.

***H. History of Previous Development Proposals and Activity (HSC §34191.5 (c)(1)(H)):***

In late 2011, the Agency was approached by a developer to acquire the Alamo Street Property for a senior affordable housing development. With dissolution of redevelopment, the Agency could not enter into a Disposition and Development Agreement for the project. Once the LRPMP is approved, the Successor Agency will contact the Developer.

***I. Sale of Property:***

The City proposes to issue an RFP in accordance with the Successor Agency's policies and procedures for property disposition located in Exhibit "A" for the future sale and development of the Alamo Street Property.

The estimated current value of the Alamo Street Property is unknown and will be determined through an appraisal.

***Date of estimated current value*** – None

***Value Basis*** – The estimated current value of the Alamo Street Property is unknown and will determined through an appraisal.

***Proposed sale date*** – TBD and subject to the Successor Agency's implementation of its policies and procedures for property disposition as shown in Exhibit "A."

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<sup>1</sup> [www.ndcdata.com](http://www.ndcdata.com)



**Proposed sale value** – TDB and subject to a fair market appraisal conducted by a licensed appraiser.

**J. Implementation of the Long-Range Property Management Plan:**

Following the approval of the LRPMP by the DOF, the Successor Agency will implement the LRPMP.

1. For properties to be retained for future development, implementation will include securing an HSC §34180(f)(1) compensation agreement (the “Compensation Agreement”) with the affected taxing entities. The City will seek a Compensation Agreement with the affected taxing entities after the LRPMP is approved by DOF. Waiting until DOF’s approval is received will ensure that the legal and staff time committed to preparing for and processing a Compensation Agreement is not wasted in the event that DOF decides not to approve the LRPMP. The City is concerned that it will not be fruitful to attempt to engage numerous taxing agencies in discussions about proceeds from the sale of properties when the timing of sale is not known and the price has not been determined. Further, this approach will also ensure that the affected taxing entities do not waste their legal and staff time reviewing a Compensation Agreement that would otherwise become mute in the event of a DOF denial. However, if DOF approves the LRPMP, then prior to the transfer of the property to the City, the City will prepare a Compensation Agreement and diligently seek the approval of the affected taxing entities. If the Compensation Agreement is approved, then the transfer of the property to the City will occur thereafter consistent with the provisions of the Compensation Agreement. If for any reason the Compensation Agreement is not approved by all affected taxing entities, then the property will be sold, thus completely eliminating the need for a Compensation Agreement. Any proposed sale will be brought to the Oversight Board for review and approval after the pricing and timing of sale is known.
2. For properties to be sold, implementation will include distribution of any net land sales proceeds for enforceable obligations and/or distributed as property tax to the taxing entities. Due to the vagaries associated with the sale of land, such as uncertainties concerning the timing of sale and the price that would be realized, it is not feasible to precisely state in the LRPMP how the funds will be used. In that regard, once an agreement is reached with respect to the purchase and sale of a property, the agreement will be presented to the Oversight Board for concurrence. The Oversight Board’s approval will be evidenced by a resolution that will be submitted to DOF and, per the HSC, is subject to DOF’s review. That resolution will include or refer to a staff report which describes with greater particularity, once more facts are known, how the net proceeds of sale will be distributed. As noted in Section I – Introduction of the LRPMP, the LRPMP provides that net proceeds of the sale may be used for enforceable obligations and/or distributed as property tax to the taxing entities through the County Auditor-Controller. The need to retain some or all of the net proceeds of sale for enforceable obligations will depend on whether there is a short-fall in RPTTF in the ROPS cycle during which the escrow is anticipated to close. If a short-fall were to occur in the RPTTF at that time, then all or a portion of the net sale proceeds should be used to fulfill an enforceable obligation with any remaining net sale proceeds then distributed as property tax to the taxing entities through the County Auditor-Controller. If there is not a short-fall in RPTTF at the time of close of escrow, then net land sale proceeds would be distributed as property tax to the taxing entities through the County Auditor-Controller in a manner described at the time of Oversight Board approval



as to a particular property sale. Since it is impossible to foresee when and if a short-fall in the RPTTF may occur, or when the property will be sold, the use of the net sale proceeds cannot be specifically determined at this time and, therefore, cannot be stated with greater particularity in the LRPMP. However, it is clear that at the time a sale takes place, the sale will be brought back to the Oversight Board and will be subject to review.



## V. Property Inventory per HSC §4191.5(C)(1)

Site No.	Property Type	HSC 34191.5 (c)(2)	HSC 34191.5 (c)(1)(A)					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	Date Acq'd	Value When Acq'd	Est. Current Value (ECV <sup>1</sup> )	Value Basis	Date of ECV	Sale Value	Sale Date	Purpose Acq'd	Address	APN	Lot Size (ac)	Zoning	ECV	Est. of Income / Revenue (Annual)	Contract req'd for use of income / revenue	History Env'n Contamination	TOD	Adv of SA Planning Objectives	Previous develop. proposals / activities
1	RP (Fee)	Government (Park Property)	July 1995	Unk <sup>1</sup>	N/A	N/A	N/A	N/A	N/A	Addition to City Park	California Street / Brown Avenue	023-143-004	0.17	OS-G	N/A	None	N/A	No	No	Yes	No
2	RP (Fee)	Future Development (Alamo Street Property)	February 1999	\$15,000	Unk	N/A	N/A	TBD	TBD	Alleviate Blight	Alamo Street / Centro Avenue	023-311-004	0.52	DC	TBD	None	N/A	No	No	Yes	Yes

<sup>1</sup> Staff continues to search the archives for the acquisition price.

DC – Downtown Core  
 OS-G – General Open Space  
 N/A – Not applicable  
 RP – Real Property  
 TBD – To Be Determined  
 Unk – Unknown



# Exhibit A – Successor Agency/City Property Disposition Procedures

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*The following is only a general outline for the disposition of property by the Successor Agency. It is anticipated that the Successor Agency may from time to time adopt policies and procedures that are more specific during the implementation phase of the LRPMP.*

## I. PURCHASE AND SALE PROCEDURES

1. Post notice on Successor Agency website:  
“All persons interested in receiving solicitations for the disposition of Successor Agency property please email [xyz@cityofthefuture.org](mailto:xyz@cityofthefuture.org) with your contact information and **“Purchase and Sale of Successor Agency Property”** in the Subject line.”
2. Successor Agency will provide written solicitations for the sale of its real estate assets, which may be a single parcel or a grouping of parcels (the “Property”). Such formal solicitations will include, but not be limited to:
  - a. APN(s)
  - b. Property location
  - c. Zoning
  - d. Acreage
  - e. Listing Price (The listing price shall either be (i) not less than fair market value under an appraisal procured by the Successor agency or (ii) another amount approved for such purpose by the Oversight Board)
  - f. Purchase Price shall be all cash at close of escrow, no seller financing.
  - g. Deadline to receive offers (prior to selection, offers are confidential)
  - h. Offer submittal guidelines:
    - i. All offers must be in writing (California Association of Realtor forms are acceptable);
    - ii. Successor Agency will provide courtesy to brokers equal to one-half of the customary commission if the ultimate buyer is represented by said real estate broker as buyer’s broker at the time the original offer is submitted.
    - iii. Provided that allowance of brokerage commissions will be subject to Oversight Board approval in each case;
    - iv. Approval of each sale may be subject to DOF approval;
    - v. Type of financing identified (i.e., buyer’s cash, buyer’s loan proceeds, etc.);
    - vi. All buyers are to be listed – no silent partners; and
    - vii. Offers will be reviewed for conflict of interest between offeror and Successor Agency/City officials, staff and consultants.
  - i. Some properties for sale consist of multiple parcels. Only offers that include all parcels identified by Successor Agency on a particular site may be accepted, i.e., no less than whole purchases.
3. Method of Solicitations:
  - a. Property posting
  - b. Successor Agency website posting
  - c. Local real estate brokers
  - d. All persons requesting solicitations
  - e. Workshops and/or e-mail notifications
4. All property sales are in an **“AS IS, WHERE IS”** condition.
5. The Successor Agency will be reimbursed from the sale proceeds of the property for any costs related to the appraisal, escrow and title fees (cost of CLTA policy with premium based upon sales price), and any other costs associated with the sale.
6. An offer may be rejected if it does not meet the Successor Agency’s price threshold. Acceptance of a purchase and sale offer is subject to approval of the Successor Agency’s Board of Directors.



7. The City shall have a right of first refusal in connection with the purchase of property. In the event a submittal is received, such right of first refusal may be exercised by means of the City: (i) notifying the Oversight Board and the party which made an offer (in either order) of the City's intention to acquire the property for monetary consideration in an amount equal to or greater than that offered by the offering party, and (ii) obtaining confirmation of such purchase by the Oversight Board.
8. The City shall have an option to purchase property based upon values agreed to by the Oversight Board. The option may be exercised as to one or more properties at a time or times of the City's choosing.
9. If the City determines that it is infeasible to otherwise market and dispose of certain properties, the Successor Agency may auction such property or properties at a time or times consented to by the Oversight Board.

## **II. REQUEST FOR PROPOSAL PROCEDURES**

Costs incurred by the Successor Agency and/or the City in the implementation of these Disposition Procedures shall be treated as an Enforceable Obligation for purposes of the Recognized Obligation Payments Schedule ("ROPS") of the Successor Agency to be recovered from land sales proceeds. The City shall provide the Successor Agency an estimate of such costs at such times and in a form sufficient for the Successor Agency to include such costs on one or more ROPS, as appropriate. Included in such costs are: staff time in the performance of such duties; costs and fees of consultants, attorneys, appraisers, title insurers and escrow; costs and fees in connection with the disposition of property(ies), such as unpaid and outstanding tax liens or judgments and other costs incurred in order to deliver merchantable title. Where possible, the Successor Agency is to recover costs at the time of close of escrow.

### **A) INTENT AND PURPOSE**

A Request for Proposals ("RFP") will be prepared by the Successor Agency and posted to the City's website, and/or sent to developers or parties that have requested such RFPs, and other developers or parties at the Successor Agency's discretion. The number of properties as to which an RFP is requested is subject to the discretion of the Successor Agency.

### **B) PROPOSAL SUBMITTAL**

1. Interested parties may submit a development proposal by the deadline specified in the RFP or other announcement.
2. Proposal requirements may include, but not be limited to, the following:
  - a. The proposed total consideration for the property(ies) and information supporting the offer price;
  - b. Any proposed alterations to the terms and conditions of sale;
  - c. Construction and development pro forma, a detailed site plan, a business/operating plan, developer qualifications, experience and references, a narrative description of the market support for the proposed project, an operating pro forma, as applicable, and an explanation of the economic benefits of the proposed project to the City, other affected taxing agencies and the community;
  - d. The proposed uses are to conform to the requirements, intent, goals, and objectives of the City General Plan/Zoning Ordinance, other applicable development standards, and other applicable federal, state, and local laws, codes and regulations.
  - e. A statement that no financial assistance is being requested from any governmental agency in connection with the proposal, or a statement that financial assistance is being requested from a governmental agency in connection with the proposal, indicating the amount that will be requested, the anticipated timing for consideration of such request, and a description of any discretionary process required by the governmental agency from which assistance will be requested, together with an acknowledgment that conditioning a proposal upon receipt of assistance from a governmental agency may result in the rejection of such proposal;
3. Interested parties to provide such additional information as may be requested in good faith by Successor Agency.
4. Subsequent to review, applicants will be advised regarding the development proposals submitted complying with the requirements of the RFP or whether additional information is required.



**C) PROPOSAL REVIEW**

1. The Successor Agency will review all proposals received and determined by Successor Agency staff to be complete.
2. Among other things, the Successor Agency's review will consider the value of the asset in question being maximized as well as the proposal furthering the objectives of the Successor Agency's General Plan and not negatively impacting property interest of landowners holding property near the asset in question.
3. Nothing in these Procedures prohibits the Successor Agency or the City from requiring information that is in addition to the foregoing or obligates the Successor Agency in selecting any proposal. Neither the City nor the Successor Agency will bear any responsibility for the costs associated with preparing and submitting a proposal.

**D) NEGOTIATING AGREEMENTS**

The Successor Agency may enter into an Exclusive Right to Negotiate Agreement ("ERNA") with a selected project proponent. The purpose of the ERNA is to establish a time period during which the chosen applicant shall have the right to negotiate with the Successor Agency the terms and conditions of a sales and development contract. Therefore, a Disposition and Development Agreement may follow the ERNA if applicable.

**E) ALTERNATIVE METHODS OF DISPOSITION**

The City shall have a right of first refusal in connection with the purchase of property. In the event a submittal is received, such right of first refusal may be exercised by means of the City: (i) notifying the Oversight Board and the party which made an offer (in either order) of the City's intention to acquire the property for monetary consideration in an amount equal to or greater than that offered by the offering party, and (ii) obtaining confirmation of such purchase by the Oversight Board.

The City shall have an option to purchase property based upon values agreed to by the Oversight Board. The option may be exercised as to one or more properties at a time or times of the City's choosing.

If the City determines that it is infeasible to otherwise market and dispose of certain properties, the Successor Agency may auction such property or properties at a time or times consented to by the Oversight Board.



## Exhibit B – Health & Safety Code

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### **HSC §34191.1, reads as follows:**

The provisions of this chapter shall apply to a City upon that agency's receipt of a finding of completion by the Department of Finance pursuant to Section 34179.7.

### **HSC §34191.3, reads as follows:**

Notwithstanding Section 34191.1, the requirements specified in subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be suspended, except as those provisions apply to the transfers for governmental use, until the Department of Finance has approved a long-range property management plan pursuant to subdivision (b) of Section 34191.5, at which point the plan shall govern, and supersede all other provisions relating to, the disposition and use of the real property assets of the former redevelopment agency. If the department has not approved a plan by January 1, 2015, subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be operative with respect to that City.

### **HSC §34191.4, reads as follows:**

The following provisions shall apply to any City that has been issued a finding of completion by the Department of Finance:

- (a) All real property and interests in real property identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5 shall be transferred to the Community Redevelopment Property Trust Fund of the City upon approval by the Department of Finance of the long-range property management plan submitted by the City pursuant to subdivision (b) of Section 34191.7 unless that property is subject to the requirements of any existing enforceable obligation.
- (b) (1) Notwithstanding subdivision (d) of Section 34171, upon application by the City and approval by the oversight board, loan agreements entered into between the redevelopment agency and the city, county, or city and county that created by the redevelopment agency shall be deemed to be enforceable obligations provided that the oversight board makes a finding that the loan was for legitimate redevelopment purposes.

(2) If the oversight board finds that the loan is an enforceable obligation, the accumulated interest on the remaining principal amount of the loan shall be recalculated from origination at the interest rate earned by funds deposited into the Local Agency Investment Fund. The loan shall be repaid to the city, county, or city and county in accordance with a defined schedule over a reasonable term of years at an interest rate not to exceed the interest rate earned by funds deposited into the Local Agency Investment Fund. The annual loan repayments provided for in the recognized obligations payment schedules shall be subject to all of the following limitations:

(A) Loan repayments shall not be made prior to the 2013-14 fiscal year. Beginning in the 2013-14 fiscal year, the maximum repayment amount authorized each fiscal year for repayments made pursuant to this subdivision and paragraph (7) of subdivision (e) of Section 34176 combined shall be equal to one-half of the increase between the amount distributed to the taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 in that fiscal year and the amount distributed to taxing entities pursuant to that paragraph in the 2012-13 base year. Loan or deferral repayments made pursuant to this subdivision shall be second in priority to amounts to be repaid pursuant to paragraph (7) of subdivision (e) of Section 34176.

(B) Repayments received by the city, county or city and county that formed the redevelopment agency shall first be used to retire any outstanding amounts borrowed and owed to the Low and Moderate Income Housing Fund of the former redevelopment agency for purposes of the Supplemental Educational Revenue Augmentation Fund and shall be distributed to the Low and Moderate Income Housing Asset Fund established by subdivision (d) of Section 34176.

(C) Twenty percent of any loan repayment shall be deducted from the loan repayment amount and shall be transferred to the Low and Moderate Income Housing Asset Fund, after all outstanding loans from the Low and



Moderate Income Housing Fund for purposes of the Supplemental Educational Revenue Augmentation Fund have been paid.

(c) (1) Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold.

(2) (A) Notwithstanding Section 34177.3 or any other conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall thereafter be expended in a manner consistent with the original bond covenants. Enforceable obligations may be satisfied by the creation of reserves for projects that are the subject of the enforceable obligation and that are consistent with the contractual obligations for those projects, or by expending funds to complete the projects. An expenditure made pursuant to this paragraph shall constitute the creation of excess bond proceeds obligations to be paid from the excess proceeds. Excess bond proceeds obligations shall be listed separately on the Recognized Obligation Payment Schedule submitted by the City.

(B) If remaining bond proceeds cannot be spent in a manner consistent with the bond covenants pursuant to subparagraph (A), the proceeds shall be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation

**HSC §34191.5, reads as follows:**

(a) There is hereby established a Community Redevelopment Property Trust Fund, administered by the City, to serve as the repository of the former redevelopment agency's real properties identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5.

(b) The City shall prepare a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency. The report shall be submitted to the oversight board and the Department of Finance for approval no later than six months following the issuance to the City of the finding of completion.

(c) The long-range property management plan shall do all of the following:

(1) Include an inventory of all properties in the trust. The inventory shall consist of all of the following information:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

(B) The purpose for which the property was acquired.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the City.

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

(2) Address the use or disposition of all of the properties in the trust. Permissible uses include the retention of the property for governmental use pursuant to subdivision (a) of Section 34181, 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 plan shall separately identify and list properties in the trust dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation. With respect to the use or disposition of all other properties, all of the following shall apply:



(A) If the plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, the property shall transfer to the city, county, or city and county.

(B) If the plan directs the liquidation of the property or the use of revenues generated from the property, such as lease or parking revenues, for any purpose other than to fulfill an enforceable obligation or other than that specified in subparagraph (A), the proceeds

from the sale shall be distributed as property tax to the taxing entities.

(C) Property shall not be transferred to a City, city, county, or city and county, unless the long-range property management plan has been approved by the oversight board and the Department of Finance.

**Note: HSC §34191.2 does not exist and therefore is not included above.**



## Exhibit C – DOF Finding Of Completion

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August 7, 2013

Mr. Romuldo J. Medina, City Manager  
City of Calipatria  
125 North Park Avenue  
P.O. Box 3010  
Calipatria, CA 92233

Dear Mr. Medina:

Subject: Request for a Finding of Completion

The California Department of Finance (Finance) has approved the Finding of Completion for the City of Calipatria Successor Agency.

Finance has completed its review of your documentation, which may have included reviewing supporting documentation submitted to substantiate payment or obtaining confirmation from the county auditor-controller. Pursuant to Health and Safety Code (HSC) section 34179.7, we are pleased to inform you that Finance has verified that the Agency has made full payment of the amounts determined under HSC section 34179.6, subdivisions (d) or (e) and HSC section 34183.5.

This letter serves as notification that a Finding of Completion has been granted. The Agency may now do the following:

- Place loan agreements between the former redevelopment agency and sponsoring entity on the ROPS, as an enforceable obligation, provided the oversight board makes a finding that the loan was for legitimate redevelopment purposes per HSC section 34191.4 (b) (1). Loan repayments will be governed by criteria in HSC section 34191.4 (a) (2).
- Utilize proceeds derived from bonds issued prior to January 1, 2011 in a manner consistent with the original bond covenants per HSC section 34191.4 (c).

Additionally, the Agency is required to submit a Long-Range Property Management Plan to Finance for review and approval, per HSC section 34191.5 (b), within six months from the date of this letter.

Please direct inquiries to Andrea Scharffer, Staff Finance Budget Analyst, or Chris Hill, Principal Program Budget Analyst, at (916) 445-1546.

Sincerely,

STEVE SZALAY  
Local Government Consultant

Mr. Romuldo J. Medina  
August 7, 2013  
Page 2

cc: Ms. Katy Lopez, Finance Director, City of Calipatria  
Ms. Ann McDonald, Auditor-Controller, Imperial County  
California State Controller's Office



# Exhibit D – Resolution of the Successor Agency Board

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**RESOLUTION 14 -06****RESOLUTION OF THE SUCCESSOR AGENCY OF THE CALIPATRIA REDEVELOPMENT AGENCY APPROVING THE LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34191.5 AND APPROVING CERTAIN RELATED ACTIONS**

*WHEREAS*, the Calipatria Redevelopment Agency was dissolved February 1, 2012; *and*

*WHEREAS*, on January 17, 2012, the City Council of the City of Calipatria elected to serve as the Successor Agency to the Calipatria Redevelopment Agency (the "Successor Agency") pursuant to part 1.85 of the California Health and Safety Code (the "HSC"); *and*

*WHEREAS*, the Oversight Board for the Successor Agency of the Calipatria Redevelopment Agency ("Oversight Board") has been established pursuant to HSC § 34179 to assist in the wind-down of the dissolved redevelopment agency; *and*

*WHEREAS*, on August 7, 2013, the Successor Agency received its Finding of Completion (the "FOC") from the California Department of Finance (the "DOF") pursuant to HSC § 34179.7; *and*

*WHEREAS*, within six (6) months of the date of the FOC, HSC § 34191.5(b) requires the Successor Agency to prepare a Long-Range Property Management Plan ("LRPMP") to address the disposition and use of the real property assets held by the Successor Agency; *and*

*WHEREAS*, in accordance with HSC § 34191.5, the Successor Agency has prepared its LRPMP, which is attached as Exhibit "A" to this Resolution that identifies the disposition and uses of Successor Agency properties including, but without limitation, the use of land sale proceeds as more particularly described in HSC § 34191.5(c)2; *and*

*WHEREAS*, subject to approval by the Oversight Board, the LRPMP will be submitted to the DOF; *and*

*WHEREAS*, once the LRPMP has been approved by the DOF, the Successor Agency may act upon its implementation; *and*

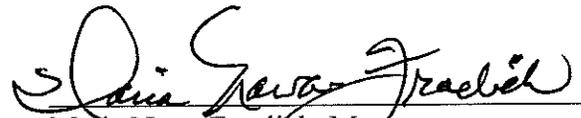
*WHEREAS*, consistent with the applicable provisions of the HSC, it is recommended that the Successor Agency approve the attached LRPMP; *and*

*WHEREAS*, all of the prerequisites with respect to the approval of this Resolution have been met.

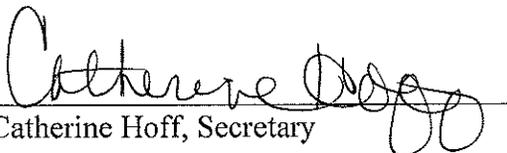
***NOW, THEREFORE, BE IT RESOLVED*** by the Successor Agency of the Calipatria Redevelopment Agency, as follows:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The Long-Range Property Management Plan attached to this Resolution as Exhibit "A" is hereby approved.
- Section 3.** The City Manager, as Executive Director of the Successor Agency, or designee, is hereby authorized to transmit the Long-Range Property Management Plan attached to this Resolution as Exhibit "A" to the Oversight Board for their review and consideration.
- Section 4.** Subsequent to the approval of the Long-Range Property Management Plan by the Oversight Board, the City Manager, as Executive Director of the Successor Agency, or designee, is hereby authorized and directed to transmit the Long-Range Property Management Plan to the California Department of Finance and to take such actions and execute such documents as are necessary to implement the Long-Range Property Management Plan and to effectuate the intent of this Resolution.
- Section 5.** This Resolution shall take effect upon the date of its adoption.

**PASSED, APPROVED AND ADOPTED** this 28<sup>th</sup> day of January 2014.

  
\_\_\_\_\_  
Maria Nava-Froelich, Mayor

ATTEST

  
\_\_\_\_\_  
Catherine Hoff, Secretary

**CERTIFICATION:**

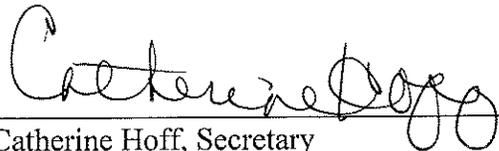
I, *Catherine Hoff*, Secretary for the Successor Agency of the Calipatria Redevelopment Agency, do hereby certify that the foregoing Resolution 14-06 was duly adopted by the Successor Agency of the Calipatria Redevelopment Agency at a meeting thereof held on the 28<sup>th</sup> day of January 2014, by the following vote:

AYES: F. Beltran, H. Beltran, Flores, Nava-Froelich

NOES: None

ABSENT: None

ABSTAIN: None

  
Catherine Hoff, Secretary

**EXHIBIT "A"**

**SUCCESSOR AGENCY OF THE  
CALIPATRIA REDEVELOPMENT AGENCY  
LONG-RANGE PROPERTY MANAGEMENT PLAN  
(See Attachment)**



## Exhibit E – Resolution of the Oversight Board

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**RESOLUTION 14-01 OSB**

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

*WHEREAS*, the Calipatria Redevelopment Agency was dissolved February 1, 2012; *and*

*WHEREAS*, the Oversight Board for the Successor Agency to the Calipatria Redevelopment Agency ("Oversight Board") has been established pursuant to Health and Safety Code § 34179 to assist in the wind-down of the dissolved redevelopment agency; *and*

*WHEREAS*, on August 7, 2013, the Successor Agency of the Calipatria Redevelopment Agency ("Successor Agency") received its Finding of Completion (the "FOC") from the California Department of Finance (the "DOF") pursuant to HSC § 34179.7; *and*

*WHEREAS*, within six (6) months of the date of the FOC, HSC § 34191.5(b) requires the Successor Agency to prepare a Long-Range Property Management Plan ("LRPMP") to address the disposition and use of the real property assets held by the Successor Agency; *and*

*WHEREAS*, in accordance with HSC § 34191.5, the Successor Agency has prepared its LRPMP, which is attached as Exhibit "A" to this Resolution that identifies the disposition and uses of Successor Agency properties including, but without limitation, the use of land sale proceeds as more particularly described in HSC § 34191.5(c)2; *and*

*WHEREAS*, subject to approval by the Oversight Board, the LRPMP will be submitted to the DOF; *and*

*WHEREAS*, once the LRPMP has been approved by the DOF, the Successor Agency may act upon its implementation; *and*

*WHEREAS*, consistent with the applicable provisions of the HSC, it is recommended that the Oversight Board approve the attached LRPMP; *and*

*WHEREAS*, all of the prerequisites with respect to the approval of this Resolution have been met.

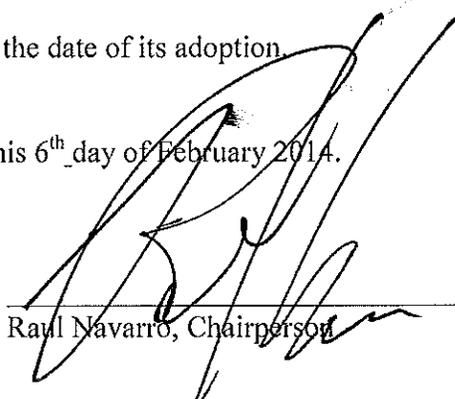
***NOW, THEREFORE, BE IT RESOLVED*** by the Oversight Board for the Successor Agency of the Calipatria Redevelopment Agency, as follows:

**Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.

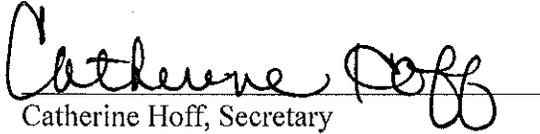
**Section 2.** The Long-Range Property Management Plan attached to this Resolution as Exhibit "A" is hereby approved.

**Section 3.** This Resolution shall take effect upon the date of its adoption.

**PASSED, APPROVED, AND ADOPTED** this 6<sup>th</sup> day of February 2014.

  
\_\_\_\_\_  
Raul Navarro, Chairperson

ATTEST

  
\_\_\_\_\_  
Catherine Hoff, Secretary

**CERTIFICATION:**

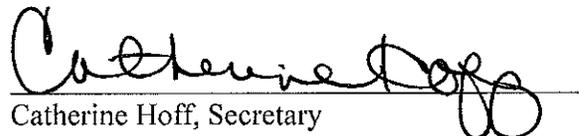
I, Catherine Hoff, Secretary of the Oversight Board for the Successor Agency to the Calipatria Redevelopment Agency, do hereby certify that the foregoing Resolution 14-01 OSB was duly adopted by the Oversight Board for the Successor Agency to the Calipatria Redevelopment Agency, at a meeting thereof held on the 6<sup>th</sup> day of February 2014, by the following vote:

AYES: Medina, Haggarty, Navarro, Lau

NOES: None

ABSENT: Curry, Kelley, Nelson

ABSTAIN: None

  
\_\_\_\_\_  
Catherine Hoff, Secretary

**EXHIBIT "A"**

**SUCCESSOR AGENCY TO THE CALIPATRIA REDEVELOPMENT AGENCY  
LONG-RANGE PROPERTY MANAGEMENT PLAN  
(See Attachment)**



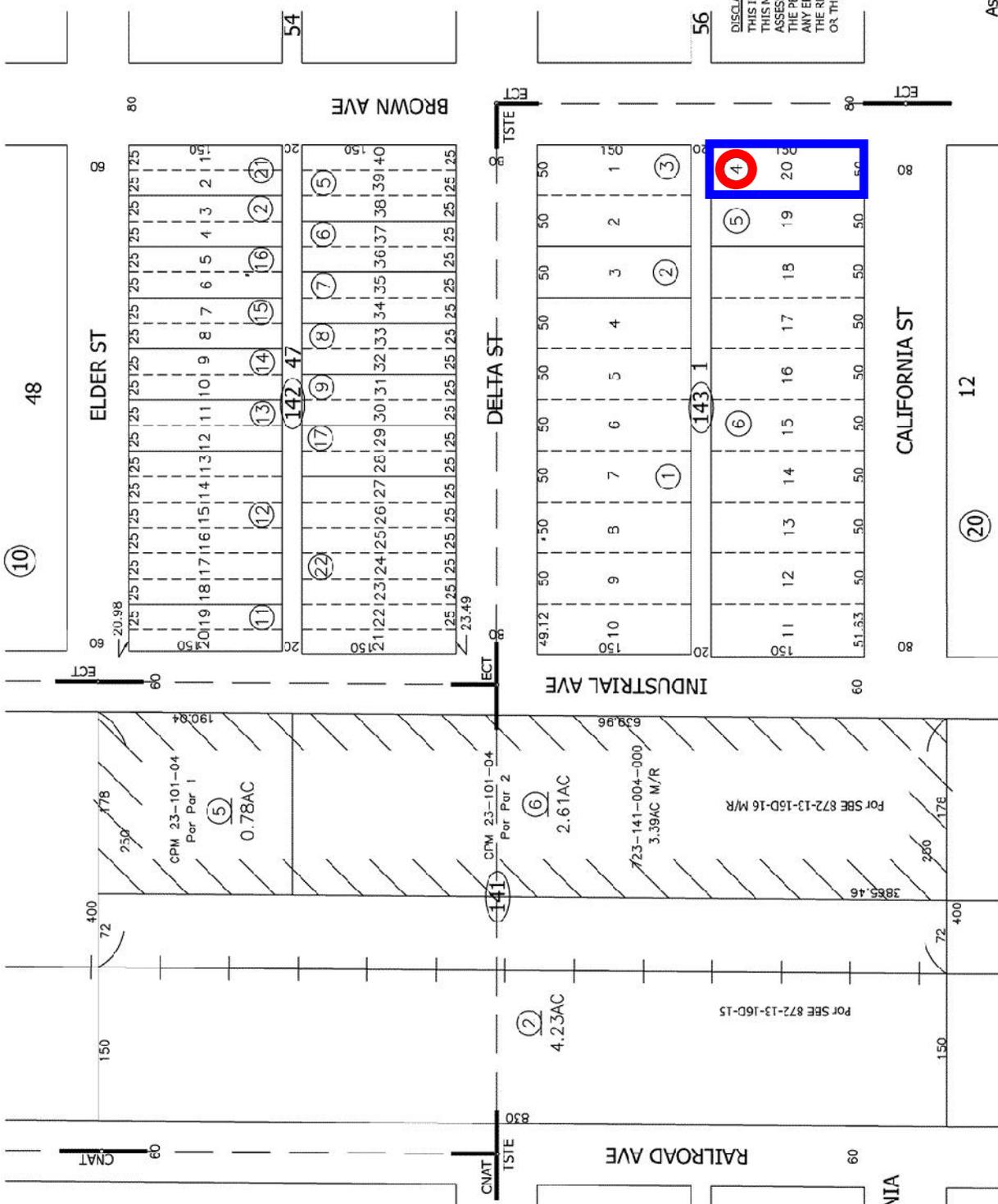
## Exhibit F – Assessor Parcel Maps

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POR EAST CALIPATRIA TRACT & POR OF TOWNSITE  
OM 2-69

Tax Area Code  
3-004

23-14



DISCLAIMER:  
THIS IS NOT AN OFFICIAL MAP.  
THIS MAP WAS CREATED FOR THE IMPERIAL COUNTY  
ASSESSOR FOR THE SOLE PURPOSE OF AIDING IN  
THE PERFORMANCE OF THE DUTIES OF THE ASSESSOR.  
ANY ERRORS OR OMISSIONS IN THIS MAP ARE NOT  
THE RESPONSIBILITY OF THE COUNTY OF IMPERIAL  
OR THE ASSESSOR. (REV. & TAX. CODE SEC.327)

CITY OF CALIPATRIA  
Assessor's Map Bk. 23-Pg. 14  
County of Imperial, Calif.

23-31

Tax Area Code  
3-004

POR. OF TOWNSITE  
O.M. 2-89



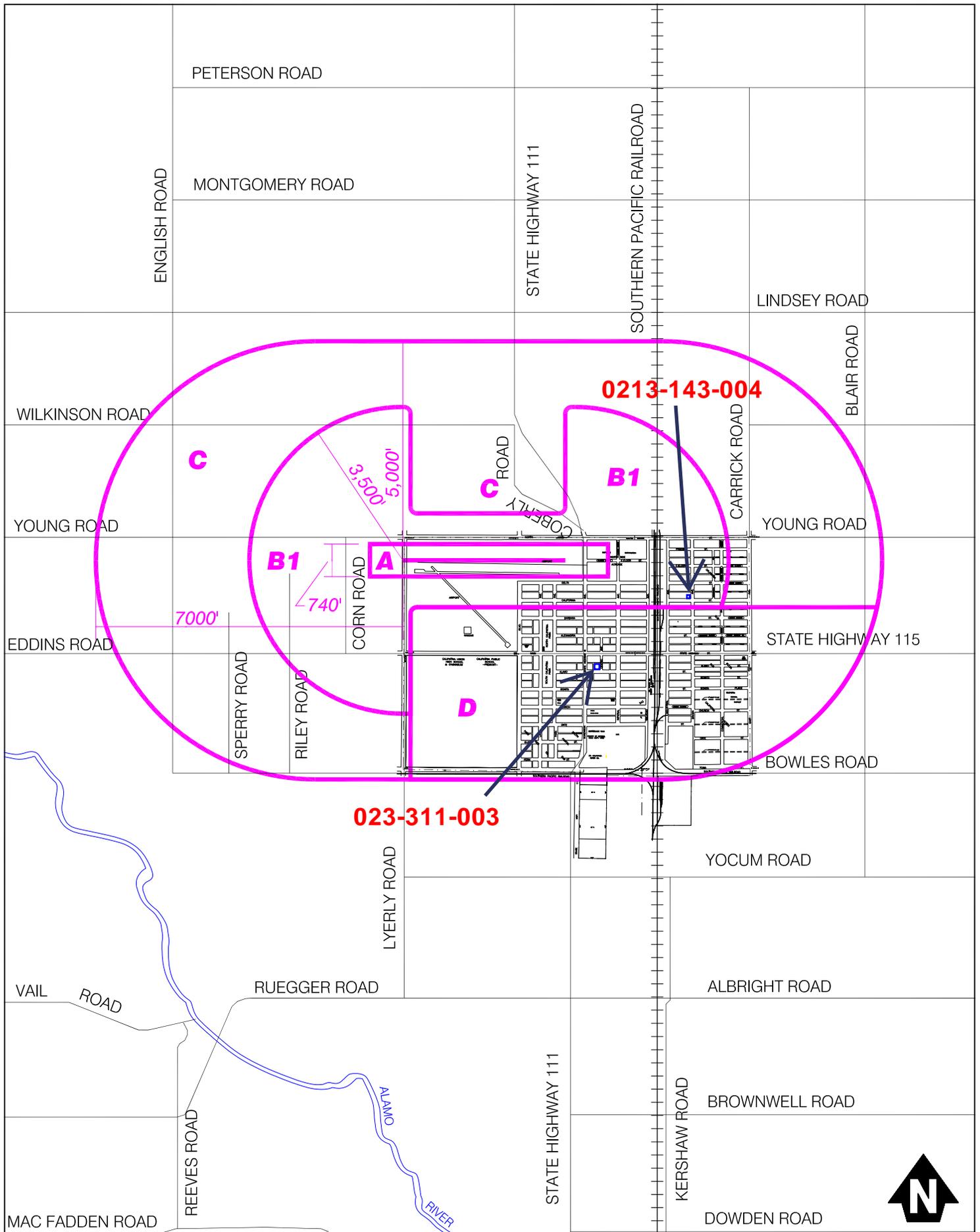
1 OFFICIAL MAP.  
 2 CREATED FOR THE IMPERIAL COUNTY  
 3 THE SOLE PURPOSE OF AIDING IN  
 4 THE DUTIES OF THE ASSESSOR.  
 5 OMISSIONS IN THIS MAP ARE NOT

CITY OF CALPATRIA  
 Assessor's Map No. 03-00-01



## Exhibit G – Zoning Information

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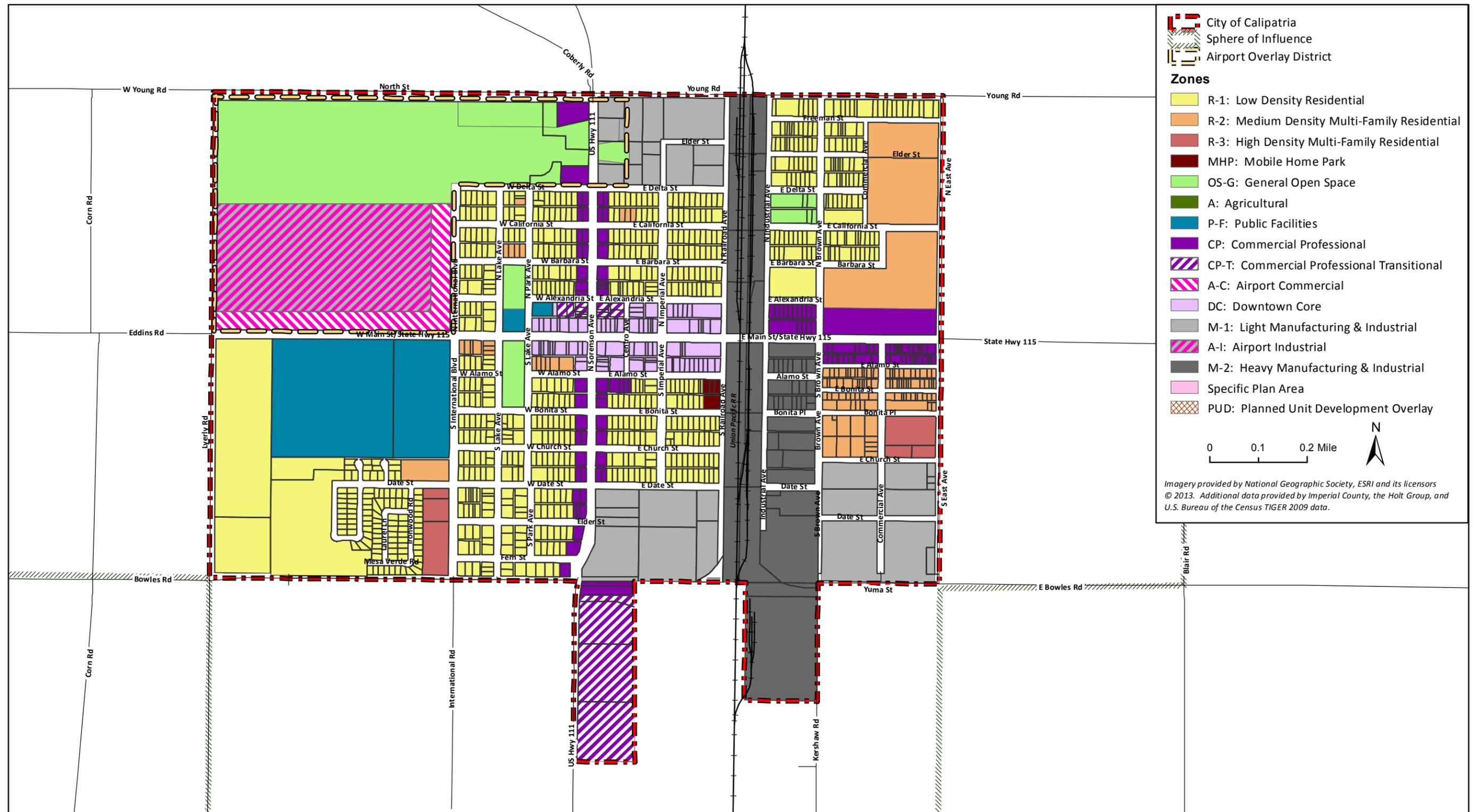


**Compatibility Map**  
 Calipatria Municipal Airport

K:\ALUC\AP-3C.DWG

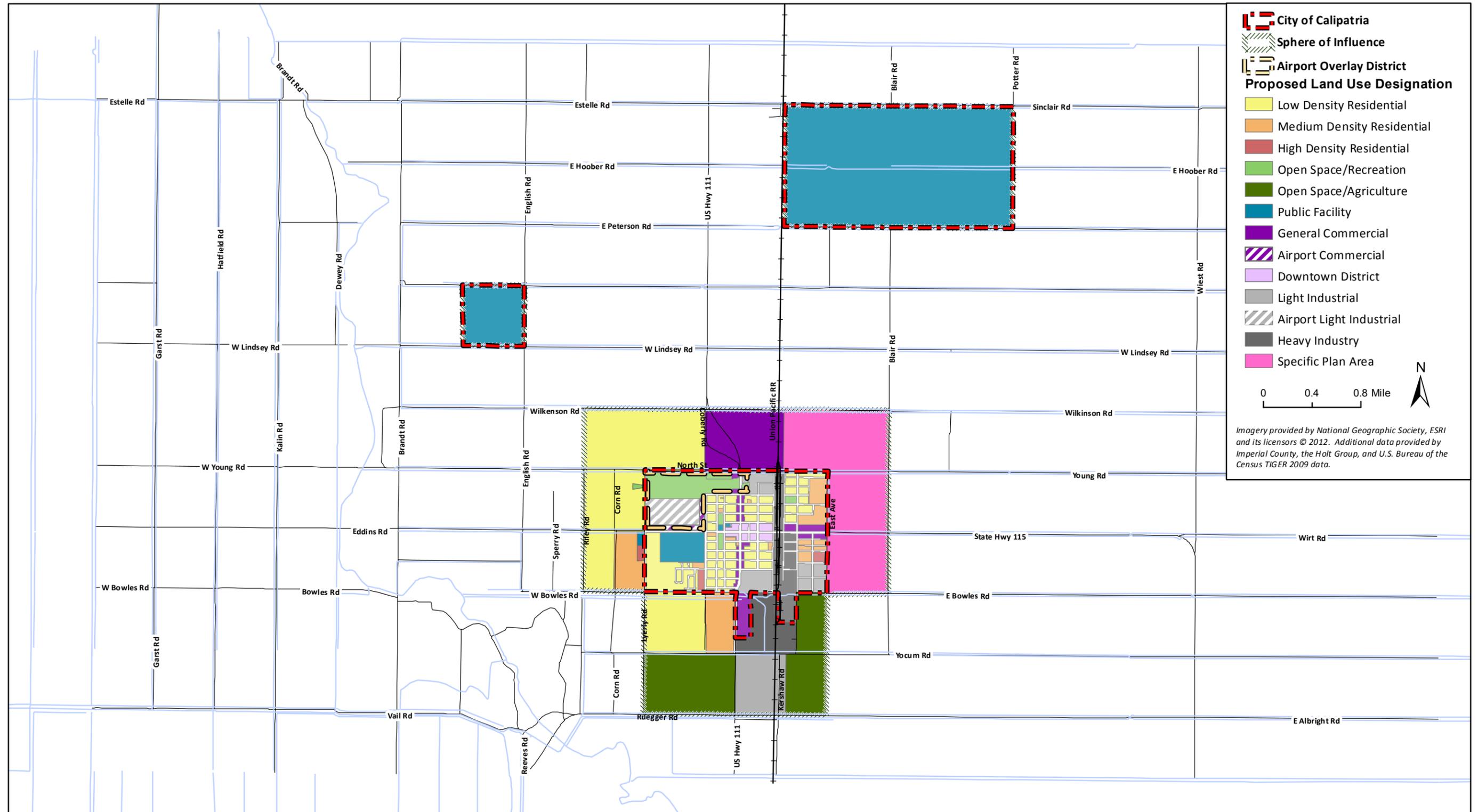
**FIGURE 3C**

airport land use compatibility plan



Zoning Map - City Focus

Figure 2



Land Use Map

Figure II-1