

**RESOLUTION NO. OB 15-12**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FILLMORE REDEVELOPMENT AGENCY APPROVING THE REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34191.5 AND APPROVING CERTAIN RELATED ACTIONS**

**WHEREAS**, the Redevelopment Agency of the City of Fillmore (the "Agency") was dissolved February 1, 2012; and

**WHEREAS**, consistent with the provisions of the California Health and Safety Code ("HSC"), the City Council elected to serve as the Successor Agency to the Redevelopment Agency of the City of Fillmore (the "Successor Agency"); and

**WHEREAS**, the Successor Agency to the Redevelopment Agency is the duly authorized successor agency to the dissolved Redevelopment Agency ("Successor Agency"); and

**WHEREAS**, pursuant to HSC Section 34179(a), this Oversight Board is the oversight board duly established for the Successor Agency (the "Oversight Board"); and

**WHEREAS**, on April 26, 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 required the Successor Agency to submit to the DOF 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 and after approval by the Oversight Board, the Successor Agency submitted the LRPMP, which identifies the disposition and uses of Successor Agency properties to the DOF; and

**WHEREAS**, the DOF has requested changes to the LRPMP and resubmittal after approval by the Oversight Board; and

**WHEREAS**, the Successor Agency has caused the LRPMP to be revised; and

**WHEREAS**, once the revised LRPMP has received approvals from the Oversight Board and the DOF, the Successor Agency may act upon its implementation; and

**WHEREAS**, consistent with the applicable provisions of the HSC, staff recommends that the Oversight Board approve the attached revised LRPMP; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Oversight Board to the Successor

Agency to the Redevelopment Agency of the City of Fillmore hereby finds, resolves, approves, determines, and directs as follows:

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

By: \_\_\_\_\_

  
Rick Neal, Chair

**APPROVED AS TO FORM:**

  
Tiffany J. Israel, Agency Counsel  
Aleshire & Wynder, LLP

**ATTEST:**

  
Diana Impeartrice, Deputy Secretary

# 2013 LONG RANGE PROPERTY MANAGEMENT PLAN



*Prepared for the:*  
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**October 2013**

**Revised November 2015**

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# **2013 LONG RANGE PROPERTY MANAGEMENT PLAN**

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

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Doug Tucker, *Mayor*

Diane McCall, *Mayor Pro Tem*

Manuel Minjares, *City Council Member*

Rick Neal, *City Council Member*

Carrie Broggie, *City Council Member*

## **CITY STAFF**

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David W. Rowlands, *City Manager*



# 2013 LONG RANGE PROPERTY MANAGEMENT PLAN

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## Table of Contents

I. Introduction .....	1
II. Summary of Successor Agency Properties .....	4
III. Property to be Retained for Governmental Use.....	5
IV. Property to be Retained for Future Development .....	29
V. Property to be Sold .....	33
VI. Property Inventory per HSC § 4191.5(C)(1) .....	41
Exhibit A – Successor Agency/City Property Disposition Procedures.....	43
Exhibit B – Health & Safety Code .....	46
Exhibit C – DOF Finding Of Completion .....	51
Exhibit D – Resolutions of the Oversight Board.....	51
Exhibit E – Resolutions of the Successor Agency Board .....	56
Exhibit F – Assessor Parcel Maps .....	63
Exhibit G – Zoning Information .....	76
Exhibit H – Historic Theater (Site No. 10) .....	78
Exhibit I – Tentative Parcel Map (Site No. 11) .....	97
Exhibit J – Senior Center Expansion Resolution.....	99

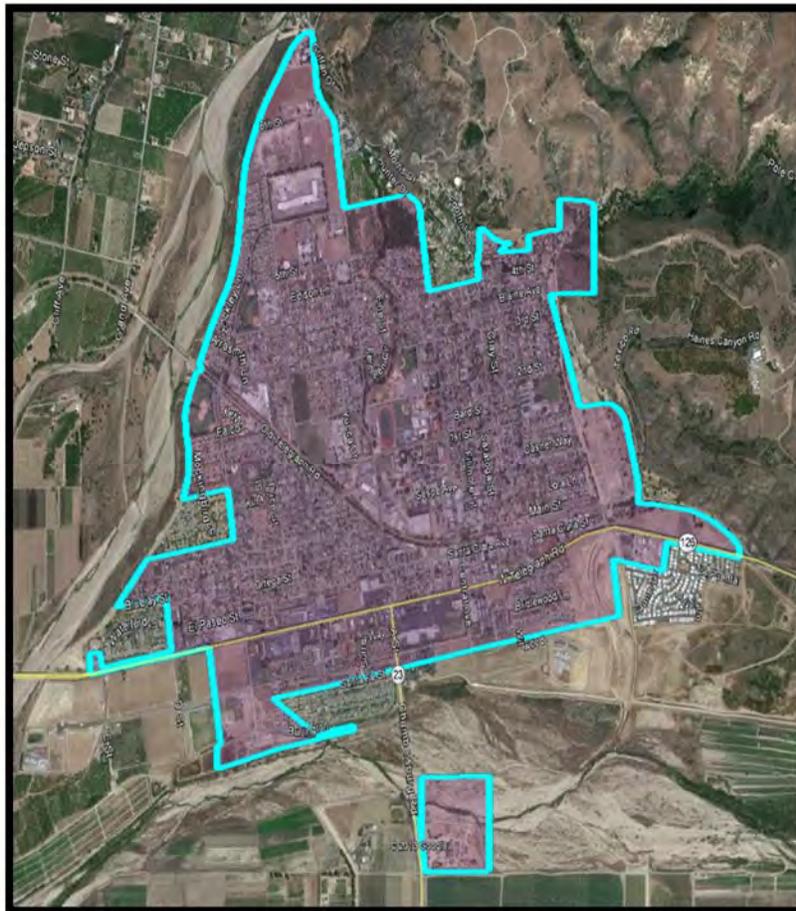


## I. Introduction

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The City of Fillmore (the “City”) incorporated on July 10, 1914, and encompasses 3.365 square miles. The City is located in Ventura County in the Santa Clara River Valley, is bisected by State Highway 126, and is 22 miles northeast of the City of Ventura. The California Department of Finance (the “DOF”) reports the City’s population to be 15,175 as of January 1, 2013.

### *Former Redevelopment Agency*



The former Fillmore Redevelopment Agency of the City of Fillmore (the “Agency”) was organized in 1981, 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 the Original Central City Project Area (the “Project Area”) was adopted on November 24, 1981 and amended on July 20, 1998. Total acreage of the Project Area is 1,317.



The Redevelopment Plan is summarized as follows:

<b>Plan Chronology and Time Limits</b>		
	<b>Original Central City Project Area<sup>1</sup></b>	<b>Amendment No. 1<sup>2</sup></b>
<b>Plan Adoption</b>		
Date of Adoption	11/24/1981	7/20/1998
Ordinance Number	525	98-730
Number of Years Plan is Effective	40	30
Project Area Size (Acres)	997	320
<b>Time Limits</b>		
For Commencement of Eminent Domain		
For Incurring Debt	1/1/2014	7/20/2018
For Effectiveness of Plan	11/24/2024	7/20/2029
For Repayment of Indebtedness	11/24/2034	7/20/2044
<b>Financial Limits</b>		
Maximum Lifetime Tax Increment	\$140,000,000	No Limit
Maximum Bonded Debt	\$125,000,000	

<sup>1</sup> Dates for Plan Effectiveness and the Repayment of Debt extended two years pursuant to SB 1096 and one additional year pursuant to SB 1045 (Ordinance 08-810 adopted September 23, 2008)

<sup>2</sup> Dates for Plan Effectiveness and the Repayment of Debt extended one additional year pursuant to SB 1045 (Ordinance 08-810 adopted September 23, 2008)

### ***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 Fillmore (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-controllors 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 which 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 April 26, 2013 (Exhibit "C"). The LRPMP was approved by Resolution of the Successor Agency on October 22, 2013 (Exhibit "D") and by Resolution of the Oversight Board on October 23, 2013 (Exhibit "E").

The Successor Agency and the oversight Board originally approved this LRPMP on October 23, 2013 and October 22, 2013, respectively. This revised LRPMP was approved by Resolution of the Successor Agency on \_\_\_\_\_, 2015 (Exhibit "D") and by Resolution of the Oversight Board on \_\_\_\_\_, 2015 (Exhibit "E").



## II. Summary of Successor Agency Properties

The Successor Agency has control of all, or a portion of, 21 parcels, all of which are located within the boundaries of the City of Fillmore and are subject to the provision of the Agency’s Central City Project Area Redevelopment Plan and its subsequent 1998 amendment, the Agency’s Five-Year Implementation Plan 2009/2010 through 2013/2014, and the City of Fillmore’s General Plan, Zoning Ordinance, and land use regulations. The Police Sub-Station Property, currently owned by a private party, is included in Site No. 8.

The parcels have been divided into eleven (11) sites as summarized in the table below:

<i>Summary of Successor Agency Properties</i>						
Site No.	Site Reference (x) <sup>1</sup>	Address	Assessor Parcel No. <sup>2</sup>	Zone <sup>3</sup>	Lot Size (acres)	Permissible Use
1.	Southerly Portion of Shiells Park (1)	649 "C" St	046-0-030-375	RL	1.66	Governmental
2.	Westerly Portion of Two Rivers Park (1)	300 "C" St	052-0-190-015	PF	11.68	Governmental
3.	Historical Towne Theater Performing Arts and Educational Park Parking Lot (1)	351 Fillmore St	053-0-071-030	CBD	0.40	Governmental
4.	Fillmore Historic Park (3)	Main St / Central Ave / Santa Clara St / Mountain View	053-0-075-050 053-0-075-090 Portion of 053-0-083-230	CBD	8.80	Governmental
5.	Fire Station No. 91 / Public Works Yard (1)	Sespe Ave / "A" St	052-0-092-130	M-I	1.81	Governmental
6.	Street Right-of-Way (1)	SW corner 1 <sup>st</sup> St / A St	052-0-092-140	M-I	0.004	Governmental
7.	Old Telegraph Rd Bike Path (6)	Old Telegraph Rd	052-0-063-020 052-0-071-080 052-0-092-100 052-0-132-040 052-0-281-045 052-0-281-075	none	0.95	Governmental
8.	Police Sub-Station Property (1)	642 Lemon Way	No APN	RM	0.15	Governmental
9.	Fillmore Senior Center Property (2)	533 Santa Clara St 525 Santa Clara St	053-0-060-435 053-0-060-170	CBD	0.85	Governmental
10.	Historical Towne Theater Performing Arts and Educational Park (1)	338 Central Ave	053-0-071-170	CBD	0.14	Future Development
11.	Railroad Property (1)	Mountain View St / Santa Clara	Portion of 053-0-083-230	CBD	0.66	Sell
12.	Vacant Lot West of Central Ave (1)	510 Santa Clara St	053-0-094-265	CBD	0.36	Sell

<sup>1</sup> (X) The number in parenthesis reflects the number of parcels that constitute the site.

<sup>2</sup> See Exhibit "F" for Assessor Parcel Maps

<sup>3</sup> See Exhibit "G" for zoning map

**CBD** – Central Business District

**PF** – Public Facilities

**RM** – Residential Medium

**M-I** – Manufacturing/Industrial

**RL** – Residential Low

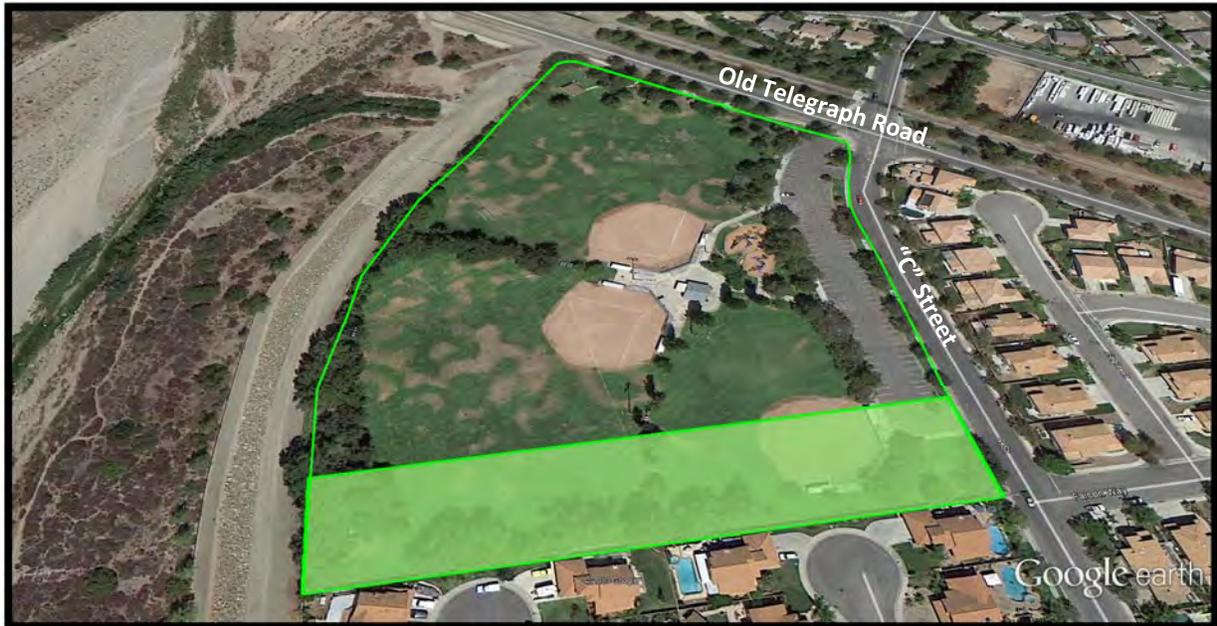


### III. Property to be Retained for Governmental Use





**Site No. 1**  
**Southerly Portion of Shiells Park**  
649 "C" Street  
APN 046-0-030-375



- A. **Permissible Use (HSC § 34191.5(c)(2)):**  
Site No. 1 is the Southerly Portion of Shiells Park (the “Shiells Park Property”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC § 34181(a).
  
- B. **Acquisition of Property (HSC § 34191.5(c)(1)(A) & § 34191.5(c)(1)(B)):**  
The Shiells Park Property was acquired by the Agency on November 4, 1986 for \$100,000 for the purposes of constructing a softball field, utility room, and grass area.  
  
The estimated current value (“ECV”) of the Shiells Park Property is \$0.00.
  
- C. **Site Information (HSC § 34191.5(c)(1)(C)):**



The Shiells Park Property consists of one (1) 1.66-acre parcel (APN 046-0-030-375) located at 649 “C” Street south of the intersection of “C” Street and Old Telegraph Road.

While the City General Plan and Zoning Ordinance has zoned the Shiells Park Property Residential Low (RL), the Park Property is a portion of an existing 9.75-acre park zoned Public Facility (PF). The PF designation allows for uses and activities that serve the residents of the City.

The inconsistent zoning designation will be changed to PF through the City’s Zone Change procedures once the DOF approves the LRPMP.

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

There is no ECV for the Shiells 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 are no site revenues generated from the Shiells Park Property.

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

There is no known history of environmental contamination.

**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 Shiells Park Property.

The continued use of this property as a community park would advance the Successor Agency’s and the City’s planning objectives to (i) provide the citizens of the City and local organizations/groups with a place to conduct recreational activities; (ii) maintain open space and compatible land uses in order to reduce blight; (iii) sponsor the rehabilitation and development of community facilities as stated in the 2010-14 Five-Year Implementation Plan; and (iv) provide park and recreation facilities that satisfy the diverse recreational needs of all segments of the population.

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

There is no history of previous development proposals and/or activities.

**I. Sale of Property:**

The Shiells Park Property is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

**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 Shiells Park Property to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 2**  
**Westerly Portion of Two Rivers Park**  
300 "C" Street  
APN 052-0-190-015



- A. **Permissible Use (HSC § 34191.5(c)(2)):**  
Site No. 2 is the Westerly Portion of Two Rivers Park (the "Two Rivers Park Property") and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC § 34181(a).
- B. **Acquisition of Property (HSC § 34191.5(c)(1)(A) & § 34191.5(c)(1)(B)):**  
The Two Rivers Park Property was acquired on April 5, 2002 for the purposes of expanding recreational opportunities for the community. The acquisition records cannot be located at this time. Staff continues to search for this information.
- The estimated current value ("ECV") of the Two Rivers Park Property is \$0.00.
- C. **Site Information (HSC § 34191.5(c)(1)(C)):**



The Two Rivers Park Property consists of one (1) 11.68-acre parcel (APN 052-0-191-015) that is the westerly portion of the 21.5-acre Two Rivers Park. The Two Rivers Park Property is located at the southeast corner of River Street and “D” Street.

The City’s General Plan and Zoning Ordinance designate the Two Rivers Park Property as Public Facility (PF). The PF designation allows for uses and activities that serve the residents of the City.

The entire Park site is watered from a drip irrigation system from the City’s Water Recycling Plant.

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

There is no ECV for the Two Rivers 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. The City operates and maintains the Two Rivers Park.

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

There are no site revenues generated from the Two Rivers Park. The City operates and maintains the Two Rivers Park.

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

There is no known history of environmental contamination.

**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 Two Rivers Park Property.

The continued use of this property as a community park would advance the Successor Agency’s and the City’s planning objectives to (i) provide the citizens of the City and local organizations and groups with a place to conduct recreational activities; (ii) maintain open space and compatible land uses in order to reduce blight; (iii) sponsor the rehabilitation and development of community facilities as stated in the 2010-14 Five-Year Implementation Plan; and (iv) provide park and recreation facilities that satisfy the diverse recreational needs of all segments of the population.

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

There is no history of previous development proposals and/or activities.

**I. Sale of Property:**

The Two Rivers Park Property is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

**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 Two Rivers Park Property to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 3**  
**Historical Town Theater of the Performing Arts**  
**& Educational Park Parking Lot**  
351 Fillmore Street  
APN 053-0-071-030



- A. **Permissible Use (HSC § 34191.5(c)(2)):**  
Site No. 3 is the Historical Town Theater of the Performing Arts and Educational Park Parking Lot (the “Performing Arts Parking Lot”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC § 34181(a)(1) (as amended on September 22, 2015 by Senate Bill 107 (Chapter 325, Statutes of 2015)).



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

The Performing Arts Parking Lot was acquired by the Agency on September 14, 1995, (the acquisition cost records cannot be located at this time; City staff continues to search for this information), in order to improve accessibility to the historic theater building. The Performing Arts Parking Lot serves as a valuable asset to accessing the local area's community performing arts needs. The Performing Arts Parking Lot supplements limited parking access to the wide range artistic and education programs that enhance the cultural life of all citizens of the City and allows the arts to remain accessible to whomever lives and visits the City.

The estimated current value ("ECV") of the Performing Arts Parking Lot is \$0.00.

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

The Performing Arts Parking Lot consists of one (1) 0.40-acre parcel (APN 053-0-071-030) located at 351 Fillmore Street. The Performing Arts Parking Lot is zoned Central Business District (CBD) within the City's General Plan and Zoning Ordinance, is located within the Downtown Specific Plan's Core Area and includes an historic theater and parking.

The General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

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

There is no ECV for the Performing Arts Parking Lot. However, considering the existing use of the property as a parking lot for a community-based performing arts venue, the property brings with it on-going maintenance and operating costs that over time have been greater than the revenue generated by the facility that it serves, thus resulting in a negative cash flow that if considered in an appraisal wherein an income-based value was measured, would have a negative cash flow. The City operates and maintains the Performing Arts Parking Lot.

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

The Performing Arts Parking Lot generates no revenues and yet the City continues to operate and maintain the Parking Lot. The Agency currently owes the City operating and maintenance costs.

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

There is no known history of environmental contamination.

**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 Performing Arts Parking Lot.

The continued use of this property as a parking lot advances the Successor Agency's and the City's planning objectives to maintain public access to its historic cultural and educational theater within the downtown in order to: (i) maintain the CBD Core Area as a viable downtown destination for the community; (ii) avoid physical and economic blighting conditions that would occur if the Performing Arts Park were to close due to lack of accessibility; (iii) intensify development of



properties surrounding Central Park; and (iv) retain important historic structures, ensuring that the buildings are refurbished, maintained, and occupied with viable downtown uses.

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

In 1996, approximately \$992,000 was spent to rehabilitate the Theatre and its Parking Lot. The rehabilitation of both properties was funded with two grants from the California State Historic Preservation Office, State Parks program: one for \$446,741 and a second one for \$12,400. The balance of the rehabilitation funding came from \$475,000 of the City of Fillmore’s Community Development Block Grant money, \$20,000 Tax Increment from the former Agency and \$38,000 from “Save the Towne Theater” fund raising efforts, which was a community-based fund raising effort to save the facility. The Parking Lot was an integral part of the rehabilitation.

Please refer to Exhibit “H” for a complete history of the Towne Theater.

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

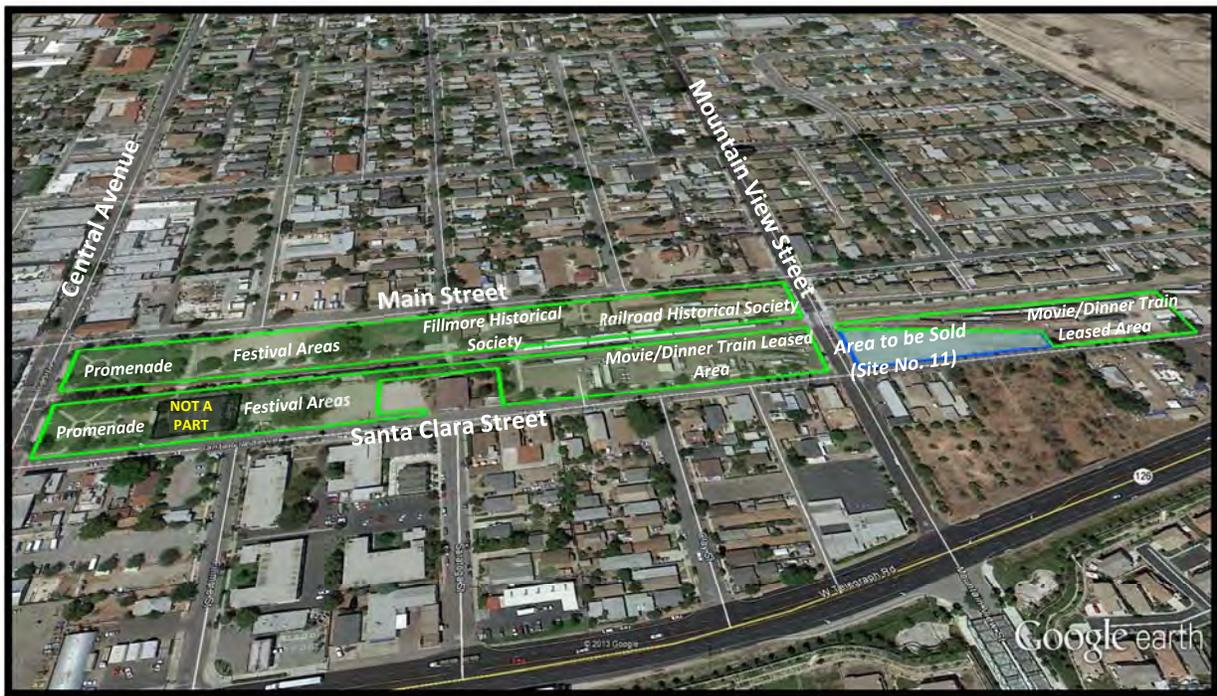
The Performing Arts Parking Lot is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

***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 Performing Arts Parking Lot to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 4**  
**Fillmore Historic Park**  
 Main Street / Central Avenue /  
 Santa Clara Street / Mountain View Street  
 APNs 053-0-075-050  
 053-0-075-090  
 Portion of 053-0-083-230



**A. Permissible Use (HSC § 34191.5(c)(2)):**  
 Site No. 4 is the “Fillmore Historic Park” and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC § 34181(a).

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



Three (3) parcels were acquired by the Agency on October 26, 1990 for \$1,700,000 and developed into the Fillmore Historic Park. These parcels were acquired by the Agency to revitalize the historic downtown area through the development of a tourist train operation and an historic railroad museum. Eventually, the tourist train operation grew into a successful partnership that established a park in the center of downtown that included a town square with an open plaza space, park greens, shade trees, and historic elements such as relocated historic buildings, a railroad museum, and artifacts. Through long-term leases, partnerships were formed with the Fillmore & Western Railway Company (the “F&WRC”), the non-profit Santa Clara River Valley Railroad Historical Society the “SCRVRRHS”), and the Agency.

Although on a different scale, the Fillmore Historic Park is analogous to the Old Sacramento State Historic Park (“OS-SHP”),<sup>1</sup> which also includes as a significant component, the California State Railroad Museum in Sacramento ([www.csrmf.org](http://www.csrmf.org)), which is maintained by the State Parks Department. With respect to the OS-SHP, the goals are to educate and appreciate the history of the early days of California’s history in general and the history and importance of rail transportation to the development of California in particular, while entertaining the public through recreational uses and antique trains. With the same goals in mind, but with a Fillmore and Southern California focus, the Fillmore Historic Park offers a wide range of family activities, including but not limited to group events in the Park to tours of the SCRVRRHS Railroad Museum interpretive center to the Turn Table and Round House.

The estimated current value (“ECV”) of the Fillmore Historic Park is \$0.00.

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

The Fillmore Historic Park consists of two (2) parcels totaling 7.36 acres (APN 053-0-075-050 and 053-0-075-090) located between Santa Clara Avenue and Main Street and between Central Avenue and Mountain View Street and a portion of a third parcel that is 1.44 acre in size (APN 053-0-083-230) located east of Mt. View Street on Santa Clara Avenue. A Tentative Parcel Map (Exhibit “I”) has been approved to split the later parcel into two (2) parcels, one to be sold (identified as Site No. 10 in this LRPMP) and one to remain with the Historic Park as identified here.

The Park is zoned Central Business District (CBD) within the City’s General Plan and Zoning Ordinance, and is located within the Downtown Specific Plan’s Railroad Property. The General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

In addition, the City’s Zoning Ordinance has established this zone to provide for community and tourist commercial needs. The CBD zone is principally intended to be used as Fillmore’s business center where a wide range of specialty retail establishments as well as service businesses that the residents as well as visitors to the area. A priority of this district is the establishment and support of street level uses that will ensure a pedestrian-oriented, lively, and diverse commercial district.

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<sup>1</sup> [http://www.parks.ca.gov/?page\\_id=497](http://www.parks.ca.gov/?page_id=497)



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

There is no ECV for the Fillmore Historic Park. However, considering the existing use of the property as a park, the property brings with it on-going maintenance and operating costs that over time have been greater than the revenue generated by the facility, thus resulting in a negative cash flow that if considered in an appraisal wherein an income-based value was measured, the site is likely to have a negative value. The City operates and maintains the Fillmore Historic Park.

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

On November 6, 2000, the SCRVRHS signed a 55-year lease with the Agency for \$1.00 per year. There is nominal rent payable because there are no other reasonable means of financing rent. The SCRVRHS has paid to date a total of \$14.00. There are no contractual uses for the site revenues received by the Agency.

On February 1, 2001, the F&WRC signed a 20-year lease with the Agency to operate a Dinner/Movie Train venture in partnership with the Agency and the SCRVRHS for a monthly rent payable to the Agency, tied to the CPI, and adjusted annually. The rent paid currently is \$150.00 per month. There are no contractual uses for the site revenues received by the Agency.

All revenues received are used for operations and maintenance of the Historic Park.

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

There is no known history of environmental contamination.

**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 Fillmore Historic Park.

The continued use of this property as a park advances the Successor Agency's and the City's planning objectives to (i) maintain the CBD Railroad Property as a viable downtown destination for the community and visitors; (ii) avoid physical and economic blighting conditions that would occur if the Fillmore Historic Park were to be left unproductive; (iii) intensify development of properties surrounding Central Park; and (iv) retain important historic structures, ensuring that the buildings are refurbished, maintained, and occupied with viable downtown uses. These objectives have been in place since 1994 via the Downtown Specific Plan.

A Tentative Parcel Map (Exhibit "I") has been prepared in order to split the Historic Park property from the Railroad Property.

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

- October 1990, the Agency purchased three (3) parcels from the Southern Pacific Transportation Company (the "SPTC"), two (2) of which became the Fillmore Historic Park.
- October 1992, the Agency entered into a lease with the SPTC to lease its track, track support structures, building and the real property on the Fillmore Segment (the "rail right-of-way"). The lease was predicated on negotiations of a sub-lease with the Short Line Railroad to use the leased property for still and motion picture filming and establish a movie train/dinner train operation.



- December 1992, the Agency agreed to lease to the Short Line Railroad a portion of the Fillmore Historic Park at no cost under an informal agreement with the Agency. The Short Line Railroad maintained occupancy for over two years at no cost attempting to establish a movie train/dinner train operation.
- March 1994, the City Council agreed to locate the new City Hall within the Historical Park;
- November 1994, the Railroad Property Specific Plan was approved.
- October 1995, the Ventura County Transportation Commission (the “VCTC”) purchased the SPTC rail right-of-way for the purposes of bicycling trails, hiking trails, freight, recreational uses, pipelines and utilities, and possible commuter rail. An MOU was entered into with all local government entities involved. The MOU transferred title, rents, and management, to the VCTC. The Agency no longer leased the rail right-of-way and therefore, the Agency’s sub-lease with the Short Line Railroad was transferred to the VCTC.
- October 1996, the Agency agreed to give financial assistance to the F&WRC to purchase the Short Line Railroad and to allow the F&WRC to establish a repair shop to maintain their rolling stock and to provide a railroad car storage facility within the Fillmore Historic Park.
- November 2000, Agency approved a 55-year lease with the SCRVRHS for \$1.00 per year with an option to extend the lease term and right of first refusal to purchase the premises. The lease is conditional upon the premises being used for the purposes of: a working Turn Table; a Round House with a display area for historic locomotives, rail cars, and equipment; an Exhibition Hall for both permanent and traveling exhibits; fund raising events to benefit the Railroad Interpretive Center; still and motion picture productions; and for other uses normally incident to those purposes;
- February 2001, the Agency approved a 20-year Lease Option to Purchase with F&WRC. The term of the Lease contained two (2) 10-year extensions. The Lease limits the uses to the sole purpose of storing, moving and minor repairs of railway rolling stock; exhibition of railway trains and equipment; still and motion picture production; and for uses similar to and normally incident to all such purposes. The F&WRC utilizes the Historic Park to host events and activities in conjunction with their movie/dinner train activities;
- A Tentative Parcel Map (Exhibit “I”) was prepared in order to split the Historic Park property from the Railroad Property.

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

The Fillmore Historic Park is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

***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 Fillmore Historic Park to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 5**  
**Fire Station No. 91 / Public Works Yard**  
711 Sespe Place  
APN 052-0-092-130



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

Site No. 5 is the Fire Station No. 91/Public Works Yard (the “Fire Station Property”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC § 34181(a).

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

The Fire Station Property was acquired on May 24, 2001, for \$1,100,000 for the construction of a new fire station and public works yard that were at the time inadequate to provide sufficient fire protection and public works services to the City.

The estimated current value (the “ECV”) of the Fire Station Property is \$0.00.



- C. Site Information (HSC § 34191.5(c)(1)(C)):**  
The Fire Station Property consists of one (1) 1.81-acre parcel (APN 052-0-092-130) located at 711 Sespe Place. In the City’s General Plan and Zoning Ordinance, the Fire Station Property is zoned Public Facility (PF). The PF designation allows for uses that provide for a wide range of public and quasi-public land use activities serving the residents of the City.
- D. Estimated Current Value (HSC § 34191.5(c)(1)(D)):**  
Since the Fire Station Property is occupied by a fire station and local government services department, there is no ECV.
- E. Site Revenues (HSC § 34191.5(c)(1)(E)):**  
There are no site revenues generated from the Fire Station Property. The City maintains the Fire Station Property.
- F. History of Environmental Contamination (HSC § 34191.5(c)(1)(F)):**  
There is no history of environmental contamination base on negative soil sampling results during the removal of an underground storage tank in 1997 and a 1999 Phase-1 Environmental Assessment conducted for the City prior to close of escrow for the acquisition of the 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 Fire Station Property.  
  
The continued use of this property as the Fire Station Property advances the Successor Agency’s and the City’s planning objectives to provide the citizens of the City with necessary public services that benefit the health, safety, and welfare of the community.
- H. History of Previous Development Proposals and Activity (HSC § 34191.5(c)(1)(H)):**  
The Fire Station Property is a portion of the former 5.1-acre Fillmore-Piru Citrus Association packinghouse property located at 711 Sespe Place, 743 Sespe Place, and 455 “A” Street. The Fire Station Property was constructed 2001/2002.
- I. Sale of Property:**  
The Fire Station Property is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).
- 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 Fire Station Property to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 6**  
**Street Right-of-Way**  
SW corner 1<sup>st</sup> Street & “A” Street  
APN 052-0-092-140



- A. **Permissible Use (HSC § 34191.5(c)(2)):**  
Site No. 6 is the “Street Right-of-Way” property and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC § 34181(a).
- B. **Acquisition of Property (HSC § 34191.5(c)(1)(A) & § 34191.5(c)(1)(B)):**  
The Street Right-of-Way property was acquired by the Agency at the time the property was acquired for the Fire Station Property, May 24, 2001. The intent was to construct a handicap ramp at the southwest corner of 1<sup>st</sup> Street and “A” Street within street right-of-way along with the construction of the Fire Station Property. The Street Right-of-Way property was inadvertently



received by the Agency in fee as opposed to the City receiving the property as dedicated right-of-way.

The estimated currently value (the “ECV”) of the Street Right-of-Way property is \$0.00.

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

The Street Right-of-Way property consists of one (1) 0.004-acre parcel (APN 052-0-092-140) being the southwest corner of 1<sup>st</sup> Street and “A” Street. Although the City’s General Plan and Zoning Ordinance designate this property as manufacturing/industrial (M-1), it is public right-of-way. Once the DOF approves the LRPMP, the Street Right-of-Way property shall be dedicated to the City as street right-of-way.

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

There is no current ECV for the Street Right-of-Way property.

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

There is no site revenue generated from the Street Right-of-Way property. The City maintains the right-of-way.

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

There is no known history of environmental contamination.

**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 Street Right-of-Way property.

Transferring the Street Right-of-Way property to the City will advance the Successor Agency’s and the City’s planning objectives to provide additional street right-of-way at the southwest corner of 1<sup>st</sup> Street and “A” Street to accommodate the existing handicap ramp.

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

There is no history of pervious development proposals or activities for the Street Right-of-Way property.

**I. Sale of Property:**

The Street Right-of-Way property is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

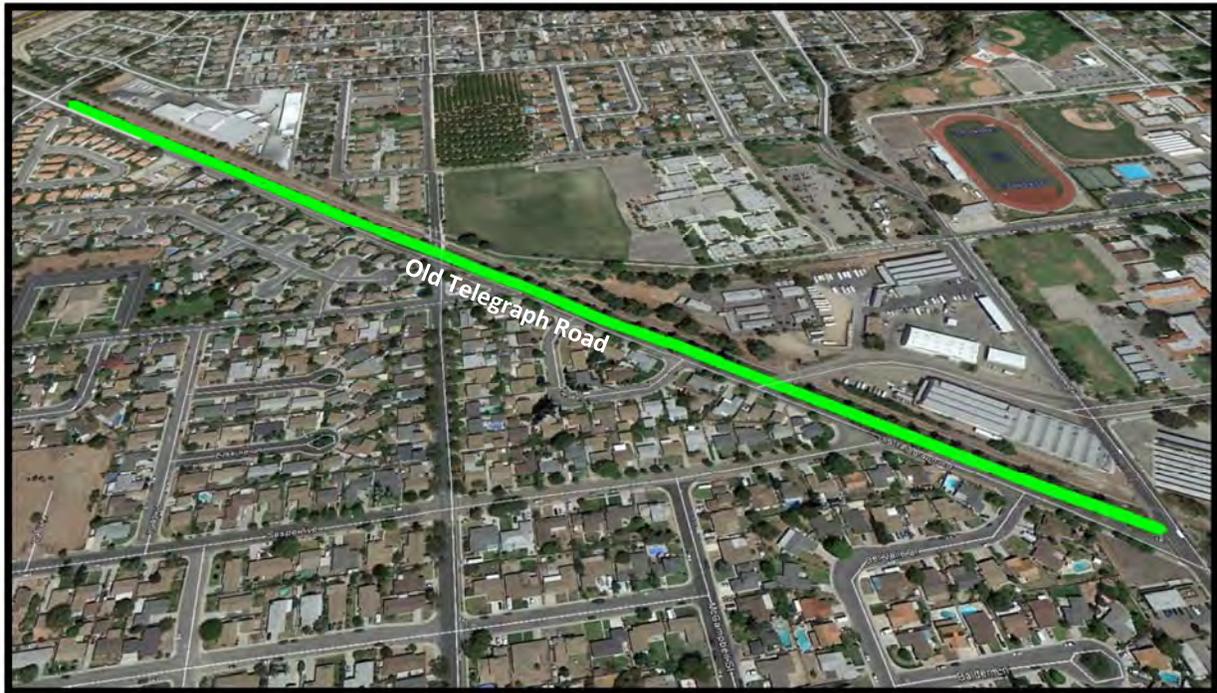
**J. Implementation of the Long-Range Property Management Plan:**

Following the approval of the LRPMP by the DOF, the Successor Agency will implement the LRPMP. The transfer of the Street Right-of-Way property to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 7**  
**Old Telegraph Road Bike Path**  
Old Telegraph Road

APNs: 052-0-063-020 052-0-132-040  
052-0-071-080 052-0-281-045  
052-0-092-100 052-0-281-075



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

Site No. 7 is the Old Telegraph Road Bike Path (the “Bike Path”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC § 34181(a).



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

The Bike Path was acquired by the Agency in fee on February 2, 1987 for \$95,000 for the purpose of constructing and maintaining a bike path, to be the gateway to Shiells Park, along Old Telegraph Road. The Grant Deed contains the flowing covenant:

“By accepting this deed, Grantee expressly covenants to construct and maintain, at its own expense and to the satisfaction of Grantor, a fence along the track side of said property, which is the northerly boundary thereof. This covenant is for the benefit of Grantor’s adjoin land, and shall run with and be binding upon said property and the successors and assigns in title of Grantee.”

The estimated currently value (the “ECV”) of the Bike Path is \$0.00.

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

The Bike Path consists of six (6) parcels totaling 0.95 acres located adjacent to Old Telegraph Road (APNs: 052-0-063-020; 052-0-071-080; 052-0-092-100; 052-0-132-040; 052-0-281-045; and 052-0-281-075). The Bike Path does not have a designated land use. Once the DOF approves the LRPMP, a Zoning Ordinance Amendment will be processed to designate the Bike Path as a Public Facility use to be consistent with its existing use.

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

There is no current ECV for the Bike Path.

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

There are no site revenues generated from the Bike Path. The City maintains the Bike Path.

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

There is no known history of environmental contamination.

**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 Park Property.

Transferring the Bike Path to the City will advance the Successor Agency’s and the City’s planning objectives to (i) provide a gateway to Shiells Road; (ii) offer the residents a safe bike route along heavily traveled roadways; (iii) sponsor the rehabilitation and development of community facilities as stated in the 2010-14 Five-Year Implementation Plan; and (iv) construct amenities that satisfy the diverse recreational needs of all segments of the population.

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

The Bike Path property was previously owned by Southern Pacific Transportation Company.

There is no history of pervious development proposals or activities.



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

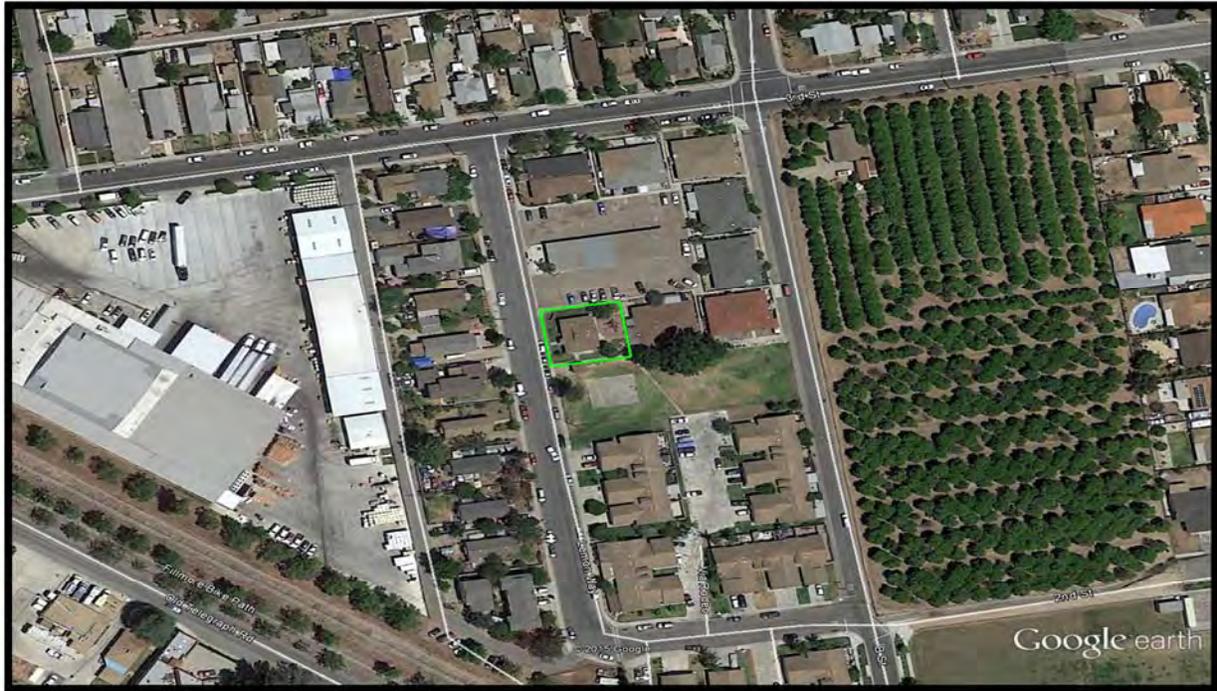
The Bike Path is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

***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 Bike Path to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 8**  
**Police Sub-Station Property**  
642 Lemon Way



- A. **Permissible Use (HSC § 34191.5(c)(2)):**  
Site No. 8 is the “Police Sub-Station Property” and is proposed to be transferred to City of Fillmore for governmental use pursuant to HSC § 34181(a).
- B. **Acquisition of Property (HSC § 34191.5(c)(1)(A) & § 34191.5(c)(1)(B)):**  
The Police Sub-Station Property was acquired by the Agency on August 28, 1998, for \$25,000. The purpose of the acquisition of the Police Sub- Station Property was to construct a community Police Sub-Station.



The estimated current value (“ECV”) of the Police Sub-Station Property is \$0.00.

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

The Police Sub-Station Property consists one (1) 0.15-acre parcel located at 642 Lemon Way. The Police Sub-Station Property is zoned Residential Medium (RM) within the City’s General Plan and Zoning Ordinance. RM designation allows for medium density neighborhoods with detached single-family dwellings with private yards, two-family detached and attached residential dwellings (i.e., condominiums, townhomes, a two-family structure, etc.).

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

Since the Police Sub-Station Property is a government building, it has an ECV of \$0.00.

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

There are no site revenues generated from the Police Sub-Station Property.

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

There is no known history of environmental contamination.

**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 the Police Sub-Station Property.

The retention of Police Sub-Station Property for government use advances the Successor Agency’s and the City’s planning objectives to transfer government buildings to the City.

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

There is no history of previous development proposals or activity.

**I. Sale of Property:**

The Police Sub-Station Property is proposed to be retained by the Successor Agency for governmental use pursuant to HSC 34181(a)

**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 Police Sub-Station to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 9**  
**Fillmore Senior Center Property**

533 Santa Clara Street

APN 053-0-060-435

525 Santa Clara Street

APN 053-0-060-170



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

Site No. 9 is the Fillmore Senior Center Property (the “Senior Center”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC § 34181(a).

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

Both parcels of the Senior Center property were acquired by the Agency on December 30, 1986 for \$450,000 (the building) and \$30,000 (the vacant lot) to establish senior center, and for its future expansion, as identified 1986 as an Agency goal and in an effort to revitalize the downtown through eliminating blighting influences and improve the overall appearance of vacant, undeveloped, or underutilized property.



The estimated current value (“ECV”) of the Senior Center is \$0.00.

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

The Senior Center consists of two (2) parcels totaling 0.85 acres (APN 053-0-060-435 and 053-0-060-170) located at 533 and 525 Santa Clara Street respectively. The Senior Center building is located at 533 Santa Clara Street and the vacant parcel next to it is located at 525 Santa Clara Street. The vacant lot at 525 Santa Clara Street property is non-conforming in size and inadequate for development under the City’s General Plan. The vacant property is approximately 3,200 sf with a lot frontage of 32 feet. The minimum lot size is for development within the CBD designation is 7,000 sf with a minimum lot frontage is 50 feet. Due to its non-conforming size, this parcel was acquired for the expansion of the Senior Center.

The Senior Center is zoned Central Business District (“CBD”) within the City’s General Plan and Zoning Ordinance, and is located within the Downtown Specific Plan’s Transition Area. The Transition Area functions like the Core Area, but feels like a neighborhood allowing for a less formal separation of uses and landscaping.

Overall, the General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the commercial life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

On April 28, 2015 the Fillmore City Council and the Board of Directors of the Successor Agency to the Former Fillmore Redevelopment Agency adopted Joint Resolution No. 1, at the request of the California Department of Finance, stating the City’s intention to continue to operate the Senior Center property as a Senior Center and to develop the vacant parcel as an outdoor patio area to support Senior Center activities. Funding for development of the patio area has been included in the City’s FY 2015-16 Five-Year Capital Improvement Program.

A signed and certified copy of the resolution has been provided to DOF staff and is located in Exhibit “K” to this LRPMP.

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

There is no ECV for the Senior Center. However, considering the existing use of the property as a senior center, 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. The City’s Park Department maintains the property.

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

The Senior Center is non-profit and self-funding. It relies on donations, grants, program fees, and support from community organizations. There are no site revenues generated from the Senior Center and the City’s Park Department maintains the property.

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

There is no known history of environmental contamination.



**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 the Senior Center

The continued use of this property as a senior center and its being maintained by the City advances the Successor Agency's and the City's planning objectives to (i) establish a senior center to provide the senior citizens of the City with a place to conduct community and recreational activities; (ii) sponsor the rehabilitation and development of community facilities; (iii) and construct and expand community facilities that satisfy the diverse recreational needs of all segments of the population.

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

Prior to 1986, the Senior Center building was known as the "Pan Pad Club." The Pan Pad Club operated between 1971 and 1986. In 1986, the City entered into negotiations with the owners to purchase the property for the senior center and the vacant parcel adjacent to the east. The Agency purchased the Pan Pad for \$450,000, the vacant parcel for \$30,000, and hired an architect to remodel the building for use as a senior center. The remodel was estimated to cost \$100,000 and took into consideration identifying and correcting any structural deficiencies.

The Senior Center opened in 1987.

**I. Sale of Property:**

The Senior Center is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

**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 Fillmore Senior Center Property to the City of Fillmore at no cost by the Successor Agency will occur only after the LRPMP is approved by the DOF.



## IV. Property to be Retained for Future Development

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**Site No. 10**  
**Historical Town Theater of the Performing Arts**  
**& Educational Park**  
338 Central Avenue  
APN 053-0-071-170



- A. **Permissible Use (HSC § 34191.5(c)(2)):**  
Site No. 10 is the Historical Town Theater of the Performing Arts and Educational Park (the “Performing Arts Park”) and is proposed to be transferred to the City of Fillmore for future development (i.e., for use as a government facility) pursuant to HSC § 34191.5(c)(2)(a). The Successor Agency believes this use is fully consistent with the intent of HSC § 34181(a).
- B. **Acquisition of Property (HSC § 34191.5 (c)(1)(A) and § 34191.5(c)(1)(B)):**



The Performing Arts Park was acquired by the Agency on April 21, 1994 for \$75,000 in order to maintain the historic theater building, establish a venue for the arts to enhance the cultural desires of the community, and to revitalize the downtown area. Although on a different scale, the Performing Arts Park is analogous to the Wolf Trap National Park for the Performing Arts ([www.wolftrap.org](http://www.wolftrap.org)) located in Vienna, Virginia, just south of Washington D.C., in that Fillmore's Performing Arts Park also serves a valuable role in serving the local area performing arts needs of the community. The Performing Arts Park offers a wide range of artistic and education programs to enhance the cultural life of the City, and it allows the arts to remain accessible to residents and visitors alike.

The estimated current value ("ECV") of the Performing Arts Park is unknown at this time and will be determined through an appraisal.

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

The Performing Arts Park consists of one (1) 0.14-acre parcel (053-0-071-170) located at 338 Central Avenue. The Performing Arts Park is zoned Central Business District (CBD) within the City's General Plan and Zoning Ordinance, is located within the Downtown Specific Plan's Core Area, and includes an historic theater and parking.

The General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

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

The ECV is unknown and will be determined through an appraisal.

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

The Performing Arts Park generates \$4,980 in annual revenues from two leases: Scented Path and SML Clothing. Notwithstanding these revenues, the Park operates at a loss. While the City continues to operate and maintain the Park, the City is currently owed almost \$400,000 from the Agency in operating and maintenance costs.

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

There is no known history of environmental contamination.

**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 the Performing Arts Park.

The continued use of this property as a park advances the Successor Agency's and the City's planning objectives to maintain this historic building as an active cultural and educational theater within the downtown in order to: (i) maintain the CBD Core Area as a viable downtown destination for the community; (ii) avoid physical and economic blighting conditions that would occur if the Performing Arts Park were to close; (iii) intensify development of properties surrounding Central



Park; and (iv) retain important historic structures, ensuring that the buildings are refurbished, maintained, and occupied with viable downtown uses.

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

In 1996, approximately \$992,000 was spent to rehabilitate the facility. The rehabilitation of the facility was funded with two grants from the California State Historic Preservation Office, State Parks program: one for \$446,741 and a second one for \$12,400. The balance of the rehabilitation funding came from \$475,000 of the City of Fillmore’s Community Development Block Grant money, \$20,000 Tax Increment from the former Agency and \$38,000 from “Save the Towne Theater” fund raising efforts, which was a community-based fund raising effort to save the facility.

Please refer to Exhibit “H” for a complete history of the Towne Theater.

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

The Performing Arts Park is proposed to be retained by the City of Fillmore for future development pursuant to HSC 34181(a).

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

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

The transfer of the Performing Arts Park to the City of Fillmore will occur only after the LRPMP is approved by the DOF and at no cost to the City. In addition, as a part of this process, the City intends to secure an HSC § 34180 (f)(1) compensation agreement (the “Compensation Agreement”) with the affected taxing entities prior to the transfer of the property to the City.



## V. Property to be Sold

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**Site No. 11**  
**Railroad Property**  
Santa Clara Street / Mountain View Street  
Portion of APN 053-0-083-230



- A. **Permissible Use (HSC § 34191.5(c)(2)):**  
Site No. 11 is the “Railroad Property” and a portion of the Historical Park (Site No. 4). The Railroad Property is proposed to be sold by the Successor Agency.
  
- B. **Acquisition of Property (HSC § 34191.5 (c)(1)(A) and § 34191.5(c)(1)(B)):**  
Three (3) parcels were acquired by the Agency on October 26, 1990 for \$1,700,000 and developed into the Fillmore Historic Park (Site No. 4). These parcels were acquired by the Agency to revitalize the historic downtown area through the development of a tourist train operation and an historic railroad museum. Eventually, the tourist train operation grew into a successful partnership that established a park in the center of downtown that included a town square with an open plaza



space, park greens, shade trees, and historic elements such as relocated historic buildings, a railroad museum, and artifacts.

The easterly parcel is the Railroad Property. While the Railroad Property is part of the Fillmore Historic Park, a developer is interested in developing a housing project on 0.66 acres.

The estimated current value (the “ECV”) for Railroad Property is unknown and will be determined through an appraisal.

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

The Railroad Property consists of one (1) 0.66-acre parcel (a portion of APN 053-0-083-230) located at the northeast corner of Santa Clara Avenue and Mountain View Street. The Property is zoned Central Business District (CBD) within the City’s General Plan and Zoning Ordinance, and is located within the Downtown Specific Plan’s Railroad Property. The City’s Zoning Ordinance has established this zone to provide for community and tourist commercial needs. The CBD zone is principally intended to be used as Fillmore’s business center where a wide range of specialty retail establishments as well as service businesses residents and can utilize. A priority of this district is the establishment and support of street level commercial uses that will ensure a pedestrian-oriented, lively, and diverse commercial district. In conjunction with these uses, residential uses are allowed as a secondary use.

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

To determine an ECV for the Railroad Property, a sales comparable analysis was conducted through the National Data Collective<sup>2</sup>. No sales comparable data was located within a 5 mile radius of the Railroad 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 Railroad Property.

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

There is no known history of environmental contamination.

**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 Railroad Property.

Selling the Railroad Property advances the Successor Agency’s and City’s planning objectives for the Project Area by developing and revitalizing this area of the community through job creation, development of underutilized property, a perceivable reduction in blight through new construction and infrastructure, and an increase in the City’s housing base.

A Tentative Parcel Map (Exhibit “I”) has been prepared to split the Railroad Property into two (2) separate parcels thereby separating the Railroad Property from the Fillmore Historic Park.

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

<sup>2</sup> [www.ndcdata.com](http://www.ndcdata.com)



- October 1990, the Agency purchased three (3) parcels from the Southern Pacific Transportation Company becoming the Fillmore Historic Park;
- November 1994, the Railroad Property Specific Plan was approved;
- June 2004, an Exclusive Right to Negotiate was entered into with Zahid Shah for the Railroad Property in order to secure a Disposition and Development Agreement (the “DDA”) for a three (3) story mixed-use building project;
- On August 18, 2004, the Fillmore Redevelopment Agency entered into a lease with option to purchase with the Fillmore & Western Railway Company for that portion of the site not committed to United Shah Corporation. The agreement expires on December 31, 2024 and the lessee has the option to extend the agreement an additional 10 years if certain commitments are met; and
- January 28 2008, a DDA was entered into between the Agency and United Shah Corporation (the “Developer”) for the purchase and development of the Railroad Property; the DDA is still active. The purchase price will be determined through a current Fair Market Value appraisal. The development consists of uses for professional offices on a portion of the property and residential condominium units. Not less than three (3) units shall be restricted for purchase and occupancy by persons and families who qualify as lower- or very low-income persons or families.

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

The Successor Agency proposes to sell the Railroad Property to the Developer. If the Developer does not purchase the Railroad Property, then the Successor Agency proposes to sell the Property in accordance with the Successor Agency’s policies and procedures for property disposition as shown in “Section I. Purchase and Sale Procedures” located in Exhibit “A.”

The ECV of the Railroad Property is unknown and will determined through an appraisal.

***Date of estimated current value*** – October 2013

***Value Basis*** – The estimated current value of the Railroad 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.”

***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.

When the Railroad Property is sold, net proceeds of the sale will be used for either enforceable obligations or distributed as property tax to the taxing entities. The selection of the former option shall be determined at the time of close of escrow. If a short-fall were to occur in the RPTTF at the time of close of escrow, then the net sale proceeds will be used to fulfill an enforceable obligation with any remaining sale proceeds then distributed as property tax to the taxing entities. If no short-fall were to occur at the time of close of escrow, then the net sale proceeds will be distributed to



the taxing entities as property tax. Since it is impossible to foresee when and if a short-fall in the RPTTF may occur, or when the Railroad Property will be sold, the use of the net sale proceeds cannot be specifically determined at this time.



**Site No. 12**  
**Vacant Lot West of Central Avenue**  
510 Santa Clara Street  
APN 053-0-094-265



- A. **Permissible Use (HSC § 34191.5(c)(2)):**  
Site No. 12 is the “Vacant Lot West of Central Avenue” and is proposed to be sold by the Successor Agency.
- B. **Acquisition of Property (HSC § 34191.5 (c)(1)(A) and § 34191.5(c)(1)(B)):**  
This parcel was acquired by the Agency on October 28, 2005, for \$288,000 in an effort to revitalize the downtown through eliminating blighting influences and improve the overall appearance of vacant, undeveloped, or underutilized property.  
The estimated current value of the Vacant Lot West of Central Avenue is unknown and will be determined through an appraisal.



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

The Vacant Lot West of Central Avenue consists of one (1) 0.37-acre parcel (APN 053-0-094-265) and is located at 510 Santa Clara Street. The property is zoned Central Business District (“CBD”) within the City’s General Plan and Zoning Ordinance, and is located within the Downtown Specific Plan’s Core Area. The General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the commercial life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

In addition, the City’s Zoning Ordinance has established this zone to provide for community and tourist commercial needs. The CBD zone is principally intended to be used as Fillmore’s business center where a wide range of specialty retail establishments as well as service businesses that the residents as well as visitors to the area. A priority of this district is the establishment and support of street level commercial uses that will ensure a pedestrian-oriented, lively, and diverse commercial district. In conjunction with these uses, residential uses are allowed as a secondary use.

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

To determine an ECV for the Vacant Lot West of Central Avenue property, a sales comparable analysis was conducted through the National Data Collective. No sales comparable data was located within a 5 mile radius of the Vacant Lot West of Central Avenue property. Therefore the ECV is unknown and will be determined through an appraisal.

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

No revenue is generated from the Vacant Lot West of Central Avenue.

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

There is no known history of environmental contamination.

**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 the Vacant Lot West of Central Avenue.

Selling the Vacant Lot West of Central Avenue will advance the Successor Agency’s and City’s planning objectives for the Project Area by developing and revitalizing this area of the community through job creation, development of underutilized property, a perceivable reduction in blight through new construction and infrastructure, and an increase in the City’s commercial base.

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

There are no current proposals for the Vacant Lot West of Central Avenue.

**I. Sale of Property:**



The Successor Agency proposes to sell the property in accordance with the Successor Agency's policies and procedures for property disposition as shown in "Section I. Purchase and Sale Procedures" located in Exhibit "A."

The estimated current value of the Vacant Lot West of Central Avenue is unknown and will be determined through an appraisal.

***Date of estimated current value*** – October 2013

***Value Basis*** – The estimated current value of the Vacant Lot West of Central Avenue is unknown and will be 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."

***Proposed sale value*** – TBD 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.

When the Vacant Lot West of Central Avenue is sold, net proceeds of the sale will be used for either enforceable obligations or distributed as property tax to the taxing entities. The selection of the former option shall be determined at the time of close of escrow. If a short-fall were to occur in the RPTTF at the time of close of escrow, then the net sale proceeds will be used to fulfill an enforceable obligation with any remaining sale proceeds then distributed as property tax to the taxing entities. If no short-fall were to occur at the time of close of escrow, then the net sale proceeds will be distributed to the taxing entities as property tax. Since it is impossible to foresee when and if a short-fall in the RPTTF may occur, or when the Vacant Lot West of Central Avenue will be sold, the use of the net sale proceeds cannot be specifically determined at this time.



## VI. 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 <sup>2</sup>	Est. of Income / Revenue (Annual)	Contract req'd for use of income / revenue	History Envrn Contamination	TOD	Adv of SA Planning Objectives	Previous develop. proposals / activities
1	Real Prop (Fee)	Governmental (Shiells Park)	Nov 1994	\$100,000	\$0.00 <sup>4</sup>	Land Use	N/A	N/A	N/A	Park	649 "C" St.	046-0-030-375	1.66	RL	\$0.00	None	N/A	None	No	Yes	No
2	Real Prop (Fee)	Governmental (Two Rivers Park)	April 2002	Unk <sup>2</sup>	\$0.00 <sup>4</sup>	Land Use	N/A	N/A	N/A	Park	River St. & "D" St.	052-0-191-015	11.68	PF	\$0.00	None	N/A	None	No	Yes	No
3	Real Prop (Fee)	Governmental (Performing Arts & Educational Park Parking Lot)	Sep 1995	Unk <sup>2</sup>	\$0.00 <sup>4</sup>	Land Use	N/A	N/A	N/A	Eliminate Blight	351 Fillmore St.	053-0-071-030	0.40	CBD	\$0.00	None	N/A	None	No	Yes	No
4	Real Prop (Fee)	Governmental (Historic Park)	Oct 1990	\$1,700,000 <sup>3</sup>	\$0.00 <sup>4</sup>	Land Use	N/A	N/A	N/A	Historic Railroad Park	Main St. / Santa Clara Ave. / Central St. / Mt. View St.	Portion of 053-0-083-230	1.44	CBD	\$0.00	\$1,801	No	None	No	Yes	Yes
												053-0-075-050	3.90								
												053-0-075-090	3.47								
5	Real Prop (Fee)	Governmental (Fires Station)	May 2001	\$1,100,000	\$0.00 <sup>4</sup>	Land Use	N/A	N/A	N/A	Fires Station / Public Works Yard	711 Sespe Place	052-0-092-130	1.81	PF	\$0.00	None	N/A	None	No	Yes	No
6	Real Prop (Fee)	Governmental (Right-of-Way)	May 2001	\$0.00	\$0.00 <sup>4</sup>	Land Use	N/A	N/A	N/A	Right-of-Way	SW corner 1 <sup>st</sup> St. & "A" St.	052-0-092-140	0.004	M-I	\$0.00	None	N/A	None	No	Yes	No
7		Governmental		\$95,000	\$0.00		N/A	N/A	N/A	Bike Path		052-0-063-020	0.20	None	\$0.00	None	N/A	None	No	Yes	No



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 <sup>1</sup>	Est. of Income / Revenue (Annual)	Contract req'd for use of income / revenue	History Envrn Contamination	TOD	Adv of SA Planning Objectives	Previous develop. proposals / activities	
	Real Prop (Fee)	(Bile Path Right-of-Way)	Feb 1987			Land Use					Old Telegraph Rd.	052-0-071-080 052-0-092-100 052-0-132-040 052-0-281-045 052-0-281-075	0.09 0.29 0.37									
8	Real Prop (Fee)	Governmental (Police Sub-Station Property)	August 1998	\$25,000	\$0.00	Land Use	N/A	N/A	N/A	Police Sub-Station	642 Lemon Way	None	0.15	RM	\$0.00	None	N/A	None	No	Yes	No	
9	Real Prop (Fee)	Governmental (Senior Center)	Dec 1986	\$450,000 \$30,000	\$0.00	Land Use	N/A	N/A	N/A	Senior Center	533 Santa Clara St. 525 Santa Clara St.	053-0-060-435 053-0-060-170	0.78 0.07	CBD	\$0.00	None	N/A	None	No	Yes	No	
10	Real Prop (Fee)	Future Development (Performing Arts & Educational Park)	April 1994	\$75,000	TBD through Appraisal	Land Use	N/A	N/A	N/A	Performing Arts Park	338 Central Ave.	053-0-071-170	0.14	CBD	TBD through Appraisal	\$4,980	No	None	No	Yes	No	
11	Real Prop (Fee)	Sell (Railroad Property)	Oct 1990	\$1,700,000 <sup>2</sup>	TBD through Appraisal	No Sales Comps	Oct 2013	TBD	TDB	Eliminate Blight	Santa Clara / Mt. View St.	Portion of 053-0-083-230	0.66	CBD	TBD through Appraisal	None	N/A	None	No	Yes	No	
12	Real Prop (Fee)	Sell (Vacant Lot)	Oct 2005	\$288,000	TBD through Appraisal	No Sales Comps	Oct 2013	TBD	TDB	Eliminate Blight	510 Santa Clara St.	053-0-094-265	0.37	CBD	TBD through Appraisal	None	N/A	None	No	Yes	No	

<sup>1</sup> Local factors that may affect land value were not taken into consideration. Therefore, the actual value of the property may vary greatly from the ECV. The ECV is only a planning number and may not be relied upon as a basis for actual Value.

<sup>2</sup> Unk – unknown; acquisition records cannot be located at this time. Staff continues to search for this information.

<sup>3</sup> Site Nos. 4 and 10 were acquired together for a total acquisition cost of \$1,700,000.

<sup>4</sup> ECV values of \$0 are for properties proposed by the Successor Agency to be retained for government use.

**CBD** – Central Business District      **N/A** – Not applicable      **RL** – Residential Low      **TBD** – To be determined  
**M-I** – Manufacturing/Industrial      **PF** – Public Facilities      **RM** – Residential Medium

# 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 obligate 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 truStreet 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

---



April 26, 2013

Ms. Glenda D. Jay, Finance Director  
City of Fillmore  
250 Central Avenue  
Fillmore, CA 93015

Dear Ms. Jay:

Subject: Request for a Finding of Completion

The California Department of Finance (Finance) has completed the Finding of Completion for the City of Fillmore 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

cc: Ms. Rigo Landeros, Acting City Manager, City of Fillmore  
Ms. Sandra Bickford, Chief Deputy, Ventura County Auditor Controller  
California State Controller's Office

# Exhibit D – Resolution of the Oversight Board

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**RESOLUTION NO.OB 14-02**

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

**WHEREAS**, the Redevelopment Agency of the City of Fillmore was dissolved February 1, 2012; and

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

**WHEREAS**, on April 26, 2013, the Successor Agency received its Finding of Completion (the "FOC") from the California Department of Finance (the "DOF") pursuant to HSC Section 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 of the Successor Agency to the Redevelopment Agency of the City of Fillmore, as follows:

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

**OVERSIGHT BOARD RESOLUTION NO. OB 14-**  
**Page 2 of 2**

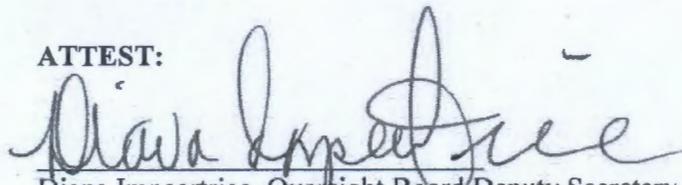
**Section 2.** The Long-Range Property Management Plan attached to this Resolution as Exhibit "A" is hereby approved.

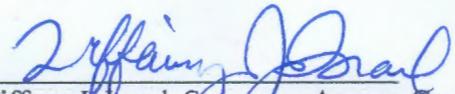
**Section 3.** This Resolution shall take effect upon the date of its adoption.

**PASSED, APPROVED, AND ADOPTED** by the Oversight Board at a special meeting held this 23<sup>rd</sup> day of October, 2013 by the following vote, to wit:

AYES: Bush, Neal, Godfrey, Walker  
NOES: Turner  
ABSENT: Keebler, Burgh  
ABSTAIN: NONE

  
\_\_\_\_\_  
Rick Neal, Chair  
Oversight Board

ATTEST:  
  
Diana Impeartrice, Oversight Board Deputy Secretary

**APPROVED AS TO FORM  
AND LEGAL CONTENT:**  
  
\_\_\_\_\_  
Tiffany J. Israel, Successor Agency Counsel  
Aleshire & Wynder, LLP

# Exhibit E – Resolution of the Successor Agency Board

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**RESOLUTION NO. SA 13-3398**

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

**WHEREAS**, the Redevelopment Agency of the City of Fillmore (the "Agency") was dissolved February 1, 2012; and

**WHEREAS**, consistent with the provisions of the California Health and Safety Code ("HSC"), the City Council elected to serve as the Successor Agency to the Redevelopment Agency of the City of Fillmore(the "Successor Agency"); and

**WHEREAS**, on April 26, 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§34191.5requires the Successor Agency to submit to the DOF 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, which identifies the disposition and uses of Successor Agency properties; and

**WHEREAS**, once the Oversight Board for the Successor Agency has considered and approved of the LRPMP the LRPMP will be submitted to the DOF; and

**WHEREAS**, once the LRPMP has received approvals from the Oversight Board and the DOF, the Successor Agency may act upon its implementation; and

**WHEREAS**, consistent with the applicable provisions of the HSC, staff recommends 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** that the Successor Agency to the Redevelopment Agency of the City of Fillmore hereby finds, resolves, approves, determines, and directs as follows:

**Section 1.** The foregoing recitals are true and correct and are incorporated herein.

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

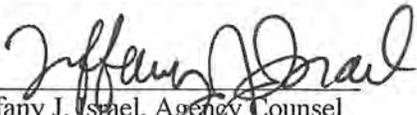
**Section 3.** The City Manager, as Executive Director of the Successor Agency, or his designee, is hereby authorized to transmit the Long-Range Property Management Plan attached to this Resolution as Exhibit "A" to the Oversight Board for the Successor Agency for its review and consideration.

**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 his 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 necessary to implement the Long-Range Property Management Plan and to effectuate the intent of this Resolution.

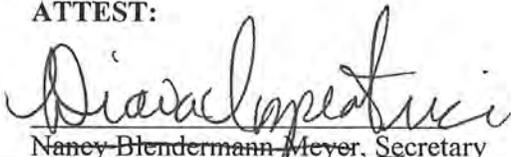
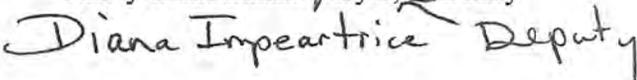
**Section 5.** This Resolution shall take effect upon the date of its adoption.

By:  \_\_\_\_\_  
Rick Neal, Chair

**APPROVED AS TO FORM:**

  
Tiffany J. Israel, Agency Counsel  
Aleshire & Wynder, LLP

**ATTEST:**

  
Nancy Blendermann Meyer, Secretary  
 Deputy

CERTIFICATION

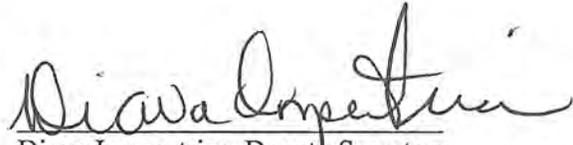
I, Diana Impeartrice, Deputy Secretary of the Successor Agency to the Redevelopment Agency of the City of Fillmore, California, do hereby certify that Resolution No. 2013-3398 was adopted by the Board of Directors of the Successor Agency to the Redevelopment Agency of the City of Fillmore, at a meeting held on the 22<sup>nd</sup> day of October, 2013, and that the same was adopted by the following vote, to wit:

AYES: McCall, Tucker, Conaway, Minjares and Neal

NOES: None

ABSTAIN: None

ABSENT: None

  
Diana Impeartrice, Deputy Secretary

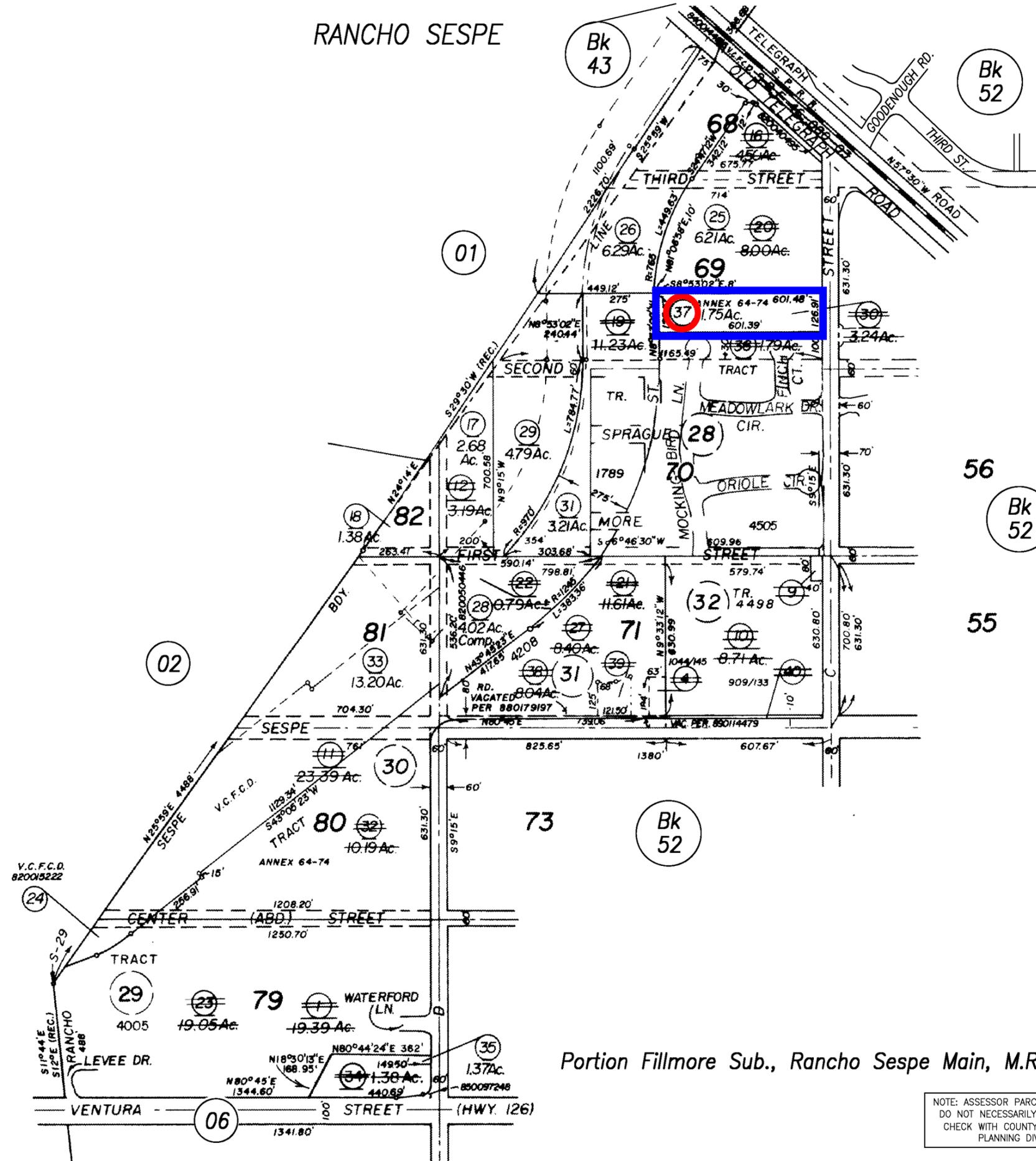
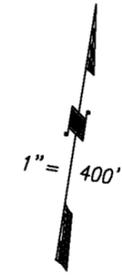
## Exhibit F – Assessor Parcel Maps

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RANCHO SESPE

Tax Rate Area  
 01001  
 01011  
 01002  
 62004  
 62010

46-03



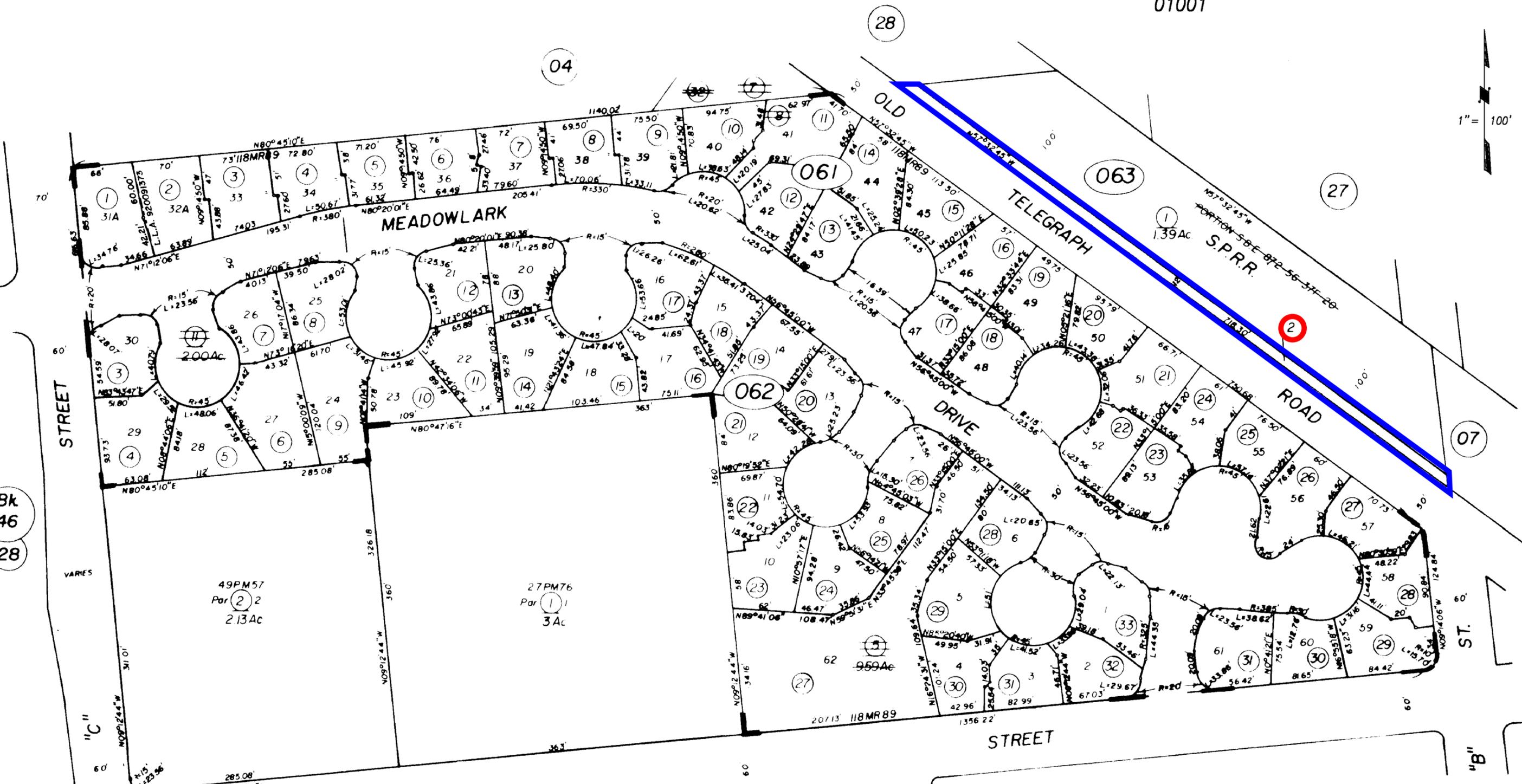
Portion Fillmore Sub., Rancho Sespe Main, M.R. Bk.3, Pg.5

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

CITY OF FILLMORE and VICINITY  
 Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.  
 Assessor's Mineral Numbers Shown in Squares.

DRAWN	REVISED	7-23-2003
REDRAWN	M.T. CREATED	10-10-1966
INKED	PLOTTED	EFFECTIVE
		ROLL
Compiled By Ventura County Assessor's Office		



Bk. 46  
28

49PM57  
Par 2  
213Ac

27PM76  
Par 1  
3Ac

Tract 4535 M.R. Bk.118,Pg.89  
Fillmore, Subdivision of Rancho Sespe, M.R. Bk.3,Pg.5

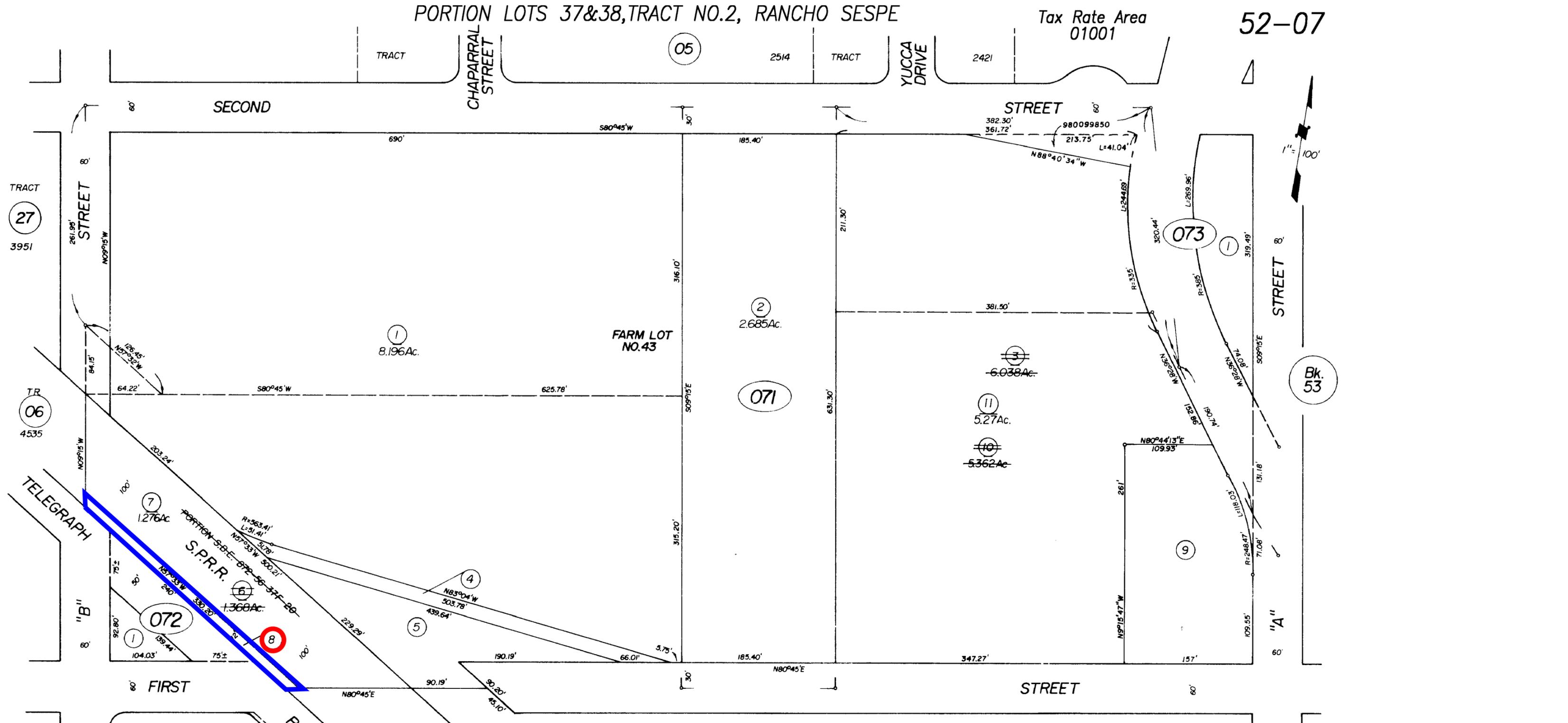
NOTE: For C.C.B.R.'s pertaining to Tract 4535, see document 900109675.

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

CITY OF FILLMORE,  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

DRAWN	DT	REVISED	2-5-2002
REDRAWN	BCA	CREATED	
INKED	PLOTTED	EFFECTIVE	90-91 ROLL
PREVIOUS Bk.52, Portion Pg.06			
Compiled By Ventura County Assessor's Office			



TRACT 27  
3951

TR 06  
4535

TRACT 2141

Bk. 53

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

CITY OF FILLMORE,  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

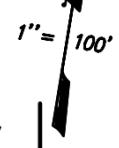
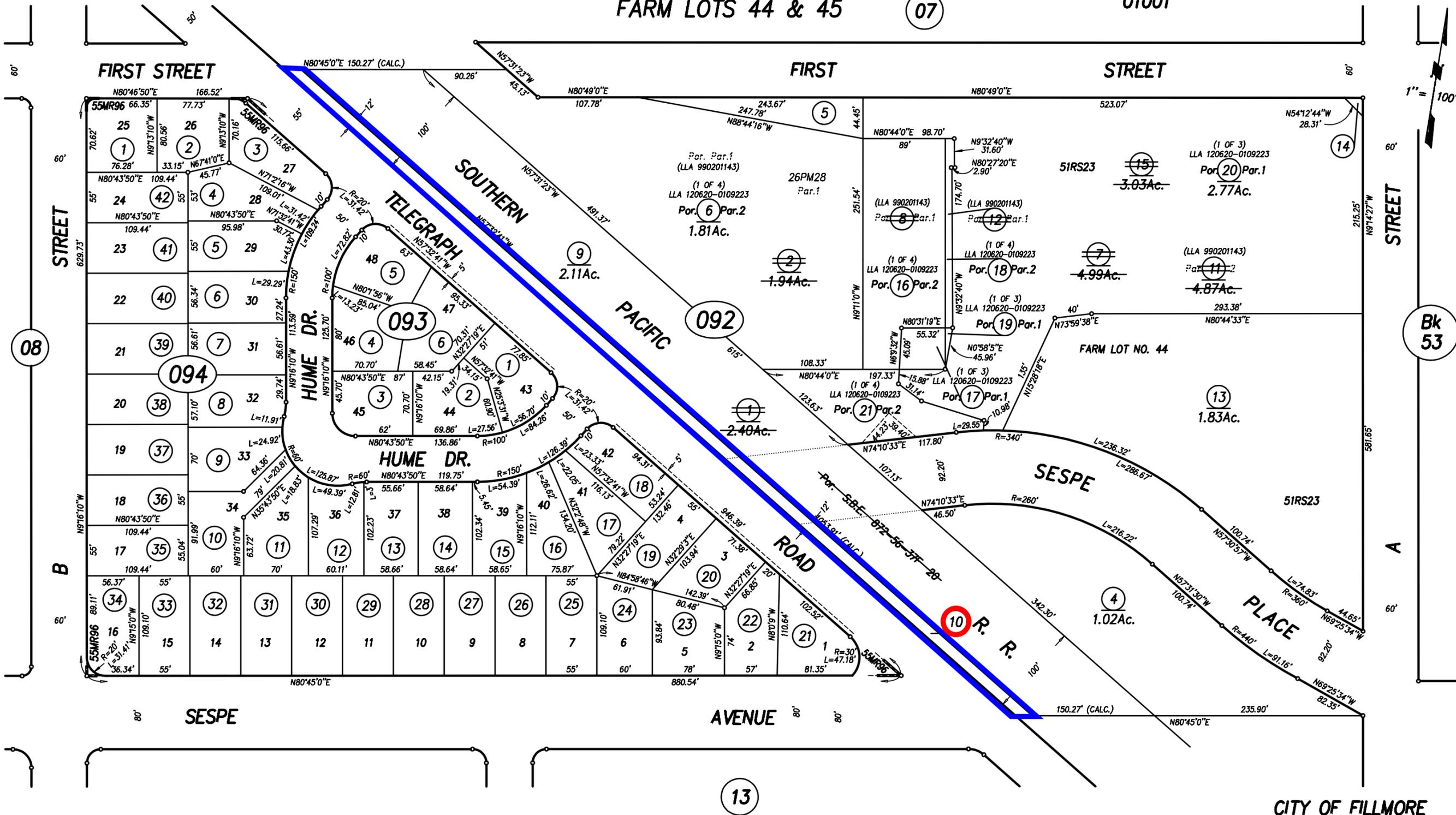
DRAWN	DURAN	REVISED	2-5-2002
REDRAWN	DURAN	CREATED	
INKED	PLOTTED	EFFECTIVE	ROLL
PREVIOUS Bk., Portion Pg.			
Compiled By Ventura County Assessor's Office			

RANCHO SESPE  
FARM LOTS 44 & 45

07

Tax Rate Area  
01001

52-09



Tract 2141, M.R. Bk.55, Pg.96  
Fillmore Subdivision, Rancho Sespe, M.R. Bk.3, Pg.5

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

CITY OF FILLMORE,  
Ventura County Assessor's Map.

DRAWN	M.T.	REVISED	10-3-2012
REDRAWN	J.P.G.	CREATED	10-3-2012
INKED	PLOTTED	EFFECTIVE	71-72 ROLL
Compiled By Ventura County Assessor's Office			

DATE	REFERENCE DOC.	EXPLANATION	REVISION LOG	
			VOID A.P.N.(s)	NEW A.P.N.(s)
10/3/12	120620-0109223	LLA 12-01	052-0-092-080 052-0-092-120 052-0-092-150	052-0-092-160 & -170 052-0-092-180 & -190 052-0-092-200 & -210

Roll-Year 13-14

PORTION LOTS 37 & 38, TRACT NO. 2, RANCHO SESPE

Tax Rate Area  
01001

52-13

TRACT 09 2141



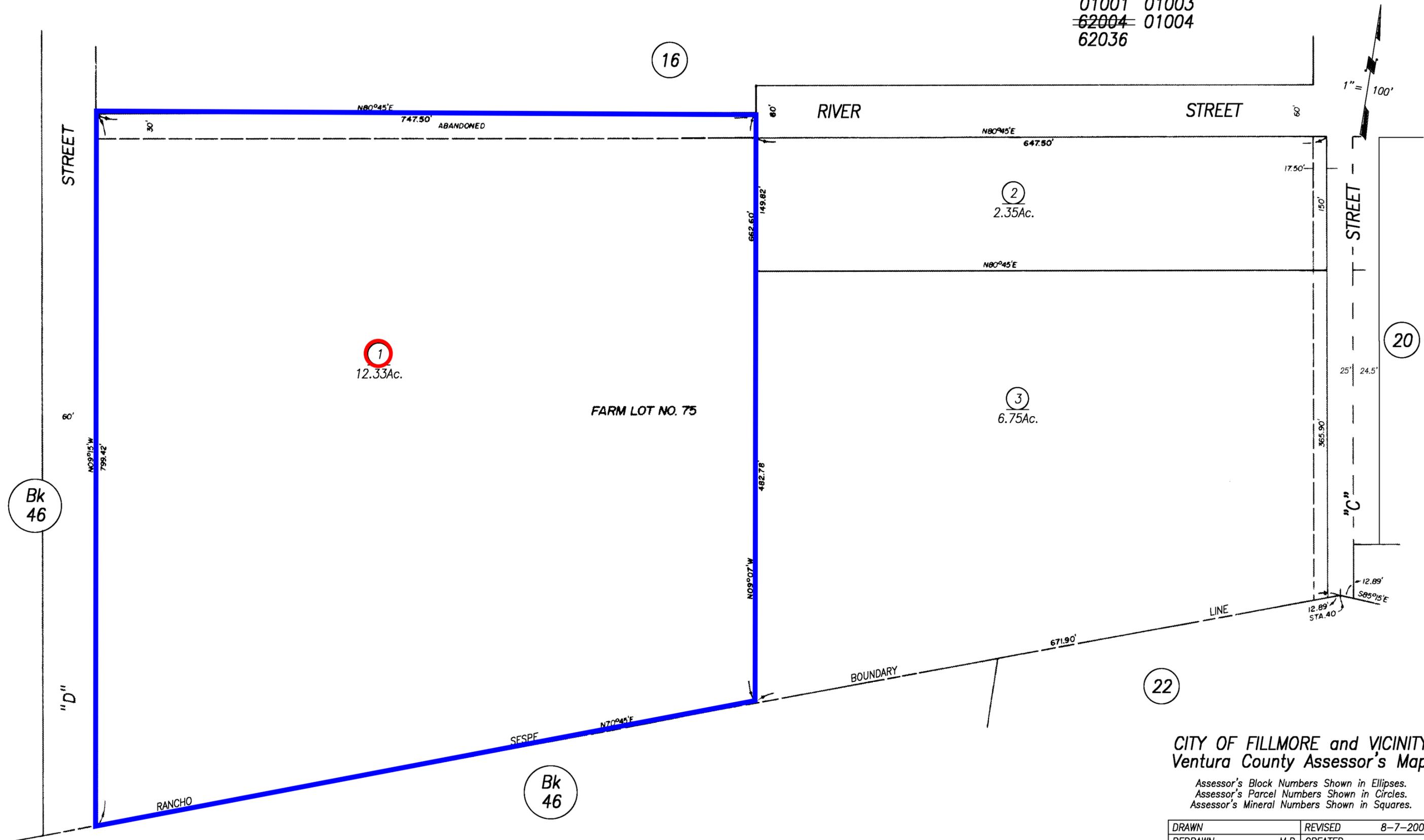
Portion Tract 2315-3, M.R. Bk.66,Pg.05  
 Portion Tract 2315-2, M.R. Bk.64,Pg.63  
 Tract 1603, M.R. Bk.38,Pg.29  
 Hukriede Subdivision, R.S. Bk.3,Pg.30  
 Fillmore, Subdivision of Rancho Sespe, M.R. Bk.3,Pg.5

CITY OF FILLMORE,  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.  
 Assessor's Mineral Numbers Shown in Squares.

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
 DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
 CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
 PLANNING DIVISION TO VERIFY.

DRAWN	REVISED	2-5-2002
REDRAWN	DURAN	CREATED
INKED	PLOTTED	EFFECTIVE
	PREVIOUS Bk.,	Portion Pg.
Compiled By Ventura County Assessor's Office		



**CITY OF FILLMORE and VICINITY  
 Ventura County Assessor's Map.**

Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.  
 Assessor's Mineral Numbers Shown in Squares.

DRAWN	REVISED	8-7-2007
REDRAWN	M.D. CREATED	
INKED	PLOTTED	EFFECTIVE ROLL
Compiled By Ventura County Assessor's Office		

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

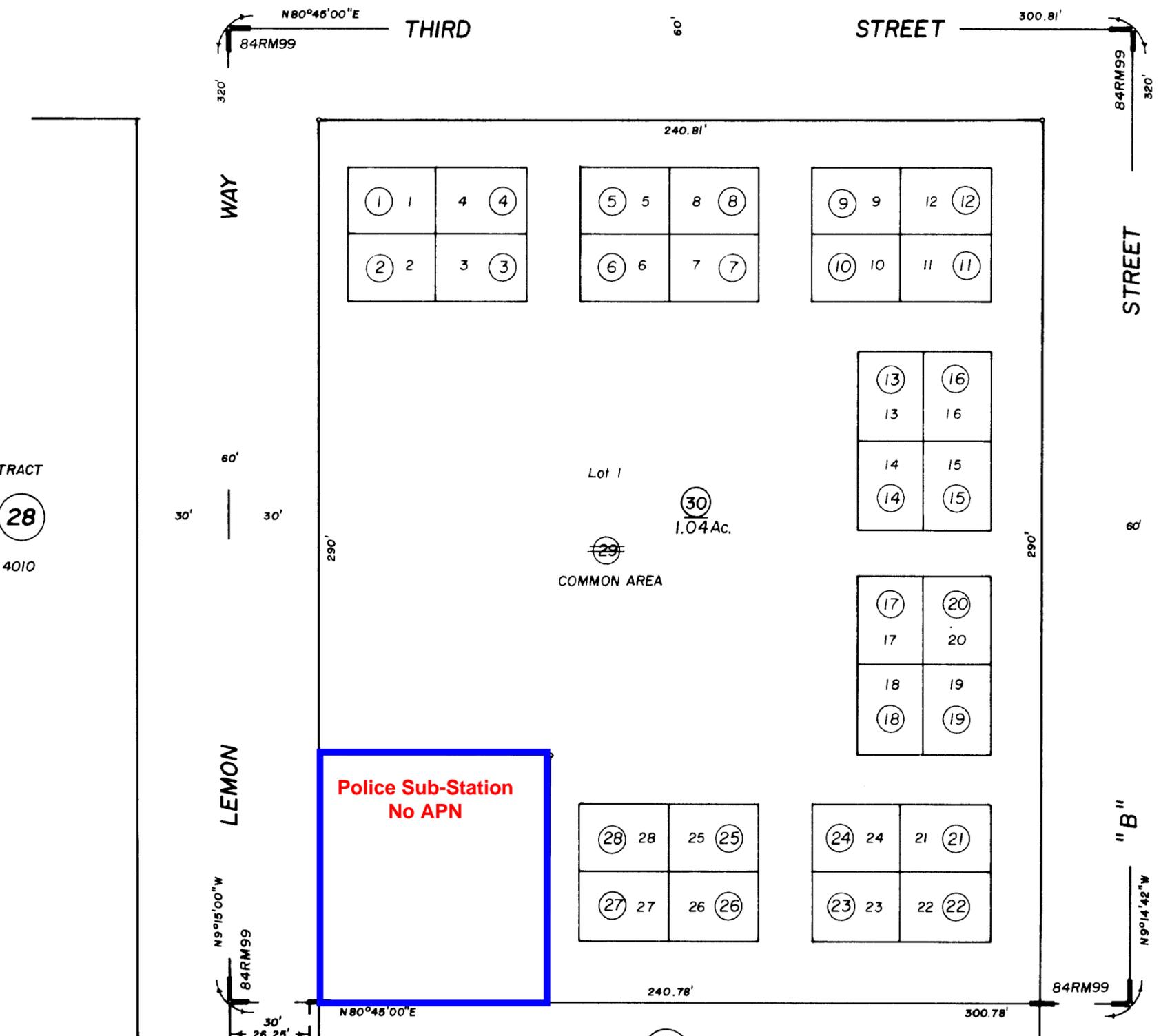
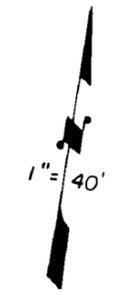
Roll-Year 08-09 BK. 052 , PG. 19 REVISION LOG

DATE	REFERENCE DOC.	EXPLANATION	VOID A.P.N.(s)	RESIDUAL A.P.N.(s)	NEW A.P.N.(s)
8/7/2007	Item 8-10(08-09)	Add 01003 & 01004			

02

Tax Rate Area  
01001

52-26



TRACT  
28  
4010

05

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

**CITY OF FILLMORE,  
Ventura County Assessor's Map.**

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

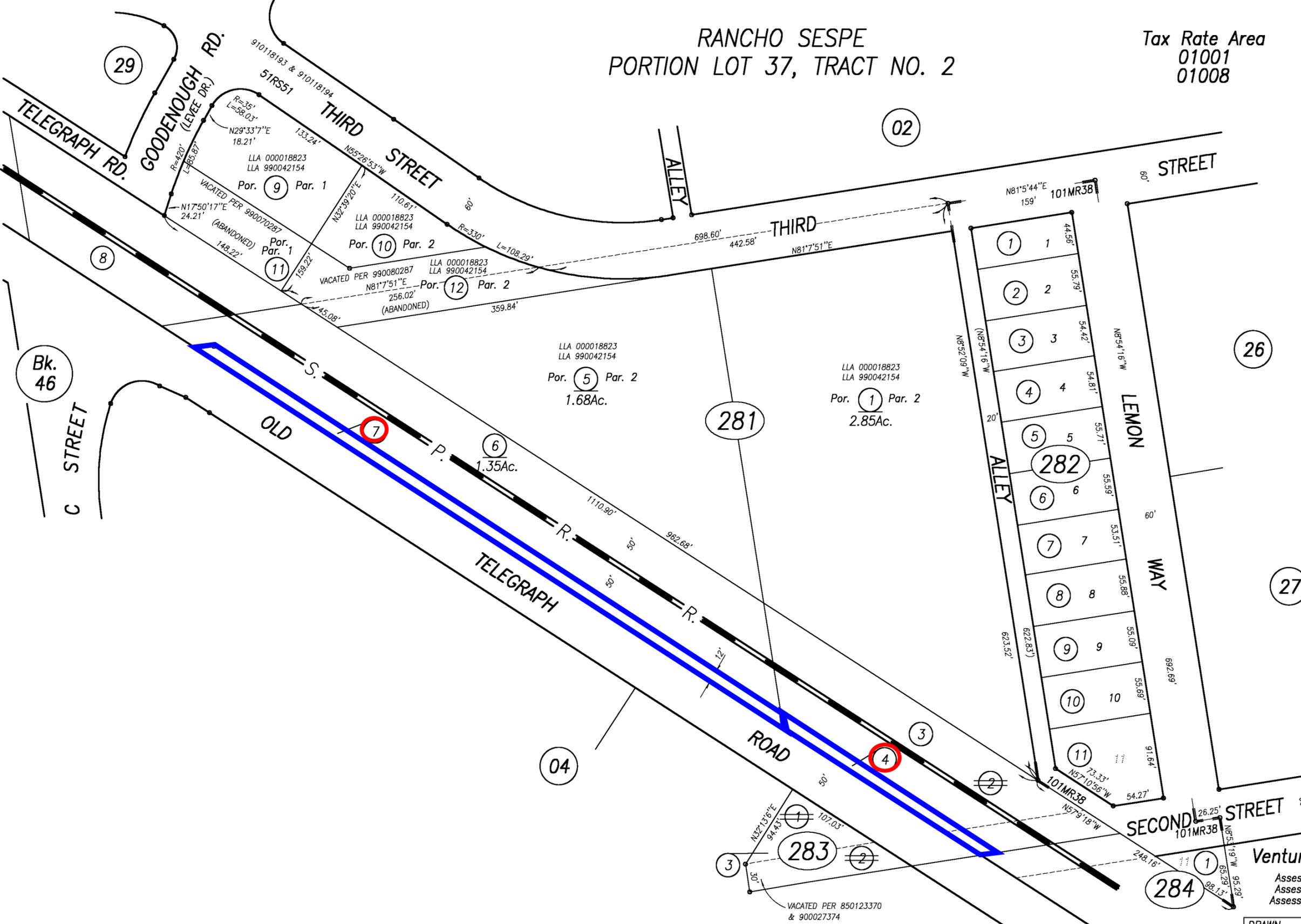
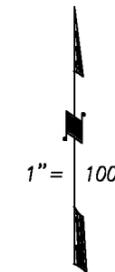
DRAWN	M.DURAN	REVISED	2-5-2002
REDRAWN		CREATED	
INKED	PLOTTED	EFFECTIVE	80-81 ROLL
PREVIOUS Bk.52, Portion Pg.04			
Compiled By Ventura County Assessor's Office			

TRACT 27 3951

RANCHO SESPE  
PORTION LOT 37, TRACT NO. 2

Tax Rate Area  
01001  
01008

52-28



1	1	44.56'
2	2	55.79'
3	3	54.42'
4	4	54.81'
5	5	55.71'
6	6	55.59'
7	7	53.51'
8	8	55.88'
9	9	55.09'
10	10	55.69'
11	11	91.64'

Tract 4010, M.R. Bk.101, Pg.38  
Resub. Portion Farm Lot 60, Fillmore Subdivision of Rancho Sespe, M.R. Bk.15, Pg.83  
Fillmore Subdivision of Sespe Rancho, M.R. Bk.3, Pg.5

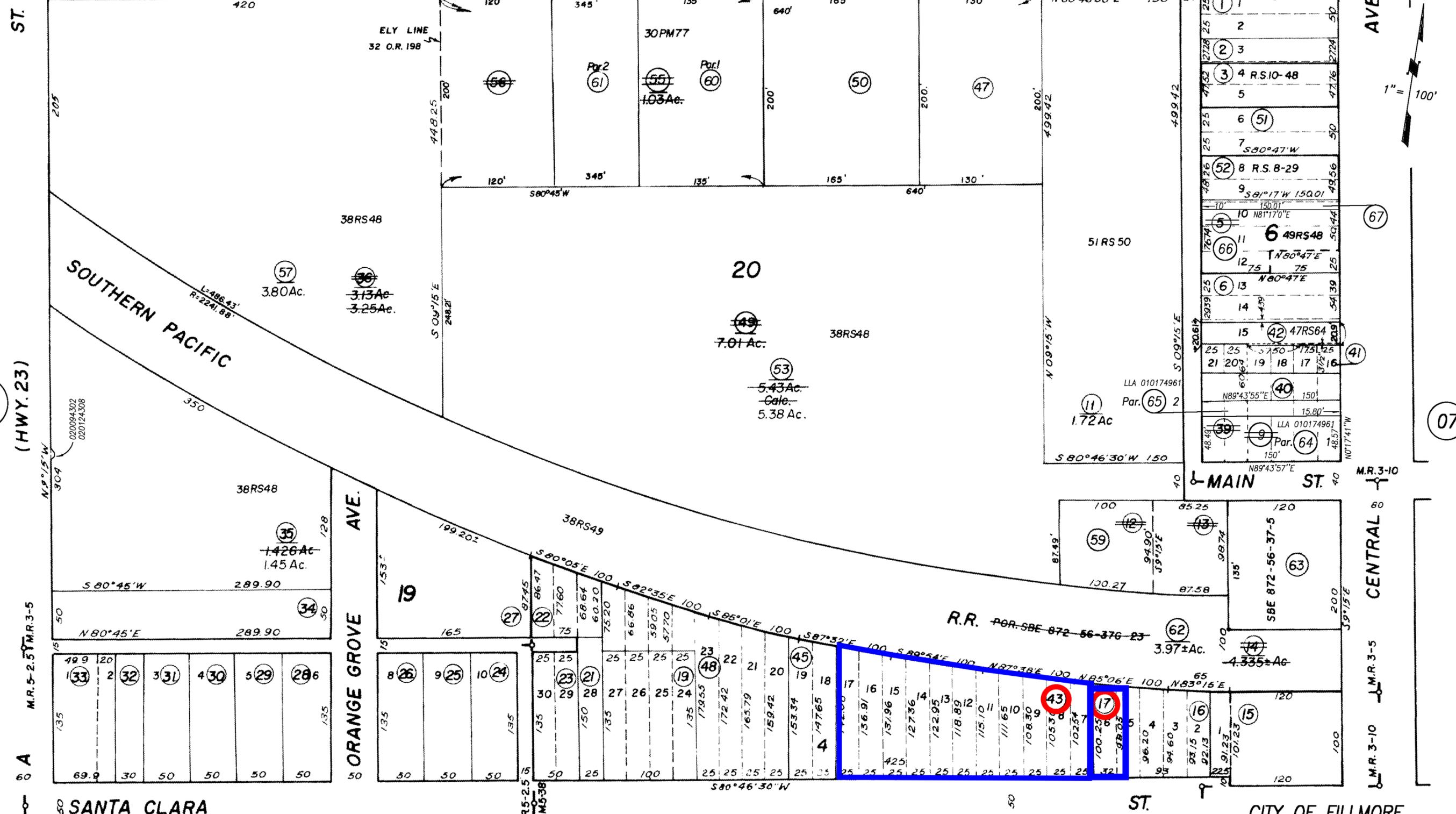
NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

DRAWN	REVISED	4-18-2011
REDRAWN	S.T. CREATED	5-24-2000
INKED	PLOTTED	EFFECTIVE 85-86 ROLL
PREVIOUS Bk.052, Pg. 28, Portion Pgs. 02, 04		
Compiled By Ventura County Assessor's Office		

Roll-Year	DATE	REFERENCE DOC.	EXPLANATION	REVISION LOG	
				VOID A.P.N.(s)	NEW A.P.N.(s)
11-12	4/18/11	N/A	Description	052-0-283-015 & -025	052-0-283-035
			Combo		

CITY OF FILLMORE  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.



Bk 52

(HWY. 23)

M.R. 5-2.5 M.R. 3-5

SANTA CLARA

Portion Stow & Goodenough Subdivision, M.R. Bk.5, Pg.38  
 Portion Alcock Tract, M.R. Bk.5, Pg.2 1/2  
 Portion City of Fillmore, M.R. Bk.3, Pg.10  
 Fillmore Subdivision of Rancho Sespe, M.R. Bk.3, Pg.5

09

Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.  
 Assessor's Mineral Numbers Shown in Squares.

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
 DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
 CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
 PLANNING DIVISION TO VERIFY.

DRAWN	REVISED	2-4-2008
REDRAWN	CREATED	
INKED	PLOTTED	EFFECTIVE
		ROLL
Compiled By Ventura County Assessor's Office		

Roll - Year 08-09

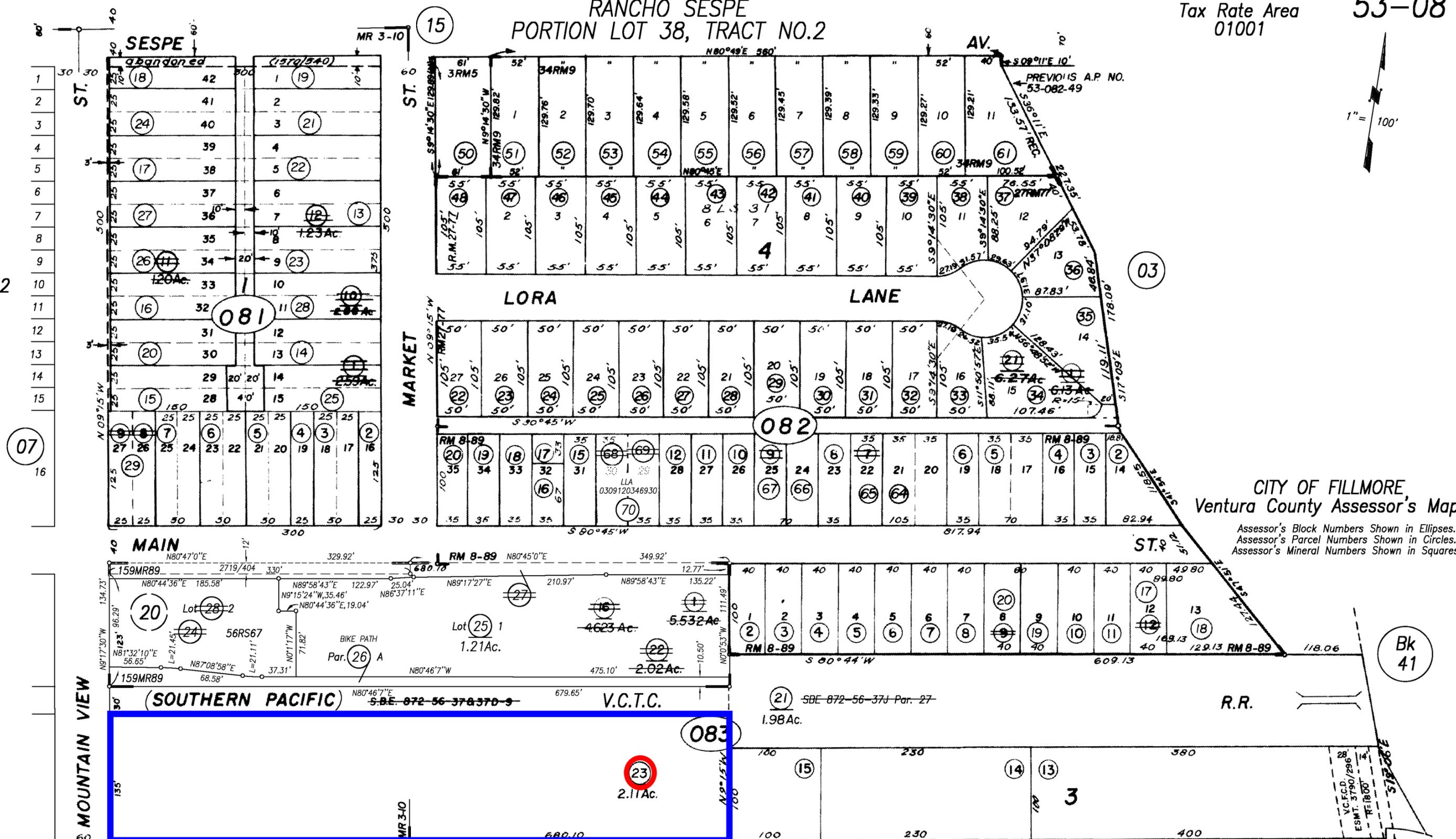
BK. 053, PG. 06 REVISION LOG				
DATE	REFERENCE DOC.	EXPLANATION	VOID A.P.N.(s)	NEW A.P.N.(s)
2/4/2008	070530-0109783	PER GRANT DEED	053-0-060-050	053-0-060-660
				053-0-060-670



RANCHO SESPE  
PORTION LOT 38, TRACT NO.2

Tax Rate Area  
01001

53-08



CITY OF FILLMORE,  
Ventura County Assessor's Map.  
Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

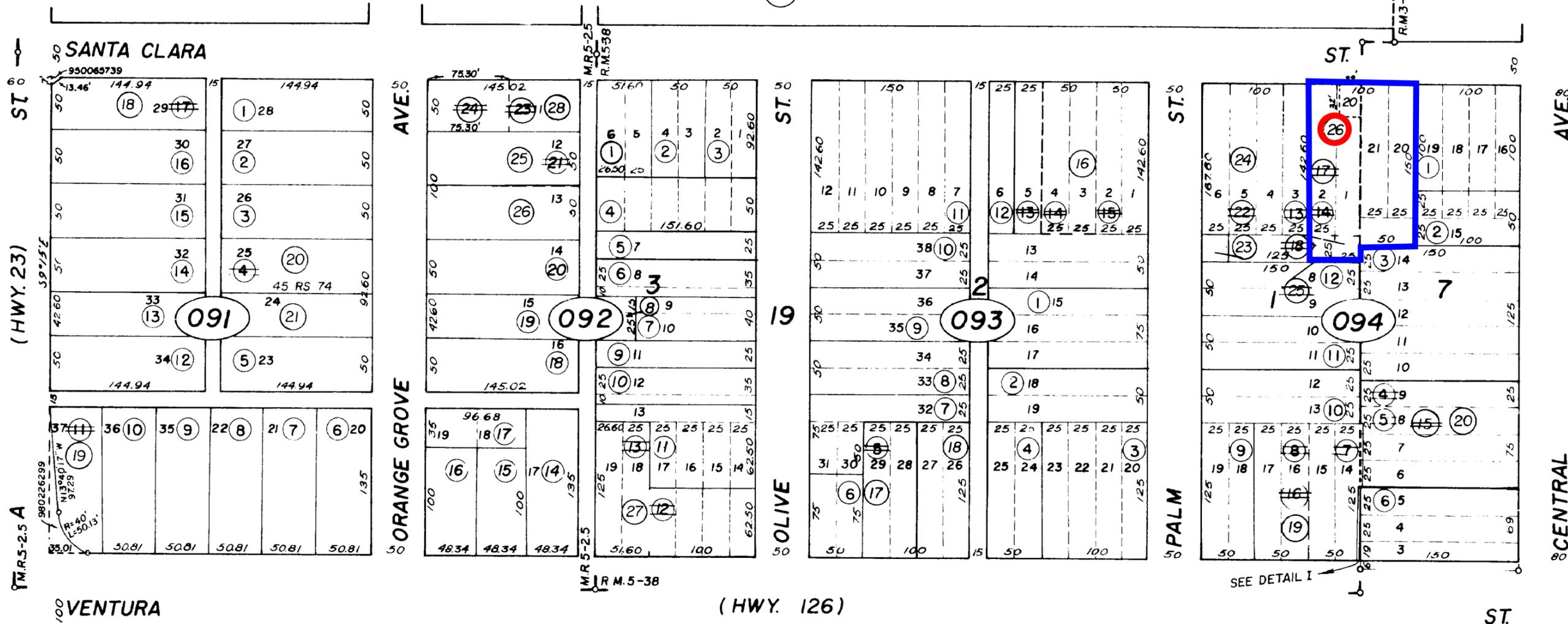
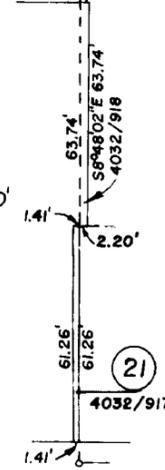
Portion Tract 5591, M.R. Bk.159, Pg.89  
Tract 1482 (Taylor Tract Sub. No.3), M.R. Bk.34, Pg.9  
Tract 1176 (Taylor Tract Sub. No.2), M.R. Bk.27, Pg.77  
Taylor Tract Sub. No.1, M.R. Bk.8, Pg.89  
Portion Fillmore Subdivision, M.R. Bk.3, Pg.5; Portion City of Fillmore, M.R. Bk.3, Pg.10

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

DRAWN	REVISED	7-1-2010
REDRAWN	CREATED	
INKED	PLOTTED	EFFECTIVE
		ROLL
Compiled By Ventura County Assessor's Office		

Roll-Year	11-12	BK. 053, PG. 08	REVISION LOG
DATE	7/1/10	10023-0024417	
REFERENCE DOC.			
EXPLANATION	Description	VOID A.P.N.(s)	NEW A.P.N.(s)
Code	Tr.5591, Lot. 2	053-0-083-280	To New Pg.20

DETAIL I  
SCALE: 1"=50'



06

19

OLIVE

12

10

AVE. 80

80 CENTRAL

ST.

(HWY. 126)

100 VENTURA

Alcock Track M.R.5, Pg. 2.5  
Fillmore, City of, M.R.3, Pg. 10  
Stow & Goodenough Sub. R.M. Bk. 3, Pg. 38

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

CITY OF FILLMORE,  
Ventura County Assessor's Map.

DRAWN	REVISED	2-5-2002
REDRAWN	CREATED	2-5-2002
INKED	PLOTTED	EFFECTIVE
PREVIOUS Bk., Portion Pg.		
Compiled By Ventura County Assessor's Office		

# Exhibit G – Zoning Information

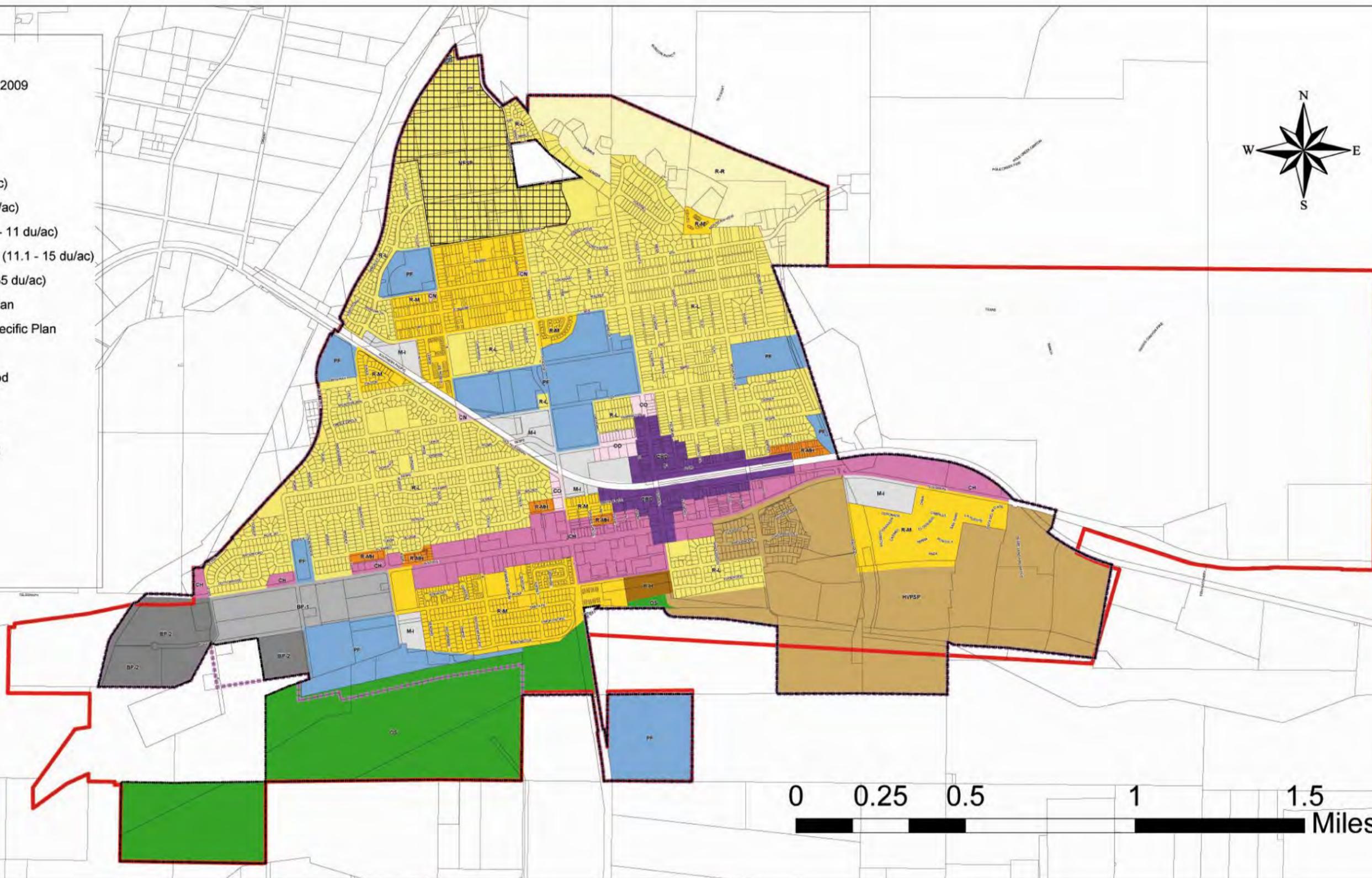
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**Legend**

- Sphere of Influence April 2009
- City Limits April 2009
- CURB Line April 2009

**Zoning**

- Residential Rural (1 du/ac)
- Residential Low (1 - 7 du/ac)
- Residential Medium (7.1 - 11 du/ac)
- Residential Medium High (11.1 - 15 du/ac)
- Residential High (15.1 - 35 du/ac)
- North Fillmore Specific Plan
- Heritage Valley Parks Specific Plan
- Commercial Office
- Commercial Neighborhood
- Commercial Highway
- Central Business District
- Manufacturing / Industrial
- Business Park - 1
- Business Park - 2
- Open Space
- Public Facilities
- Unincorporated



# City of Fillmore

## 1994 Zoning Map

We hereby certify that the planning commission of the City of Fillmore, State of California did by resolution adopted on the day (See Table at right), approve this map as section 6.04.0220.2 of the Zoning Ordinance of the City of Fillmore.

Date and Resolution No	
05/16/95	95-408
06/20/95	95-409
09/20/95	95-415
10/12/95	95-416

Patricia Smith  
Chairman

Denise Beauduy  
Secretary

We do hereby certify that this map constitutes section (see Table at right) adopted by Ordinance of the City of Fillmore, State of California, on the 22nd day of November, 1994

Roger Campbell  
Mayor

Noreen Withers  
City Clerk

--- Revision Date and Ordinance No ---			
06/27/95	95-708	10/22/02	02-766
07/11/95	95-709	10/22/02	02-767
10/10/95	95-710	07/22/03	03-772
10/24/95	95-711	07/27/04	04-779
12/22/98	98-739	08/22/06	06-798
03/09/99	99-741	03/11/08	08-806
01/17/02	02-761	03/11/08	08-807
02/12/02	02-762	05/27/08	08-808

NOTE: This Zoning map identifies zoning for all properties in the city. Please verify any of this information with the City Planning Department  
250 Central Avenue  
Fillmore, CA 93015-1907  
(805) 524-1500, x113  
(805) 524-7058 FAX

# Exhibit H – Historic Theater (Site No. 10)

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REPAIR AND RESTORATION REPORT

# FILLMORE TOWNE THEATER

336-338 Central Avenue  
Fillmore, California

## PHASE ONE: Research and Documentation

*prepared for*

**City of Fillmore**  
**Redevelopment Agency**

*prepared by*

**JOHN ASH GROUP**  
Architecture, Planning and Historic Preservation

*with the assistance of*

**KRAKOWER & ASSOCIATES**  
Structural Engineer

**DONALD F. DICKERSON ASSOCIATES**  
HVAC, Plumbing and Electrical Engineers

**RESTORATION STUDIO**  
Decorative Arts Conservation

**GEORGE THOMAS HOWARD ASSOCIATES**  
Theatre Consultant

**GLENN MAY CORPORATION**  
Construction Consultant

**SPECIALIZED TESTING**  
In-Place Masonry Shear Testing

**J & H ENVIRONMENTAL, INC.**  
Hazardous Materials Inspection

**FILLMORE TOWNE THEATER**  
**Repair and Restoration Research Report**  
City of Fillmore Redevelopment Agency

**ACKNOWLEDGEMENTS**

Roy Payne, Fillmore City Manager, and Pat Askren, Fillmore Fire Chief, have provided the daily assistance in administration and access which are making it possible to execute this project. During the interim period prior to rehabilitation, the City of Fillmore administration and employees have contributed significant effort in stabilizing the structure, securing the building, and retaining fallen and removed material.

The following organizations and individuals have provided documents, information and referrals without which it would not have been possible to provide a building history of the Fillmore Towne Theatre:

Fillmore Historical Society/Museum  
Fillmore Library  
Save the Towne Theatre Historical Architecture Subcommittee  
Ventura County Museum of History and Art  
Pat Askren  
Kathie Briggs  
Dorothy Haase  
Joyce Harrold  
Preston Kaufmann  
Dale Larson  
Carl Myers  
Sandra Sanders  
Harry Thayer

**Peyton Hall**  
*Project Architect*

**JOHN ASH GROUP**  
3780 Wilshire Blvd., 8th Floor  
Los Angeles, CA 90010  
tel. (213) 383-0056  
fax. (213) 383-0057

## REPAIR AND RESTORATION REPORT

### PHASE ONE: Research and Documentation

#### Table of Contents

	page no.
<b>Introduction</b>	0.1
<b>1.0 Building History, Description and Significance</b>	1.0.1
1.1 Architectural and Cultural History	1.1.1
1.2 Documentation Chronology	1.2.1
1.3 Character-Defining Features	1.3.1
<b>2.0 Existing Conditions Drawings</b>	2.0.1
Drawing A2.1 Basement Plan <i>(Photograph key plan)</i>	
Drawing A2.2 First Floor Plan <i>(Photograph key plan)</i>	
Drawing A2.3 Balcony Plan <i>(Photograph key plan)</i>	
Drawing A2.4 Roof Plan <i>(Photograph key plan)</i>	
Drawing A3.1 West and East Exterior Elevations	
Drawing A3.2 North and South Exterior Elevations	
Drawing A4.1 Building Cross Section at Auditorium and Lobby	
Drawing A4.2 Building Longitudinal Section	
Drawing A6.1 Basement Reflected Ceiling Plan	
Drawing A6.2 First Floor Reflected Ceiling Plan	
Drawing A6.3 Balcony Reflected Ceiling Plan	
Drawing A9.1 Marquee Details	
Drawing A9.2 Ticket Booth Details	
<b>3.0 Historic Color Analysis</b>	3.0.1
<b>4.0 Structural Conditions</b>	4.0.1
<b>5.0 Theater Systems Conditions</b>	5.0.1
<b>6.0 HVAC, Plumbing &amp; Electrical Conditions</b>	6.0.1

**FILLMORE TOWNE THEATER**  
**Repair and Restoration Research Report**  
City of Fillmore Redevelopment Agency

<b>7.0</b>	<b>Hazardous Materials</b>	<b>7.0.1</b>
<b>8.0</b>	<b>Reversal of Modifications</b>	<b>8.0.1</b>

**APPENDICES**

<b>A</b>	<b>Historic and Existing Conditions Photographs</b>	<b>A-0</b>
<b>B</b>	<b>Inventory of Contents to Be Retained</b>	<b>B-0</b>
<b>C</b>	<b>Historic Resources Inventory Form</b>	<b>C-0</b>
<b>D</b>	<b>In-Place Masonry Shear Test Report</b>	<b>D-0</b>
<b>E</b>	<b>Asbestos Inspection Report</b>	<b>E-0</b>
<b>F</b>	<b>Theatre Glossary</b>	<b>F-0</b>
<b>G</b>	<b>Damage Assessment by Michael Faulconer, AIA Architects &amp; Laurence Hauer, S.E, Inc.</b>	<b>G-0</b>

## **INTRODUCTION**

The Fillmore Towne Theatre was seriously damaged by the Northridge Earthquake on January 17, 1994. Portions of the unreinforced brick walls and parapets cracked, leaned and fell, causing City officials to quickly close the building. The desire to prevent demolition of this architecturally and culturally significant historic resource led to prompt action on the part of the citizens of Fillmore and government at the local and state level.

The City of Fillmore Redevelopment Agency, in conjunction with the City Council and City Management, acted expeditiously to purchase the property from private ownership. Working closely with the State Office of Historic Preservation and its representatives, the City of Fillmore sought and obtained a substantial grant from the 1994 Northridge Earthquake Disaster Relief Grants Program for repair and restoration. This grant program is made possible by the appropriation of funds by the California Department of Parks and Recreation, Office of Historic Preservation from the President's Discretionary Funds for damages sustained by historic properties.

The grant program is managed by Historic Preservation Partners for Earthquake Response (HPP), a group of federal, state, local, non-profit and private groups and agencies<sup>1</sup>. The program is administered at the federal level by the National Park Service, U. S. Department of the Interior, and in California by the Office of Historic Preservation with assistance from the National Trust for Historic Preservation and the Los Angeles Conservancy. HPP offers on-site expertise and technical advice, and monitors the program locally.

In order to receive funds, projects must be determined to be, at the lowest threshold, eligible for listing on the National Register of Historic Places. All funded work must conform to applicable federal and state criteria for historic resources, including the Secretary of Interiors Standards for Rehabilitation.

After formulating a request for qualifications, a scope of services, receiving proposals, and interviewing selected firms, the John Ash Group was selected as consultant for repair and restoration. The scope of work for completing the project is divided into three phases and summarized below:

### **PHASE ONE: Research and Documentation**

- 1.1 Research and document history, modifications to building, and historic colors.
- 1.2 Document remaining character-defining features.
- 1.3 Identify impacts and costs of reversing more recent architectural and building remodel modifications.
- 1.4 Review and document building damage caused by the Northridge Earthquake.
- 1.5 Review and document structural retrofit requirements, in compliance with the Uniform conservation Building Code.

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<sup>1</sup>HPP is a partnership of the National Park Service, U.S. Department of Interior, California Office of Historic Preservation, National Trust for Historic Preservation, California Preservation Foundation, Los Angeles Conservancy, and Getty Conservation Institute.

**PHASE TWO:           Design Approach and Construction Documents**

- 2.1           Identify design alternatives for seismic damage repair and mitigation, and retention of historic fabric.
- 2.2           Identify a design approach which gives first priority to repair of north party wall to allow early repair and occupancy of the adjacent building.
- 2.3           Prepare program and methodology for restoration of character defining features.
- 2.4           Prepare a preliminary cost estimate for alternatives.
- 2.5           Submit alternatives for review by agencies having jurisdiction, and meet as needed for preliminary approvals.
- 2.6           Prepare construction documents for the approved alternatives.
- 2.7           Prepare final construction documents and cost estimate.

**PHASE THREE:       Bidding and Construction Observations**

- 3.1           Assist City of Fillmore in identifying qualified contractors; prepare bid packages.
- 3.2           Assist in review of bids and selection of lowest qualified bidder.
- 3.3           Provide construction observation services, including bi-weekly job meetings with the contractor.

## **1.0 BUILDING HISTORY, DESCRIPTION AND SIGNIFICANCE**

- 1.1 Architectural and Cultural History
- 1.2 Documentation Chronology
- 1.3 Character-Defining Features

## 1.1 Architectural and Cultural History

When the Fillmore Towne Theater opened to a packed house on October 2, 1916, the Fillmore Herald reported that the first show was "an event of no little importance in the town's history."<sup>2</sup> Almost eighty years later, the journalist's prediction has come to pass. The theater has experienced the vicissitudes of evolving entertainment trends and Southern California geology, surviving with much integrity as one of the oldest continuously operating moving picture houses in the United States. Though the building has significance in larger contexts, as with many community-oriented resources the Fillmore Towne Theatre is perhaps most significant in its local role as a key component of Fillmore's historic townscape a primary focus of community culture in the social history of Fillmore.

### FILLMORE HISTORY

The town of Fillmore in Ventura County, with a current population of more than 12,000, nestles up to the southern most slopes of Los Padres National Forest, just northeast of the confluence of Sespe Creek and the Santa Clara River. The Santa Clara Valley community is located about 60 miles northwest of the Los Angeles Basin, and twenty miles east of the Ventura coastal community. Though cattle and oil were important enterprises in early Fillmore, agriculture, especially citrus, continues to play an important role in the economy and landscape of the Santa Clara Valley. The short drive to Fillmore from nearby suburban sprawl is a rapid travel back in time to a representative southern California rural settlement at the turn of the century, with tawny hillsides, rolling citrus groves, and grassy flood plains as backdrop.

*The late 1800's were a busy time in Southern California. The railroad arrived, real estate sales were booming and a pioneering spirit permeated the air. Every little village as well as many larger settlements, liked to think of being the best place to live, raise a family and prosper. Our little Santa Clara Valley, which was sheep and cattle country, was no exception.*

*R. G. Surdam and Thomas Bard were developing Bardsdale, south of the Santa Clara River; Sespe area, west of the Sespe Creek, was being promoted; and a place called Cienega, east of the current fish hatchery, had a store, stagecoach stop, post office and school. When the Southern Pacific railroad came through our valley in 1886-87, company representatives wanted to promote the Cienega area for a townsite. the landowner would not sell any of his property so they went west to an area far enough from the Santa Clara River and Sespe creek to be safe from floods. The Sespe Land and Water company joined the Southern pacific Company in promoting Fillmore, named after Jerome A. Fillmore, the Southern Pacific General Superintendent.*

*Train excursions, barbecues and advertising in the Los Angeles Times were all part of the activities to lure people to our valley.*

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<sup>2</sup>"Opening Night of New Theater," Fillmore Herald, Oct 6, 1916, p. 1 .

*On August 1, 1888, a street map of the town of Fillmore as recorded in the Ventura County court House at the request of Francis Bates, secretary of the Sespe Land and Water Company.*

*As Bardsdale, Sespe and Cienega became just names on a map, Fillmore continued to grow and prosper. By 1900, according to the Rand McNally Atlas, Fillmore had a population of 150.*

*Main Street was the "main" street, in our beginning, with a rooming house, general store, pool hall, fruit stand, barbershop, saloon and a lumber yard among the first businesses. In 1903, a big fire destroyed several of the Main Street businesses, some of which were rebuilt.*

*In 1907, electric lights were strung across the street from Stephen's store on the northwest corner of Central Avenue and Main Street to the Marmonson & Rood store on the northeast corner. In 1911, street lights were installed. A building spree on Central Avenue took place in 1910.*

*In 1914, Fillmore was incorporated as the city of Fillmore in Ventura County. In 1917, the streets were paved. On January 13, 1935, the last passenger train stopped here, ending a colorful era.<sup>3</sup>*

The Fillmore Towne Theatre served as an assembly space for many community functions. In addition to providing professional Vaudeville entertainment (newspaper advertisements headlined Mary Pickford) and moving pictures, theatres augmented churches and schools as a place for many types of meetings and presentations. High school pep rallies and fashion shows were held in the theatre. Wheel of fortune games and country store night (grocery giveaways) entertained and treated the citizens of Fillmore. Thus the Fillmore Towne Theatre served as one of the focusses of community life, an integral part of social life in Fillmore for many decades.

## THEATRE HISTORY

While not the earliest among surviving movie theatres, the Fillmore Towne Theatre is among the oldest extant continuously operating facilities. The building is a rare surviving example of a small town vaudeville house which was also built for the purpose of showing moving pictures. In the context of theatre history, movies were not big business until the 1920's, though the first feature-length film appeared in 1903.<sup>4</sup> Long before the movie palaces of the 1920's were developed as new genre of public buildings, arcades, storefront theatres and nickelodeons were serving up the still curious moving picture technology to the public. The Towne is a representative small town vaudeville and moving picture theatre of the 1910's, when stage performances were yet to be supplanted entirely by movies. The development of movie theatres, as represented by the Towne, parallels the decline of live performances as full length features became more popular; the advent of talking pictures in 1927 sealed the fate of vaudeville.

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<sup>3</sup>Dorothy Haase, "History of Fillmore," Fillmore 1888-1988 (Fillmore, CA, Fillmore Historical Society, 1989), pp. 1-2.

<sup>4</sup>David Naylor, American Picture Palaces. The Architecture of Fantasy (New York, Prentice Hall Press, 1981), p. 13.

*Motion pictures began to be shown commercially at the turn of the century, as part of other established forms of popular entertainment, such as the penny arcade and vaudeville theatre, which had evolved their own built forms and traditions. The earliest movies were "shorts," lasting only a few minutes and cast with a few stock actors portraying a single scene or event. Gradually, shorts became popular by themselves and began to be shown in a new milieu, away from the penny arcade and vaudeville. The first movie theatres were established in existing buildings--either converted retail shops or vaudeville theatres--which were adapted for film projection. As the medium became more popular, buildings were designed exclusively for the special needs of motion picture exhibition. Stylistically, these designs evolved from incidental or accidental beginnings.*

*The appearance of feature-length films, which told an artistically edited story, coincided with the development of "feature" motion picture theatres--the "moving picture theatre" and early palaces that celebrated the theatre form through conscious design and architectural distinction. Movies in the 1910s and 1920s were silent adventures and romances, seldom very realistic and often set in an imaginary, exotic locale.<sup>5</sup>*

## DESIGNING AND BUILDING THE BARNES THEATRE

Merton Barnes, a prominent citizen of Fillmore is credited with the design of the new facility, modeled after a new theatre in San Fernando.<sup>6</sup> Barnes had performed in "cross country stock" before moving to Ventura County, and managed the older Empire Theatre, where he staged local productions such as the Mikado and numerous minstrel shows.<sup>7</sup>

*Judge Merton Barnes acquired his judicial title from his sixteen years as Fillmore's Justice of the Peace. In this capacity, he was, in 1924, elected Vice-President of the Magistrate and Constable Association of California. He moved his family from Ventura to Fillmore in 1911, opening the Empire theatre for motion pictures and traveling Vaudeville. Later, across the street, the Barnes theatre was opened in the Leon Hammond building which had been built to Mr. Barnes' specifications. Each theatre had been "staging-houses" for local talent. His community activities were his deepest pleasure--and concern. He served as President of the Rotary club, and of the Chamber of Commerce, acting also as Toast-Master for each, and at many civic affairs. In 1921, the Ventura elks Lodge #1430 was organized, a number of Fillmore and Bardsdale men becoming Charter Members, some holding elective offices. Judge Barnes was one of these. he was chosen as one of the Lodge's three Trustees. "Fortune Favored Fillmore" was his winning entry of the town's Slogan contest. Earlier, in Ventura, he had coined the*

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<sup>5</sup>Maggie Valentine, The show Starts on the Sidewalk: An Architectural History of the Movie Theatre, Starring S. Charles Lee (New Haven, CT, Yale University Press, 1994), pp. 5-6.

<sup>6</sup>"Work to Start on Modern Theater," Fillmore Herald, July 28, 1916, p. 1.

<sup>7</sup>Barbara Barnes Jones, daughter of Merton Barnes, Letter to Edith Moore Jarratt, undated, Fillmore Historical Museum.

*still-used advertising slogan "Cash and Carry." During World War I, he was head of the Fillmore Chapter of the American Red Cross.<sup>8</sup>*

Leon B. Hammond, a successful real estate investor, developed several buildings on the east side of Central Avenue in addition to providing a new showplace for Merton Barnes. County of Ventura records show that Hammond and his successors traded in many properties in Fillmore. Hammond, an English army surgeon, moved to Fillmore with his wife, Trinidad, and reared three children, after adventures in Brazil, Mexico and New Orleans. The Hammonds lived in a frame house on the site of the theatre, which they are reported to have moved to a lot across the alley to east of the theatre lot. Mr. Hammond sadly lost much of his commercial property after being taken advantage of by a Los Angeles attorney.<sup>9</sup>

Mrs. W. E. Cooney, a graduate of the Art Institute of Chicago selected cream white and soft green for the lobby and theatre interiors.<sup>10</sup>

#### THE BARNES THEATER, 1916-1926

The Ventura Free Press reported that the new Barnes Theater was "easily the finest of the kind in the county of in this end of the state."<sup>11</sup>

The historic photographs in Appendix A illustrate the brick facade of 1916. The most prominent feature of the building was a deep open lobby with a barrel vaulted ceiling opening to the street. The simple vernacular building front was decorated and its elements articulated simply by the use of brick veneer patterns and two colors of brick and mortar. Stacked bond and rowlock courses gave visual strength to the piers flanking the lobby. A soldier course stands in a lintel at each of the two wide storefront openings. A rowlock arch, soldier course, and projecting header course combine to create a classical profile at the central arch. An elongated framed basketweave pattern is used to create a panel which relieves the flat expanse of running bond above each storefront. The parapet steps up over the arch, and the top two courses project to form a cornice.

Marble veneer in large panels finishes the bulkheads under the storefront windows, and is used as a skirt at the piers which flank the lobby opening; the luxurious finish prompted the Herald to announce that "Nothing is too

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<sup>8</sup>Dorothy Haase, Untitled Monograph, Undated, Fillmore Historical Museum.

<sup>9</sup>Harry Thayer, grandson of Leon B. Hammond, Interviewed by Peyton Hall, Dec 6, 1994.

<sup>10</sup>Barbara Barnes Jones, Interviewed by Dorothy Haase, transcript, Undated, Fillmore Historical Museum.  
"Scenery Purchased for New Theater/Local Lady Arranging Color Scheme for Entrance Lobby and Interior,"  
Fillmore Herald, p. 1.

<sup>11</sup>Ventura Free Press, Oct 3, 1916, quoted in unpublished monograph by Dorothy Haase, Fillmore Historical Society.

good for Fillmore."<sup>12</sup> Fixed reeded glass transom in divided light metal frames with pivoting vent sash extend the length of each storefront opening. A simple flat marquee signboard spans the opening at the springline with simple decoration; apparently only surface illumination was used, as evidenced by a single gooseneck lamp.

The covered exterior lobby is deeper than the existing recessed foyer. Wall and vault are finished in plaster which may have been decoratively painted. Ceramic bases with colored lamps line the arch and frieze line of the side walls. Three poster frames are hung on each side wall from a continuous picture rail. A large hanging poster is barely visible at the rear lobby wall, corresponding to the following account.

*One accident resulted when a frame used for exhibiting posters in the lobby fell. The upper part was suspended with a rope in the (projection) booth.<sup>13</sup>*

There little written and no photographic documentation, combined with field observation, allows a broad, but not detailed reconstruction of an image of the interior of the theatre between the front doors and the auditorium itself. The deep outer lobby space left a wide but shallow foyer inside the front doors. The rear seats and top of aisles at the rear of the auditorium were separated from the foyer at the floor level by draw curtains.<sup>14</sup> The balcony and balcony stairs were added later, as was the stairway to the second floor. The upper level finished space consisted only of the existing projecting booth, though there is one reference to a manager's office reached by a ladder.<sup>15</sup>

The auditorium was designed with a steep floor rake of two inches to the foot to insure good audience sight lines to the stage. The original aisles were more closely spaced towards the center of the room than the existing layout. The original floor (which still exists under the later raised floor) stepped down to an orchestra pit which extended under the stage apron and opened to the basement by a door. An electric organ was added to the pit for musical accompaniment provided by local artists. The original seats had stained wood backs; some were veneered, some had leather seats only, some had leather seats and backs, and the rear row "loge" seats were premium sized with leather upholstery.

The side walls and ceiling of the auditorium have changed little in shape and detail. However, the original finishes were much finer than today's flat paint and tattered drapes. Opening night accounts refer to unfinished "mural decorations."<sup>16</sup> Initial historic color investigation shows that the auditorium walls were finished in several different colors. A dark tan punctuated the wainscot area below the wood trim. The wood trims were

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<sup>12</sup>"Building Beautiful As Well As Substantial," Fillmore Herald, Aug 11, 1916, p. 1

<sup>13</sup>"Big Fire Loss at Barnes' Theater," Fillmore Herald, September 24, 1920, p. 1.

<sup>14</sup>"Inventory/Fillmore Theatre Ltd., signed by M.P. Horwitz, Nov 1, 1934, Edwards Cinema Circuit Collection, B'hend & Kaufmann Archives.

<sup>15</sup>Invoice from Robert E. Power Studios to Jas. Edwards Theatre Circuit for "Painting & Decorating at Fillmore Theatre, Edwards Cinema Circuit Collection, B'hend & Kaufmann Archives.

<sup>16</sup>"Opening Night of New Theater," Fillmore Herald, Oct 6, 1916, p. 1.

originally stained in walnut. The plaster walls above the wood trim were decorated in a architectural (simulated) stone finish. The painted texture was a wiped finish. The pilasters were finished with same false stone finish but in a slightly darker hue.

Each wall between the pilasters contained a painted decorative panel. The findings indicate that a Trompe-l'oeil painting technique was used (in stone tones) to represent bas-relief artwork. A decorative line of diamond-shaped stencil art runs the entire length of the north and south walls. This embellishment was painted with a vivid red purple paint.

The stage and loft of the theatre have changed very little except for the widening of the proscenium, addition of an exit ramp, and use of stage space for air handling equipment. The integrity of the wood-framed stage tower, fly loft, grid, and fly gallery and pin rail has been maintained through lack of alteration and use since the 1920's. However, the Barnes Theatre was well prepared for presentations on opening night.

*Manager Merton Barnes of the Empire Theater has purchased from the Flag Scenic Co., of San Francisco, over a thousand dollars worth of scenery for the new theater which he expects to open October 1st. Following is a list of the scenery included in the order, which is probably the largest individual order for scenery ever sold in Ventura county: One fancy drop curtain, two tormentors or wings, one garden set, one Olio drop, one street scene, four wood wings, a 9-piece interior parlor set, together with a grand drapery border and sky borders."<sup>17</sup>*

The basement under the stage was originally reached by a door from the orchestra pit; the stage right stairway is an alteration. Dressing rooms, a hot air furnace, and independent lighting plant were provided.

## THE 1920 FIRE

A projector booth fire on September 21, 1920 caused no damage outside of the room. Merton Barnes purchased two new Powers 6B projectors to replace the damaged equipment. Metal lining in the projection booth partitions was credited with containing the fire.<sup>18</sup>

## THE STEARNS THEATER, 1926-1931

Mr. and Mrs. Henry C. Stearns bought the theater business from Barnes in 1926. Historic photographs from the 1920's show the addition of a blade marquee projecting over the sidewalk, reading "Stearns Theatre." The two-sided sign was attached to the building at the transom window level just north of the lobby entrance.

In August 1928, Stearns repainted, changing the side wall panels of the auditorium to an unspecified new finish.

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<sup>17</sup>"Scenery Purchased For New Theater," Fillmore Herald, \_\_\_\_\_, 1916, p. 1.

<sup>18</sup>"Big Fire Loss At Barnes Theater," Fillmore Herald, Sep 24, 1920, p. 1.

At this time an evaporative cooling system was added.

The Stearns' major alteration to the building was the replacement in 1928 of earlier marquees with the currently existing square metal awning which covers the main entrance and forms an awning over the sidewalk. In this manner the theatre parallels the development of the movie house genre; the illuminated neon marquees of the movie palaces evolved during the 1920's to replace the sober signage of traditional theatre buildings. In the oft-quoted words of movie palace architect S. Charles Lee, "the show starts on the sidewalk."

The Fillmore Herald reported in 1930 that "a number of comfortable lounge seats had been built in the balcony." This is the only documentation available other than field observation of construction materials and techniques to conclude that the balcony was added in 1930.

Western Electric sound equipment for "talking pictures" was purchased late in 1930. This was probably the first sound system in the facility, since sound was introduced in 1927, and much larger theatres in metropolitan Los Angeles were just installing sound equipment as late as 1929.

#### THE FILLMORE THEATER: Scheinberg and Horwitz, 1931-1937

The Stearns leased the theatre in 1931, for a period of 10 years to Nate Scheinberg and Paul Horwitz of Van Nuys, CA (Fillmore Theatre Ltd.). The operation was closed for "extensive alterations and improvements in the interior" costing \$350.<sup>19</sup> Alterations included raising the floor near the stage (the existing floor, which is framed up from the original floor, over the orchestra pit), increased seating capacity and new loge style cushioned seats, a better exit at the rear of the building (the ramp on the south side of the stage leading to the alley), a motor drive for the traveller curtain, new drapes and carpets, and painting of the walls to give a softer appearance. The new rear exit ramp undoubtedly replaced the now closed exit which opened through the south side wall to the rear of the adjacent building.

There is no explicit documentation to date the addition of the existing women's lounge and manager's office in the space west of the projection booth originally occupied by the lobby barrel vault. However, circumstantial evidence will be presented later indicating that this addition was not part of the 1931 remodel.

The 1931 redecorating was directed by Nate Smithe of West Coast Theatres.<sup>20</sup> The West Coast Theatres house style was colorful and florid, leading to undocumented speculation that the remnants of decorative painting on the ceiling of the existing lobby may have been a part of this work.

The freestanding box office/ticket kiosk in the outer lobby appears in a photograph dated c. 1940; however, no additional documentation of its provenance has been found

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<sup>19</sup>"Stearns Theatre Leased for A Ten Year Period," Fillmore Herald, Oct 9, 1931, p. 1.

<sup>20</sup>"New Fillmore Theatre Will Open Tonight," Fillmore Herald, Oct 16, 1931, p. 1.

An inventory of the theatre dated Nov 1, 1934 and signed by M. P. Horwitz includes the following items:

<u>Balcony:</u>	75	cut velour loge chairs
<u>Auditorium</u>	44	veneered chairs (sides)
	154	leather seated chairs
	182	leather seated and leather backed chairs
	50	leather loge chairs
	1	pictorial tapestry
	1	flower design tapestry covering back night table
	8	tapestry 12' x 12'
	10	ceiling electric light bowls
	6	Pylaster (sic) electric brackets with parchment shades
<u>Stage</u>	11	sets lines and blocks
	1	Dayton sound screen 20 x 16
	1	13 x 16 beam screen
	1	DeKolb upright piano
	1 ea	Motor driven curtain sloat, title curtain, valance, monks cloth full cyclorama
<u>Office</u>	1	9' x 12' rug
<u>Booth</u>	1	Powers 6-B
	1	RCA talking picture equipment
<u>Foyer</u>	4	one sheet frames
	4	pr. velvet pull curtains
	1	half round table
	1	27 1/2" x 13" mirror
	2	ceiling fixtures
	4	draw curtains in back of loges

#### THE FILLMORE THEATER: James Edwards, 1937-1939

In 1937 Scheinberg and Horwitz (Fillmore Theatres, Ltd.) assigned their lease for a period of ten years from 1934 to 1944, to James Edwards (Fillmore Amusement Company), with the approval of the building owner, the Fillmore Improvement Company. George Tighe, a prominent Fillmore citizen and businessman signed documents as President of the Fillmore Improvement Company. Edwards developed the now prominent Edwards Cinema Circuit which now operates numerous cinemas in Southern California.

Edwards promptly engaged Robert E. Powers Studios, a prominent theatrical decorative arts painter with studios

in San Francisco and Los Angeles, for "Painting & Decorating" all of the interiors.<sup>21</sup>

## THE 1939 FIRE

Inventories, invoices and letters in James Edwards's records document that a fire in January 1939 or shortly before, led to removal and replacement of substantially all fixtures, furnishings and equipment in the building. Seats were refurbished rather than being replaced. There is no documentation available to date to explain how the fire started and what type of damage was suffered. Carbon was found on the wood trim at the base of a pilaster on the side wall of the auditorium, indicating that the damage was extensive.

Additional building alterations were undertaken in the winter of 1939. The State Fire Inspector required an additional exit in the rear, which is the existing ramp on the north side of the stage leading to the rear alley. Edwards requested the lessor to relocate the heater fan to the basement and omit a new furnace and cooling system in lieu of spending available funds for a new V-shaped marquee; it is observed on the site that Edwards received a new mechanical system and not a new marquee.

A letter from the landlord to Edwards at this time requested that Edwards bring his architect to the site for suggestions as to how to locate the dressing room off the balcony.<sup>22</sup> The evidence of alterations in this area suggests that the addition of the women's toilet and manager's office on the second level, and the stair leading to them, was completed in 1939. As late as 1937, the Power Studios painting invoice refers to a ladder leading to the Manager's office.

## THE FILLMORE THEATER: Lloyd Beard, 1939-1953

Lloyd Beard signed an agreement to purchase James Edward's lease on August 2, 1939; however, there is subsequent correspondence between Edwards and Minnie Minor at the Burbank Theatre concerning interest payments due on a note.

A building permit was issued in 1945 for \$6,500 for substantial structural and partition work. R. Wilson and George Dippel were listed as architect and contractor, respectively. The work included metal studs, 8" "I" beams, and a built up roof with slate surface. There is no existing condition which fits this description.

Another permit was issued in 1952 for alterations valued at \$700 to a retail space, for David Wright, Jr. by contractor L. V. Askren. This description corresponds to a men's clothing store formerly located in the southerly store space.<sup>23</sup>

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<sup>21</sup>Invoice from Robert E. Power Studios to Jas. Edwards Theatre Circuit, May 24, 1937, Edwards Cinema Circuit Collection, B'hend & Kaufmann Archives.

<sup>22</sup>Letter from Fillmore Investment Company, Geo. W. Tighe, President, to James Edwards Jr., Jan 25, 1939, Edwards Cinema Circuit Collection, B'hend & Kaufmann Archives.

<sup>23</sup>Pat Askren, interviewed by Peyton Hall (Fillmore Towne Theater, Fillmore, CA), Dec. 8, 1994.

A building permit was issued in March 1954 for "entrance lobby change - doors etc., to Lloyd Beard and his contractor, Robert Johnson. In June 1954 the theatre advertised a "new wide screen," which accounts for the removal of approximately 16" of brick on each side of the proscenium opening; the existing condition reveals a crudely broken masonry pier trimmed poorly.

**THE FILLMORE THEATER:** Gordon West, 1953-1955; Harry Ulsh, 1955-

Newspaper accounts report that Mr. & Mrs. Harry Ulsh took over from Gordon West as the owner and operator of the theatre in 1955. Residents recall that Mr. and Mrs. E. W. Zane operated the theatre in the 1950's and 1960's.

**THE FILLMORE TOWNE THEATER:** Dale F. and Marilyn J. Larson, 1971-1994

The theatre was transferred to the ownership of the Larsons in May, 1971 by Diana Hooper; Edith Beard, widow of Lloyd Beard, held a deed of trust at that time.

Larson painted, reupholstered seats, recarpeted, and replaced the drapery and projection screen, as well as removing a "fake front" at the entrance and installing new dado finish and trim at the entrance area. The acoustical material on the auditorium walls was added by a lessee, Harold Graves, some time after 1971.<sup>24</sup>

Field observation indicates that the wall, floor and ceiling finishes and concession stand and equipment in the lobby area can also be dated to this period.

The existing marquee was restored in 1989 at a cost of more than \$13,000 utilizing in part grants administered by the City of Fillmore for street front improvements.

The Larson's transferred the property to Keith D. and Susan C. Banks in 1990, who transferred it back to seller in 1992 in lieu of foreclosure.

## REPAIR AND RESTORATION

The Fillmore Towne Theater was seriously damaged by the Northridge Earthquake on January 17, 1994. Portions of the unreinforced brick walls and parapets cracked, leaned and fell, causing City officials to quickly close the building. The desire to prevent demolition of this architecturally and culturally significant historic resource led to prompt action on the part of the citizens of Fillmore and government at the local and state level.

The Fillmore Redevelopment Agency purchased the property from Mr. & Mrs. Dale Larson on April 21, 1994.

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<sup>24</sup>Dale Larson, interviewed by Peyton Hall (Telephone), December 9, 1994.

## RECOMMENDATIONS FOR ADDITIONAL RESEARCH

Though the "principal players" have been cast by use of secondary sources, the research of County records to establish the succession of ownership of the property should be completed. Likewise, the chain of lessees, operators and managers who were not owners of the property is not complete. The latter information may be clarified by a search of recorded documents; however, local sources are also likely to provide recollections. Contact with individuals who worked in the theater and their families may lead to useful information and documentation.

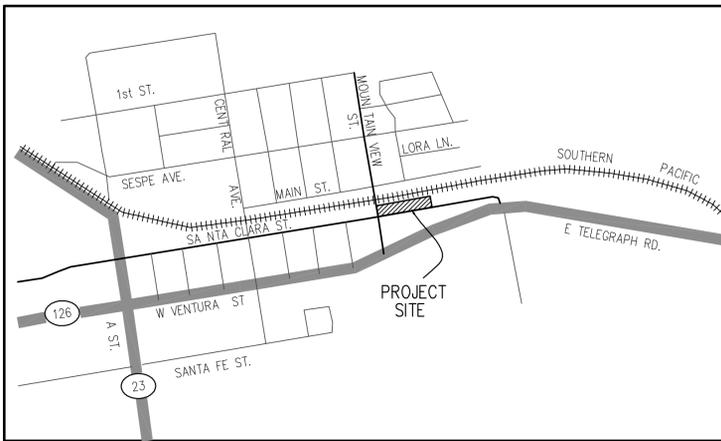
Several historic photographs advertise the titles of movies on their marquees. These photographs can possibly be dated more precisely by determination of the release date of those films, and reading the Fillmore Herald following that date to check for advertising of those titles.

Extensive field investigation would be required to document, in sufficient detail for restoration, the painted trompe-l'oeil bas-relief panels on the auditorium side walls.

The project schedule limits the period available for research. However, John Ash Group welcomes any comments or additional information concerning the history of the Fillmore Towne Theater for use during the course of this project. We encourage the contribution of any information, documentation or ephemera related to the building to the Fillmore Historical Museum.

## Exhibit I – Tentative Parcel Map (Site No. 11)

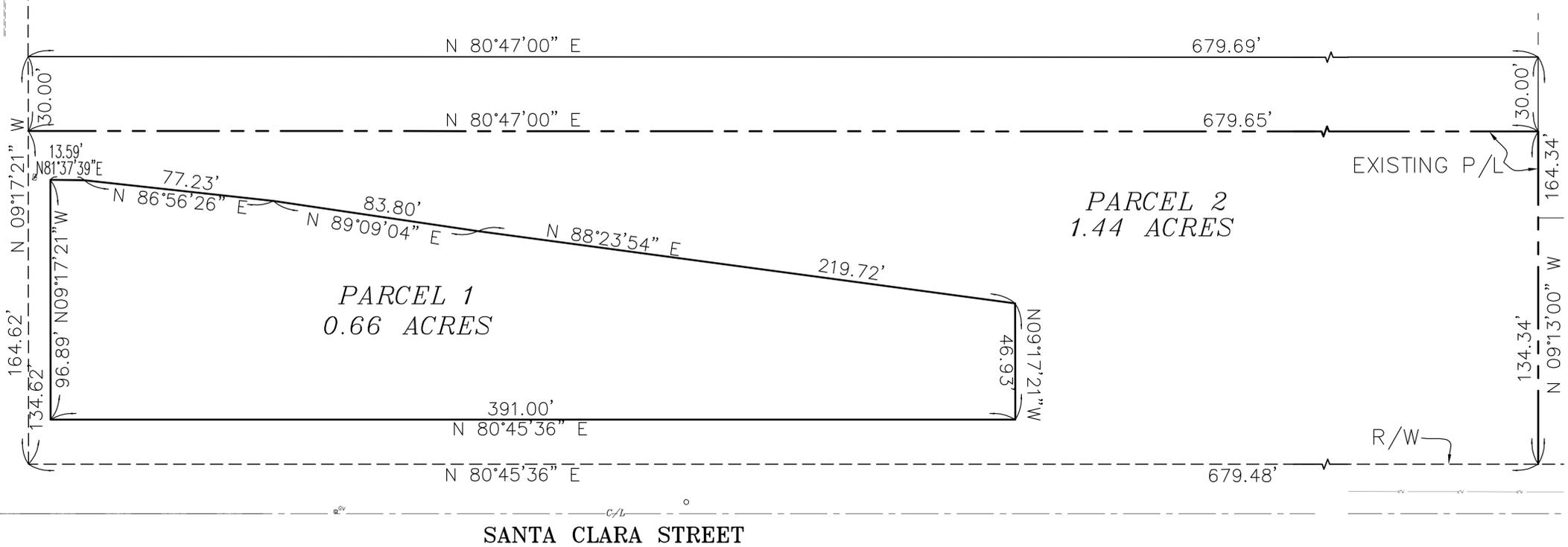
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VICINITY MAP  
N.T.S.



MOUNTAIN VIEW STREET



<u>Applicant</u> ZAHID SHAH 502 VENTURA STREET FILLMORE, CA 93015 (805) 207-3957	<u>Current Owner</u> CITY OF FILLMORE 250 CENTRAL AVENUE FILLMORE, CA 93015 (805) 524-3701	<u>Prepared By</u>  Engineering Planning Surveying	143 Triunfo Canyon Road, Suite 100 Westlake Village, CA 91361 Phone: 805/496-1928, 818/889-8641 REGISTERED ENGINEER NO. 42388 DATE E. J. KIM P.E. EXP. 3/31/08	<b>PARCEL MAP</b> <b>SPA 05-01</b> 1 OF 1 SHEETS
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# Exhibit J – Senior Center Expansion Resolution

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## JOINT RESOLUTION NO. 1

### **A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FILLMORE AND THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE CITY OF FILLMORE REDEVELOPMENT AGENCY CONFIRMING THE CITY'S INTENTION TO CONTINUE UTILIZING AGENCY-OWNED PROPERTY LOCATED AT 533 SANTA CLARA AVENUE AS A SENIOR CENTER AND TO DEVELOP VACANT AGENCY-OWNED PROPERTY LOCATED AT 525 SANTA CLARA AVENUE FOR USE BY SENIORS**

WHEREAS, on December 30, 1986, the Fillmore Redevelopment Agency acquired two parcels located at 525 and 533 Santa Clara Street in order to establish a senior center and for its future expansion, as identified in 1986 as an Agency goal to assist with revitalization of the downtown through eliminating blighting influences and improving the overall appearance of vacant, undeveloped, or underutilized property; and

WHEREAS, State legislation dissolved redevelopment agencies in California, including the Fillmore Redevelopment Agency, effective February 1, 2012; and also required the preparation of a Long-Range Property Management Plan that addresses the disposition and use of the real properties of the Fillmore Redevelopment Agency; and

WHEREAS, on October 22, 2013 the Successor Agency to the City of Fillmore Redevelopment Agency adopted Resolution No. 13-3398 approving the required Long-Range Property Management Plan; and;

WHEREAS, Subsequent to review of the Long-Range Property Management Plan, the California Department of Finance requested that the Fillmore City Council and the Successor Agency to the Fillmore Redevelopment Agency adopt a joint resolution that confirms the City's intention to maintain the current senior center property as a senior center and also their intention to develop the small agency-owned vacant parcel adjacent to the senior center for use by seniors.

NOW, THEREFORE, THE FILLMORE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE FILLMORE REDEVELOPMENT AGENCY DO HEREBY RESOLVE AS FOLLOWS:

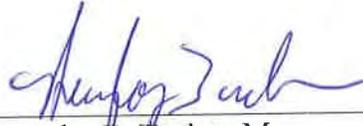
SECTION 1. The foregoing recitals are true and correct and incorporated herein.

SECTION 2. It is the intention of the Fillmore City Council and the Board of Directors of the Successor Agency to the Fillmore Redevelopment Agency to continue to operate property located at 533 Santa Clara Street in the City of Fillmore as a senior center and to provide a variety of programs and activities for seniors at that location.

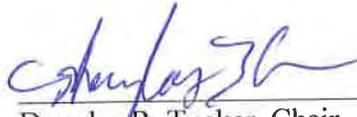
SECTION 3. It is the intention of the Fillmore City Council and the Board of Directors of the Successor Agency to the Fillmore Redevelopment Agency to develop vacant property at 525 Santa Clara Street, located adjacent to the Fillmore Senior Center, as an outdoor patio area to support Senior Center programs and activities.

SECTION 4. This Joint Resolution shall take effect immediately.

PASSED, APPROVED AND ADOPTED this 28th day of April, 2015.

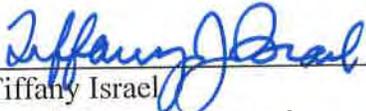


\_\_\_\_\_  
Douglas R. Tucker, Mayor  
City of Fillmore, California



\_\_\_\_\_  
Douglas R. Tucker, Chair  
Board of Directors of the Successor Agency  
to the Fillmore Redevelopment Agency

**APPROVED AS TO FORM:**



\_\_\_\_\_  
Tiffany Israel  
City Attorney/Agency Counsel

**ATTEST:**



\_\_\_\_\_  
Nancy Blendermann-Meyer  
City Clerk/Agency Secretary

# SENIOR CENTER AERIAL PHOTOGRAPH



Senior Center Building

Vacant Lot



**CITY OF FILLMORE**  
CENTRAL PARK PLAZA  
250 Central Avenue  
Fillmore, California 93015-1907  
(805) 524-3701 • FAX (805) 524-5707

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**TO:** City Council  
Board of Directors of the Successor Agency to the City of Fillmore  
Redevelopment Agency

**FROM:** Frank Catania, Financial Analyst

**DATE:** April 28, 2015

**RE:** **ADOPTION OF JOINT RESOLUTION NO. 1 REGARDING CONTINUED OPERATION OF THE SENIOR CENTER AND DEVELOPMENT OF THE ADJACENT VACANT LOT**

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### **REQUEST**

As part of its review of the Successor Agency's Long-Range Property Management Plan (LRPMP), the California Department of Finance (DOF) has requested that the City Council and Successor Agency Board adopt a joint resolution that confirms the City's intention to maintain the current senior center property as a senior center and also their intention to develop the small agency-owned vacant parcel adjacent to the senior center for use by seniors. Staff is requesting that the City Council/Agency Board adopt the attached joint resolution confirming such intentions.

### **DISCUSSION**

State legislation, court action, and subsequent legislation required dissolution of all redevelopment agencies in California effective February 1, 2012. The legislation also required the preparation of Long-Range Property Management Plans that address the disposition and use of the real properties of the former redevelopment agencies. On October 22, 2013 the Agency Board adopted Resolution No. 13-3398 approving the LRPMP and authorized its submission to the Oversight Board for the Successor Agency to the Redevelopment Agency of the City of Fillmore (Oversight Board). On October 23, 2013, the Oversight Board adopted Resolution No. OB 14-02 approving the LRPMP and authorizing its submission to the DOF. The LRPMP recommends that the City retain ownership of both the Senior Center property and the adjacent vacant parcel.

DOF staff has completed its review of the LRPMP and has requested minor revisions to the Plan. In addition, the DOF requested a City Council/Agency Board resolution stating that:

- The senior center building will continue to be used to provide services to seniors, and
- The vacant parcel to the east of the building will be developed for use by seniors.

The Senior Center building has been used to provide services to seniors since its purchase in 1986, and it is the City's intention to continue that use into the foreseeable future. While discussions at the staff level have taken place over the years regarding possible development of the 3,200 square feet

**Adoption of Joint Resolution Regarding Continued Operation of the Senior Center and Development of Adjacent Vacant Lot – April 28, 2015**

**Page 2**

vacant parcel immediately to the east of the building as a patio with tables and seating, neither the former redevelopment agency board of directors nor the City Council took a formal action in support of this proposal. The attached joint resolution will both confirm the City's intention to continue operation of the senior center and its intention to develop the vacant parcel. Should the resolution be adopted, staff will include a project to develop the vacant parcel in the City's Five-Year Capital Improvement Program that will be submitted to the City Council for approval along with the FY 2015-16 Annual Budget.

**FISCAL IMPACT**

Adoption of the joint resolution will commit the City to developing the vacant parcel as a patio with tables and seating. Staff will prepare an estimate of the cost for these improvements and include a project in the forthcoming Five-Year Capital Improvement Program.

**CITY COUNCIL GOAL**

Adoption of the resolution will comply with the City Council's goal of promoting and maximizing city facilities, services, and events.

**RECOMMENDATION**

It is recommended that the City Council/Agency Board adopt the attached Joint Resolution No. 1 confirming the City's intention to maintain the current senior center property as a senior center and to develop the small agency-owned vacant parcel adjacent to the senior center for use by seniors.

The following alternatives to the staff recommendation are available to the City Council:

1. Do not adopt the joint resolution, or
2. Provide other direction to staff.

Staff recommends approval of the staff recommendation.

**ATTACHMENTS**

- Joint Resolution No. 1
- Aerial Photograph of Senior Center property

**RESOLUTION NO.OB 14-02**

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

**WHEREAS**, the Redevelopment Agency of the City of Fillmore was dissolved February 1, 2012; and

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

**WHEREAS**, on April 26, 2013, the Successor Agency received its Finding of Completion (the "FOC") from the California Department of Finance (the "DOF") pursuant to HSC Section 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 of the Successor Agency to the Redevelopment Agency of the City of Fillmore, as follows:

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

**OVERSIGHT BOARD RESOLUTION NO. OB 14-**  
**Page 2 of 2**

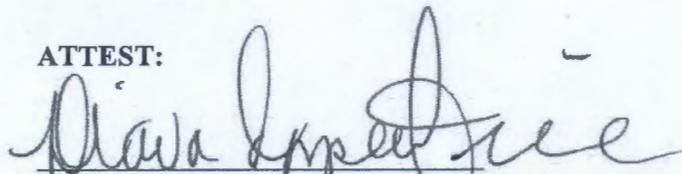
**Section 2.** The Long-Range Property Management Plan attached to this Resolution as Exhibit "A" is hereby approved.

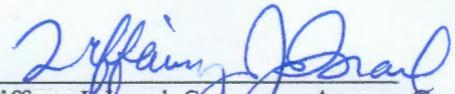
**Section 3.** This Resolution shall take effect upon the date of its adoption.

**PASSED, APPROVED, AND ADOPTED** by the Oversight Board at a special meeting held this 23<sup>rd</sup> day of October, 2013 by the following vote, to wit:

AYES: Bush, Neal, Godfrey, Walker  
NOES: Turner  
ABSENT: Keebler, Burgh  
ABSTAIN: NONE

  
\_\_\_\_\_  
Rick Neal, Chair  
Oversight Board

ATTEST:  
  
\_\_\_\_\_  
Diana Impeartrice, Oversight Board Deputy Secretary

**APPROVED AS TO FORM  
AND LEGAL CONTENT:**  
  
\_\_\_\_\_  
Tiffany J. Israel, Successor Agency Counsel  
Aleshire & Wynder, LLP

# 2013 LONG RANGE PROPERTY MANAGEMENT PLAN



*Prepared for the:*  
Successor Agency to the Fillmore  
Redevelopment Agency  
of the City of Fillmore  
250 Central Avenue  
Fillmore, CA 93015  
[www.fillmoreca.com](http://www.fillmoreca.com)

**October 2013**

*Prepared by:*  
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# **2013 LONG RANGE PROPERTY MANAGEMENT PLAN**

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

---

Rick Neal, *Mayor*

Manuel Minjares, *Mayor Pro Tem*

Diane McCall, *City Council Member*

Doug Tucker, *City Council Member*

Steve Conaway, *City Council Member*

## **CITY STAFF**

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David W. Rowlands, *City Manager*



# 2013 LONG RANGE PROPERTY MANAGEMENT PLAN

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## Table of Contents

I. Introduction .....	2
II. Summary of Successor Agency Properties .....	5
III. Property to be Retained for Governmental Use.....	6
IV. Property to be Sold .....	31
V. Property Inventory per HSC §4191.5(C)(1) .....	38
Exhibit A – Successor Agency/City Property Disposition Procedures.....	40
Exhibit B – Health & Safety Code.....	43
Exhibit C – DOF Finding Of Completion.....	46
Exhibit D – Resolution of the Oversight Board.....	47
Exhibit E – Resolution of the Successor Agency Board.....	51
Exhibit F – Assessor Parcel Maps .....	55
Exhibit G – Zoning Information .....	67
Exhibit H – Historic Theater (Site No. 4) .....	69
Exhibit I – Tentative Parcel Map (Site No. 10) .....	88

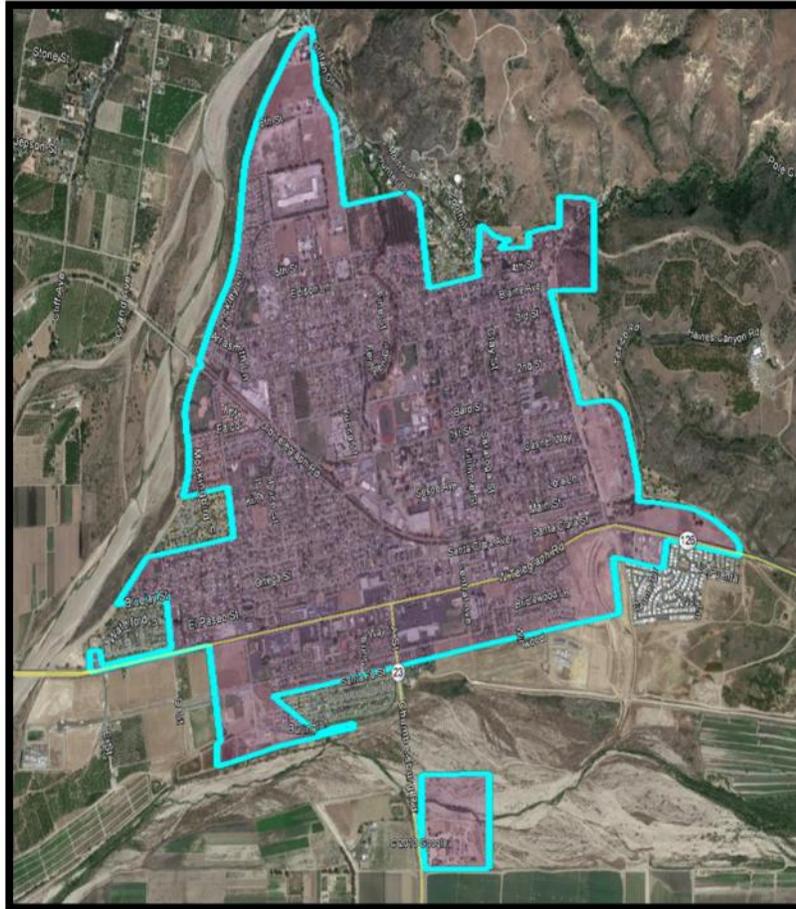


## I. Introduction

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The City of Fillmore (the “City”) incorporated on July 10, 1914, and encompasses 3.365 square miles. It is located in Ventura County in the Santa Clara River Valley, is bisected by State Highway 126, and is 22 miles northeast of the City of Ventura. The California Department of Finance (the “DOF”) reports the City’s population to be 15,175 as of January 1, 2013.

### *Former Redevelopment Agency*



The former Fillmore Redevelopment Agency of the City of Fillmore (the “Agency”) was organized in 1981, 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 the Original Central City Project Area (the “Project Area”) was adopted on November 24, 1981 and amended on July 20, 1998. Total acreage of the Project Area is 1,317.



The Redevelopment Plan is summarized as follows:

<b>Plan Chronology and Time Limits</b>		
	<b>Original Central City Project Area<sup>1</sup></b>	<b>Amendment No. 1<sup>2</sup></b>
<b>Plan Adoption</b>		
Date of Adoption	11/24/1981	7/20/1998
Ordinance Number	525	98-730
Number of Years Plan is Effective	40	30
Project Area Size (Acres)	997	320
<b>Time Limits</b>		
For Commencement of Eminent Domain		
For Incurring Debt	1/1/2014	7/20/2018
For Effectiveness of Plan	11/24/2024	7/20/2029
For Repayment of Indebtedness	11/24/2034	7/20/2044
<b>Financial Limits</b>		
Maximum Lifetime Tax Increment	\$140,000,000	No Limit
Maximum Bonded Debt	\$125,000,000	

<sup>1</sup> Dates for Plan Effectiveness and the Repayment of Debt extended two years pursuant to SB 1096 and one additional year pursuant to SB 1045 (Ordinance 08-810 adopted September 23, 2008)

<sup>2</sup> Dates for Plan Effectiveness and the Repayment of Debt extended one additional year pursuant to SB 1045 (Ordinance 08-810 adopted September 23, 2008)

### ***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 Fillmore (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 April 26, 2013 (Exhibit "C"). The LRPMP was approved by Resolution of the Successor Agency on October 22, 2013 (Exhibit "D") and by Resolution of the Oversight Board on October 23, 2013 (Exhibit "E").



## II. Summary of Successor Agency Properties

The Successor Agency has control of 19 parcels, all of which are located within the boundaries of the City of Fillmore and are subject to the provision of the Agency’s Central City Project Area Redevelopment Plan and its subsequent 1998 amendment, the Agency’s Five-Year Implementation Plan 2009/2010 through 2013/2014, and the City of Fillmore’s General Plan, Zoning Ordinance, and land use regulations.

The parcels have been divided into eleven (11) sites as summarized in the table below:

<i>Summary of Successor Agency Properties</i>						
<b>Site No.</b>	<b>Site Reference (x)<sup>1</sup></b>	<b>Address</b>	<b>Assessor Parcel No.<sup>2</sup></b>	<b>Zone<sup>3</sup></b>	<b>Lot Size (acres)</b>	<b>Permissible Use</b>
1	Southerly Portion of Shiells Park (1)	649 "C" St	046-0-030-375	RL	1.66	Governmental
2	Westerly Portion of Two Rivers Park (1)	300 "C" St	052-0-190-015	PF	11.68	Governmental
3	Historical Towne Theater Performing Arts and Educational Park (2)	351 Fillmore St 338 Central Ave	053-0-071-030 053-0-071-170	CBD	0.54	Governmental
4	Fillmore Historic Park (3)	Main St / Central Ave / Santa Clara St / Mountain View	053-0-075-050 053-0-075-090 Portion of 053-0-083-230	CBD	8.80	Governmental
5	Fire Station No. 91 / Public Works Yard (1)	Sespe Ave / "A" St	052-0-092-130	M-I	1.81	Governmental
6	Street Right-of-Way (1)	SW corner 1 <sup>st</sup> St / A St	052-0-092-140	M-I	0.004	Governmental
7	Old Telegraph Rd Bike Path (6)	Old Telegraph Rd	052-0-063-020 052-0-071-080 052-0-092-100 052-0-132-040 052-0-281-045 052-0-281-075	none	0.95	Governmental
8	Condominium Common Area (1)	464 Lemon Way	052-0-260-305	RM	1.03	Governmental
9	Fillmore Senior Center Property (2)	533 Santa Clara St 525 Santa Clara St	053-0-060-435 053-0-060-170	CBD	0.85	Governmental
10	Railroad Property (1)	Mountain View St / Santa Clara	Portion of 053-0-083-230	CBD	0.66	Sell
11	Vacant Lot West of Central Ave (1)	510 Santa Clara St	053-0-094-265	CBD	0.36	Sell

<sup>1</sup> (X) The number in parenthesis reflects the number of parcels that constitute the site.

<sup>2</sup> See Exhibit "F" for Assessor Parcel Maps

<sup>3</sup> See Exhibit "G" for zoning map

**CBD** – Central Business District

**M-I** – Manufacturing/Industrial

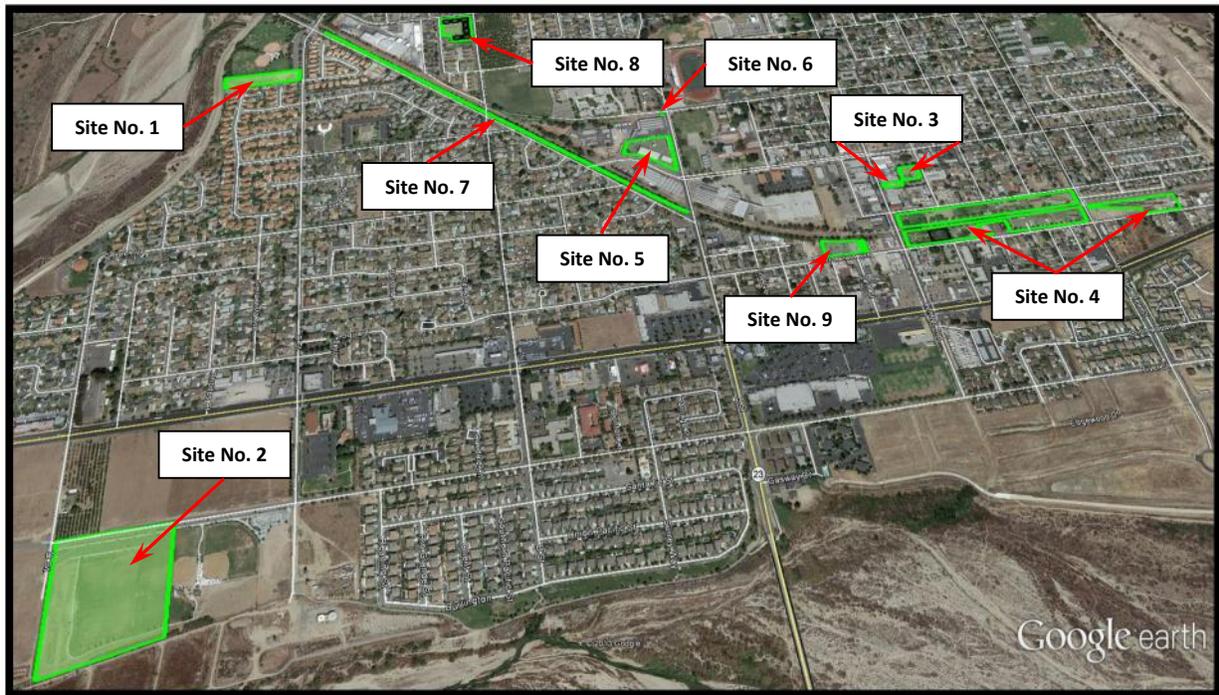
**PF** – Public Facilities

**RL** – Residential Low

**RM** – Residential Medium



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





**Site No. 1**  
**Southerly Portion of Shiells Park**  
649 “C” Street - APN 046-0-030-375



- A. **Permissible Use (HSC §34191.5(c)(2)):**  
Site No. 1 is the Southerly Portion of Shiells Park (the “Shiells Park Property”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC §34181(a).
- B. **Acquisition of Property (HSC §34191.5(c)(1)(A) & §34191.5(c)(1)(B)):**  
The Shiells Park Property was acquired by the Agency on November 4, 1986 for \$100,000 for the purposes of constructing a softball field, utility room, and grass area.
- There is no estimated current value (“ECV”) for the Shiells Park Property.
- C. **Site Information (HSC §34191.5(c)(1)(C)):**  
The Shiells Park Property consists of one (1) 1.66-acre parcel (APN 046-0-030-375) located at 649 “C” Street south of the intersection of “C” Street and Old Telegraph Road.



While the City General Plan and Zoning Ordinance has zoned the Shiells Park Property Residential Low (RL), the Park Property is a portion of an existing 9.75-acre park zoned Public Facility (PF). The PF designation allows for uses and activities that serve the residents of the City.

The inconsistent zoning designation will be changed to PF through the City's Zone Change procedures once the DOF approves the LRPMP.

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

There is no ECV for the Shiells 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 are no site revenues generated from the Shiells Park Property.

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

There is no known history of environmental contamination.

**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 Shiells Park Property.

The continued use of this property as a community park would advance the Successor Agency's and the City's planning objectives to (i) provide the citizens of the City and local organizations and groups with a place to conduct recreational activities; (ii) maintain open space and compatible land uses in order to reduce blight; (iii) sponsor the rehabilitation and development of community facilities as stated in the 2010-14 Five-Year Implementation Plan; and (iv) provide park and recreation facilities that satisfy the diverse recreational needs of all segments of the population.

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

There is no history of previous development proposals and/or activities.

**I. Sale of Property:**

The Shiells Park Property is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

**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 Shiells Park Property to the City of Fillmore by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 2**  
**Westerly Portion of Two Rivers Park**  
300 "C" Street - APN 052-0-190-015



- A. **Permissible Use (HSC §34191.5(c)(2)):**  
Site No. 2 is the Westerly Portion of Two Rivers Park (the "Two Rivers Park Property") and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC §34181(a).
- B. **Acquisition of Property (HSC §34191.5(c)(1)(A) & §34191.5(c)(1)(B)):**  
The Two Rivers Park Property was acquired on April 5, 2002 for the purposes of expanding recreational opportunities for the community. The acquisition records cannot be located at this time. Staff continues to search for this information.

There is no estimated current value ("ECV") for the Two Rivers Park Property.



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

The Two Rivers Park Property consists of one (1) 11.68-acre parcel (APN 052-0-191-015) that is the westerly portion of the 21.5-acre Two Rivers Park. The Two Rivers Park Property is located at the southeast corner of River Street and “D” Street.

The City’s General Plan and Zoning Ordinance designate the Two Rivers Park Property as Public Facility (PF). The PF designation allows for uses and activities that serve the residents of the City.

The entire Park site is watered from a drip irrigation system from the City’s Water Recycling Plant.

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

There is no ECV for the Two Rivers 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. The City operates and maintains the Two Rivers Park.

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

There are no site revenues generated from the Two Rivers Park. The City operates and maintains the Two Rivers Park.

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

There is no known history of environmental contamination.

**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 Two Rivers Park Property.

The continued use of this property as a community park would advance the Successor Agency’s and the City’s planning objectives to (i) provide the citizens of the City and local organizations and groups with a place to conduct recreational activities; (ii) maintain open space and compatible land uses in order to reduce blight; (iii) sponsor the rehabilitation and development of community facilities as stated in the 2010-14 Five-Year Implementation Plan; and (iv) provide park and recreation facilities that satisfy the diverse recreational needs of all segments of the population.

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

There is no history of previous development proposals and/or activities.

**I. Sale of Property:**

The Two Rivers Park Property is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

**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 Two Rivers Park Property to the City of Fillmore by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 3**  
**Historical Town Theater Performing Arts**  
**& Educational Park**

351 Fillmore Street - APN 053-0-071-030  
338 Central Avenue - APN 053-0-071-170



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

Site No. 3 is the Historical Town Theater Performing Arts and Educational Park (the “Performing Arts Park”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC §34181(a).

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

The Performing Arts Park was acquired by the Agency on April 21, 1994 for \$75,000 in order to maintain the historic theater building, establish a venue for the arts to enhance the cultural desires of the community, and to revitalize the downtown area. Although on a different scale, the Performing Arts Park is analogous to the Wolf Trap National Park for the Performing Arts ([www.wolftrap.org](http://www.wolftrap.org)) located in Vienna, Virginia, just south of Washington D.C., in that Fillmore’s



Performing Arts Park also serves a valuable role in serving the local area performing arts needs of the community. The Performing Arts Park offers a wide range artistic and education programs to enhance the cultural life of all citizens of the City and allows the arts to remain accessible to whomever lives and visits the City.

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

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

The Performing Arts Park consists of two (2) parcels totaling 0.54 acres (APN 053-0-071-030 and 053-0-071-170) and located at 351 Fillmore Street and 338 Central Avenue, respectively. The Performing Arts Park is zoned Central Business District (CBD) within the City’s General Plan and Zoning Ordinance, is located within the Downtown Specific Plan’s Core Area and includes an historic theater and parking.

The General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

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

There is no ECV for the Performing Arts Park. However, considering the existing use of the property as a community-based performing arts venue, the property brings with it on-going maintenance and operating costs that over time have been greater than the revenue generated by the facility, thus resulting in a negative cash flow that if considered in an appraisal wherein an income-based value was measured, the facility is likely to have a negative value. The City operates and maintains the Performing Arts Park.

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

The Performing Arts Park generates \$4,980 in annual revenues from two leases: Scented Path and SML Clothing. Notwithstanding these revenues, the Park operates at a loss. While the City continues to operate and maintain the Park, the City is currently owed almost \$400,000 from the Agency in operating and maintenance costs.

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

There is no known history of environmental contamination.

**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 Performing Arts Park.

The continued use of this property as a park advances the Successor Agency’s and the City’s planning objectives to maintain this historic building as an active cultural and educational theater within the downtown in order to: (i) maintain the CBD Core Area as a viable downtown destination for the community; (ii) avoid physical and economic blighting conditions that would occur if the Performing Arts Park were to close; (iii) intensify development of properties surrounding Central Park; and (iv) retain important historic structures, ensuring that the buildings are refurbished, maintained, and occupied with viable downtown uses.



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

In 1996, approximately \$992,000 was spent to rehabilitate the facility. The rehabilitation of the facility was funded with two grants from the California State Historic Preservation Office, State Parks program: one for \$446,741 and a second one for \$12,400. The balance of the rehabilitation funding came from \$475,000 of City of Fillmore Community Development Block Grant money, \$20,000 Tax Increment from the former Agency and \$38,000 from “Save the Towne Theater” fund raising efforts, which was a community-based fund raising effort to save the facility.

Please refer to Exhibit “H” for a complete history of the Towne Theater.

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

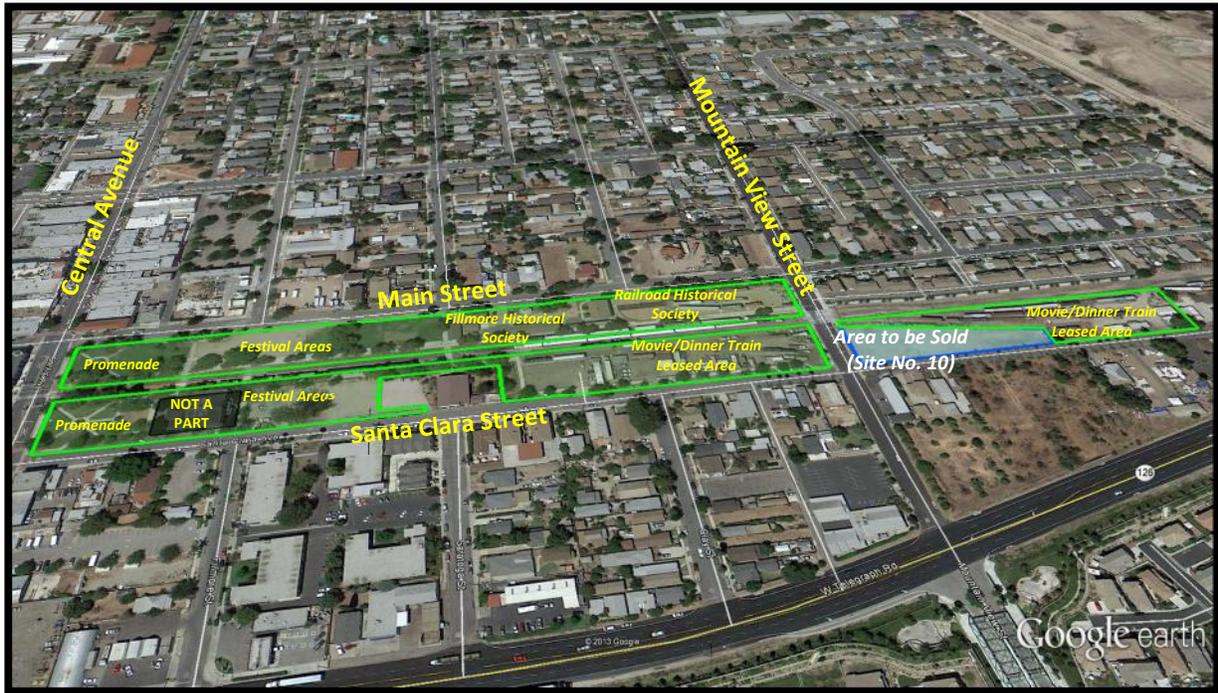
The Performing Arts Park is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

***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 Performing Arts Park to the City of Fillmore by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 4**  
**Fillmore Historic Park**  
Main Street / Central Avenue /  
Santa Clara Street / Mountain View Street  
APNs 053-0-075-050  
053-0-075-090  
Portion of 053-0-083-230



- A. **Permissible Use (HSC §34191.5(c)(2)):**  
Site No. 4 is the “Fillmore Historic Park” and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC §34181(a).



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

Three (3) parcels were acquired by the Agency on October 26, 1990 for \$1,700,000 and developed into the Fillmore Historic Park. These parcels were acquired by the Agency to revitalize the historic downtown area through the development of a tourist train operation and an historic railroad museum. Eventually, the tourist train operation grew into a successful partnership that established a park in the center of downtown that included a town square with an open plaza space, park greens, shade trees, and historic elements such as relocated historic buildings, a railroad museum, and artifacts. Through long-term leases, partnerships were formed with the Fillmore & Western Railway Company (the “F&WRC”), the non-profit Santa Clara River Valley Railroad Historical Society the “SCRVRRHS”), and the Agency.

Although on a different scale, the Fillmore Historic Park is analogous to the Old Sacramento State Historic Park (“OS-SHP”)([http://www.parks.ca.gov/?page\\_id=497](http://www.parks.ca.gov/?page_id=497)), which also includes as a significant component, the California State Railroad Museum in Sacramento ([www.csrmmf.org](http://www.csrmmf.org)), which is maintained by the State Parks Department. With respect to the OS-SHP, the goals are to educate and appreciate the history of the early days of California’s history in general and the history and importance of rail transportation to the development of California in particular, while entertaining the public through recreational uses and antique trains. With the same goals in mind, but with a Fillmore and Southern California focus, the Fillmore Historic Park offers a wide range of family activities from group events in the Park to tours of the SCRVRRHS Railroad Museum interpretive center to the Turn Table and Round House.

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

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

The Fillmore Historic Park consists of two (2) parcels totaling 7.36 acres (APN 053-0-075-050 and 053-0-075-090) located between Santa Clara Avenue and Main Street and between Central Avenue and Mountain View Street and a portion of a third parcel that is 1.44 acre in size (APN 053-0-083-230) located east of Mt. View Street on Santa Clara Avenue. A Tentative Parcel Map (Exhibit “I”) has been approved to split the later parcel into two (2) parcels, one to be sold (identified as Site No. 10 in this LRPMP) and one to remain with the Historic Park as identified here.

The Park is zoned Central Business District (CBD) within the City’s General Plan and Zoning Ordinance, and is located within the Downtown Specific Plan’s Railroad Property. The General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

In addition, the City’s Zoning Ordinance has established this zone to provide for community and tourist commercial needs. The CBD zone is principally intended to be used as Fillmore’s business center where a wide range of specialty retail establishments as well as service businesses that the residents as well as visitors to the area. A priority of this district is the establishment and support of street level uses that will ensure a pedestrian-oriented, lively, and diverse commercial district.



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

There is no ECV for the Fillmore Historic Park. However, considering the existing use of the property as a park, the property brings with it on-going maintenance and operating costs that over time have been greater than the revenue generated by the facility, thus resulting in a negative cash flow that if considered in an appraisal wherein an income-based value was measured, the site is likely to have a negative value. The City operates and maintains the Fillmore Historic Park.

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

On November 6, 2000, the SCRVRHS signed a 55-year lease with the Agency for \$1.00 per year. There is nominal rent payable because there are no other reasonable means of financing rent. The SCRVRHS has paid to date a total of \$14.00. There are no contractual uses for the site revenues received by the Agency.

On February 1, 2001, the F&WRC signed a 20-year lease with the Agency to operate a Dinner/Movie Train venture in partnership with the Agency and the SCRVRHS for a monthly rent payable to the Agency, tied to the CPI, and adjusted annually. The rent currently paid is \$150.00 per month. There are no contractual uses for the site revenues received by the Agency.

All revenues received are used for operations and maintenance of the Historic Park.

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

There is no known history of environmental contamination.

**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 Fillmore Historic Park.

The continued use of this property as a park advances the Successor Agency's and the City's planning objectives to (i) maintain the CBD Railroad Property as a viable downtown destination for the community and visitors; (ii) avoid physical and economic blighting conditions that would occur if the Fillmore Historic Park were to be left unproductive; (iii) intensify development of properties surrounding Central Park; and (iv) retain important historic structures, ensuring that the buildings are refurbished, maintained, and occupied with viable downtown uses. These objectives have been in place since 1994 via the Downtown Specific Plan.

A Tentative Parcel Map (Exhibit "T") has been prepared in order to split the Historic Park property from the Railroad Property.

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

- October 1990, the Agency purchased three (3) parcels from the Southern Pacific Transportation Company (the "SPTC"), two (2) of which became the Fillmore Historic Park.
- October 1992, the Agency entered into a lease with the SPTC to lease its track, track support structures, building and the real property on the Fillmore Segment (the "rail right-of-way"). The lease was predicated on negotiations of a sub-lease with the Short Line Railroad to use the leased property for still and motion picture filming and establish a movie train/dinner train operation.
- December 1992, the Agency agreed to lease to the Short Line Railroad a portion of the Fillmore Historic Park at no cost under an informal agreement with the Agency. The Short Line Railroad



maintained occupancy for over two years at no cost attempting to establish a movie train/dinner train operation.

- March 1994, the City Council agreed to locate the new City Hall within the Historical Park;
- November 1994, the Railroad Property Specific Plan was approved.
- October 1995, the Ventura County Transportation Commission (the "VCTC") purchased SPTC rail right-of-way for the purposes of bicycling trails, hiking trails, freight, recreational uses, pipelines and utilities, and possible commuter rail. An MOU was entered into with all local government entities involved. The MOU transferred title, rents, and management, to the VCTC. The Agency no longer leased the rail right-of-way and therefore, the Agency's sub-lease with the Short Line Railroad was transferred to the VCTC.
- October 1996, the Agency agreed to give financial assistance to F&WRC to purchase the Short Line Railroad and to allow F&WRC to establish a repair shop to maintain their rolling stock and to provide a railroad car storage facility within the Fillmore Historic Park.
- November 2000, Agency approved a 55-year lease with the SCRVRHS for \$1.00 per year with an option to extend lease term and the right of first refusal to purchase the premises. The lease is conditional upon the premises being used for the purposes of: a working Turn Table; a Round House with display area for the display of historic locomotives, rail cars, and equipment; an Exhibition Hall for both permanent and traveling exhibits; fund raising events to benefit the Railroad Interpretive Center; still and motion picture productions; and for the other uses normally incident to those purposes;
- February 2001, the Agency approved a 20-year Lease Option to Purchase with F&WRC. The term of the Lease contained two (2) 10-year extensions. The Lease limits the uses to the sole purpose of storing, moving and minor repairs of railway rolling stock; exhibition of railway trains and equipment; still and motion picture production; and for uses similar to and for uses normally incident to all such purposes. F&WRC utilizes the Historic Park to host events and activities in conjunction with their movie/dinner train activities;
- A Tentative Parcel Map (Exhibit "I") was prepared in order to split the Historic Park property from the Railroad Property.

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

The Fillmore Historic Park is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

***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 Fillmore Historic Park to the City of Fillmore by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 5**  
**Fire Station No. 91 / Public Works Yard**  
711 Sespe Place - APN 052-0-092-130



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

Site No. 5 is the Fire Station No. 91/Public Works Yard (the “Fire Station Property”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC §34181(a).

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

The Fire Station Property was acquired on May 24, 2001, for \$1,100,000 for the construction of a new fire station and public works yard that were at the time inadequate to provide sufficient fire protection and public works services to the City.

Since the Fire Station is an occupied City government building, there is no estimated current value (the “ECV”).



- C. Site Information (HSC §34191.5(c)(1)(C)):**  
The Fire Station Property consists of one (1) 1.81-acre parcel (APN 052-0-092-130) located at 711 Sespe Place. In the City's General Plan and Zoning Ordinance, the Fire Station Property is zoned Public Facility (PF). The PF designation allows for uses that provide for a wide range of public and quasi-public land use activities serving the residents of the City.
- D. Estimated Current Value (HSC §34191.5(c)(1)(D)):**  
Since the Fire Station Property is occupied by a fire station and local government services department, there is no ECV.
- E. Site Revenues (HSC §34191.5(c)(1)(E)):**  
There are no site revenues generated from the Fire Station Property. The City maintains the Fire Station Property.
- F. History of Environmental Contamination (HSC §34191.5(c)(1)(F)):**  
There is no history of environmental contamination base on negative soil sampling results during the removal of an underground storage tank in 1997 and a 1999 Phase-1 Environmental Assessment conducted for the City prior to close of escrow for the acquisition of the 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 Fire Station Property.
- The continued use of this property as the Fire Station Property advances the Successor Agency's and the City's planning objectives to provide the citizens of the City with necessary public services that benefit the health, safety, and welfare of the community.
- H. History of Previous Development Proposals and Activity (HSC §34191.5(c)(1)(H)):**  
The Fire Station Property is a portion of the former 5.1-acre Fillmore-Piru Citrus Association packinghouse property located at 711 Sespe Place, 743 Sespe Place, and 455 "A" Street. The Fire Station Property was constructed 2001/2002.
- I. Sale of Property:**  
The Fire Station Property is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).
- 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 Fire Station Property to the City of Fillmore by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 6**  
**Street Right-of-Way**  
SW corner 1<sup>st</sup> Street & "A" Street - APN 052-0-092-140



- A. **Permissible Use (HSC §34191.5(c)(2)):**  
Site No. 6 is the "Street Right-of-Way" property and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC §34181(a).
- B. **Acquisition of Property (HSC §34191.5(c)(1)(A) & §34191.5(c)(1)(B)):**  
The Street Right-of-Way property was acquired by the Agency at the time the property was acquired for the Fire Station Property, May 24, 2001. The intent was to construct a handicap ramp at the southwest corner of 1<sup>st</sup> Street and "A" Street within street right-of-way along with the construction of the Fire Station Property. The Street Right-of-Way property was inadvertently received by the Agency in fee as opposed to the City receiving the property as dedicated right-of-way.



There is no estimated currently value (the “ECV”) for the Street Right-of-Way property.

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

The Street Right-of-Way property consists of one (1) 0.004-acre parcel (APN 052-0-092-140) being the southwest corner of 1<sup>st</sup> Street and “A” Street. Although the City’s General Plan and Zoning Ordinance designate this property as manufacturing/industrial (M-1), it is public right-of-way. Once the DOF approves the LRPMP, the Street Right-of-Way property shall be dedicated to the City as street right-of-way.

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

There is no current ECV for the Street Right-of-Way property.

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

There is no site revenue generated from the Street Right-of-Way property. The City maintains the right-of-way.

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

There is no known history of environmental contamination.

**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 Street Right-of-Way property.

Transferring the Street Right-of-Way property to the City will advance the Successor Agency’s and the City’s planning objectives to provide additional street right-of-way at the southwest corner of 1<sup>st</sup> Street and “A” Street to accommodate the existing handicap ramp.

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

There is no history of pervious development proposals or activities for the Street Right-of-Way property.

**I. Sale of Property:**

The Street Right-of-Way property is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

**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 Street Right-of-Way property to the City of Fillmore by the Successor Agency will occur only after the LRPMP is approved by the DOF.



**Site No. 7**  
**Old Telegraph Road Bike Path**  
Old Telegraph Road

APNs  
052-0-063-020    052-0-132-040  
052-0-071-080    052-0-281-045  
052-0-092-100    052-0-281-075



- A. **Permissible Use (HSC §34191.5(c)(2)):**  
Site No. 7 is the Old Telegraph Road Bike Path (the “Bike Path”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC §34181(a).
- B. **Acquisition of Property (HSC §34191.5(c)(1)(A) & §34191.5(c)(1)(B)):**  
The Bike Path was acquired by the Agency in fee on February 2, 1987 for \$95,000 for the purpose of constructing and maintaining a bike path, to be the gateway to Shiells Park, along Old Telegraph Road. The Grant Deed contains the flowing covenant:



“By accepting this deed, Grantee expressly covenants to construct and maintain, at its own expense and to the satisfaction of Grantor, a fence along the track side of said property, which is the northerly boundary thereof. This covenant is for the benefit of Grantor’s adjoin land, and shall run with and be binding upon said property and the successors and assigns in title of Grantee.”

There is no estimated currently value (the “ECV”) for the Bike Path.

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

The Bike Path consists of six (6) parcels totaling 0.95 acres located adjacent to Old Telegraph Road (APNs: 052-0-063-020; 052-0-071-080; 052-0-092-100; 052-0-132-040; 052-0-281-045; and 052-0-281-075). The Bike Path does not have a designated land use. Once the DOF approves the LRMP, a Zoning Ordinance Amendment will be processed to designate the Bike Path as a Public Facility use to be consistent with its existing use.

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

There is no current ECV for the Bike Path.

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

There are no site revenues generated from the Bike Path. The City maintains the Bike Path.

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

There is no known history of environmental contamination.

**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 Park Property.

Transferring the Bike Path to the City will advance the Successor Agency’s and the City’s planning objectives to (i) provide a gateway to Shiells Road; (ii) offer the residents a safe bike route along heavily traveled roadways; (iii) sponsor the rehabilitation and development of community facilities as stated in the 2010-14 Five-Year Implementation Plan; and (iv) construct amenities that satisfy the diverse recreational needs of all segments of the population.

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

The Bike Path property was previously owned by Southern Pacific Transportation Company.

There is no history of pervious development proposals or activities.

**I. Sale of Property:**

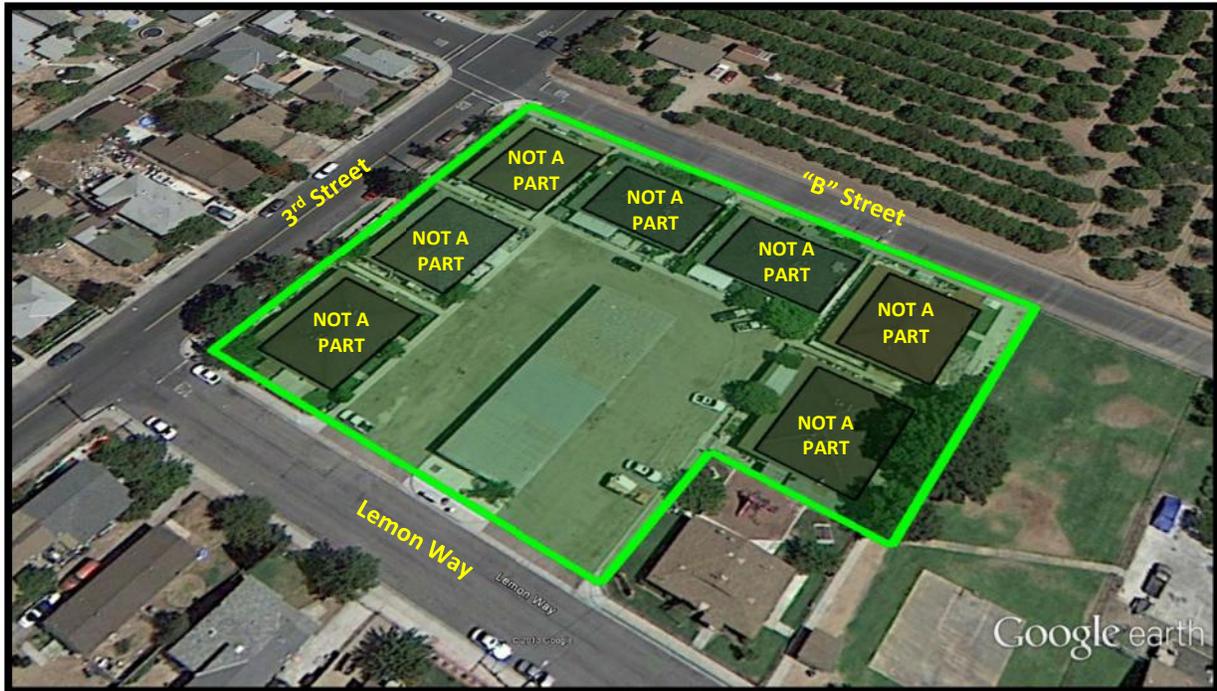
The Bike Path is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).



- 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 Bike Path to the City of Fillmore by the Successor Agency will occur only after the LRPMP is approved by the DOF



**Site No. 8**  
**Condominium Common Area**  
646 Lemon Way.  
APN 052-0-260-305



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

Site No. 8 is the Condominium Common Area (the “Common Area”) and is proposed to be transferred to City of Fillmore for governmental use pursuant to HSC §34181(a) in order to facilitate the transfer of the Common Area property to the appropriate owner(s).

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

The Common Area was acquired in error by the Agency on August 28, 1998 for \$25,000.

In 1994 the Agency signed a lease with the Lemon Way Home Owners’ Association (the “HOA”) to lease approx. 6,200 sf of the southwest corner of the Common Area for a Police Substation. The lease contained an option for the Agency to purchase the leased portion of the Common Area if the Agency legally subdivided the property. On September 11, 1996, the Agency had a Certificate of Compliance recorded legally allowing that portion of the Common Area on which the Police



Substation was located to be sold. It was clearly the intent of all parties involved to have the Agency acquire the title to the property on which the Police Substation was located. However, when the Grant Deed was prepared, and subsequently recorded, it contained the wrong legal description thereby granting title to the Common Area to the Agency and leaving the Police Substation property in the name of the HOA. Since 1998, each party to this happenstance has operated as if they held title to the correct parcel.

It is the intent of the Successor Agency to correct the situation through the recordation of two (2) Quit Claim deeds: one from the Successor Agency to the HOA, returning title to the Common Area to the HOA; and one from the HOA to the City giving the City title to the Police Substation.

Since the Common Area can only benefit the owners of the condominium complex, it has an estimated current value (“ECV”) of \$0.00.

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

The Common Area consists of one (1) 1.03-acre parcel (APN 052-0-260-305) located at the 646 Lemon Way and is zoned Residential Medium (RM) within the City’s General Plan and Zoning Ordinance. RM designation allows for medium density neighborhoods with detached single-family dwellings with private yards, two-family detached and attached residential dwellings (i.e., condominiums, townhomes, a two-family structure, etc.).

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

Since the Common Area can only benefit the owners of the condominium complex, it has an ECV of \$0.00.

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

There are no site revenues generated from the Common Area. The HOA has been operating and maintaining the Common Area.

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

There is no known history of environmental contamination.

**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 Common Area.

The retention of this property by the Successor Agency advances the Successor Agency’s and the City’s planning objectives to continue to provide the residents of the condominiums on Lemon Way a common area (for parking, storage, and other activities that are allowed within the CC&Rs) by quit claiming the title to the Common Area back to the HOA and to provide the City with title to its Police Sub-station. Both Quit Claim Deeds will be prepared and recorded once the DOF has approved the LRPMP.

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

There is no history of previous development proposals or activity.



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

The Common Area is proposed to be retained by the Successor Agency for governmental use pursuant to HSC 34181(a) in order to facilitate the transfer of the Common Area property to the appropriate owner.

***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 title transfer of the Common Area by the Successor Agency to the Lemon Way Home Owners' Association by Quit Claim Deed will occur only after the LRPMP is approved by the DOF.



**Site No. 9**  
**Fillmore Senior Center Property**  
533 Santa Clara Street - APN 053-0-060-435  
525 Santa Clara Street - APN 053-0-060-170



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

Site No. 9 is the Fillmore Senior Center Property (the “Senior Center”) and is proposed to be transferred to the City of Fillmore for governmental use pursuant to HSC §34181(a).

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

Both parcels of the Senior Center property were acquired by the Agency on December 30, 1986 for \$450,000 (the building) and \$30,000 (the vacant lot) to establish senior center, and for its future expansion, as identified 1986 as an Agency goal and in an effort to revitalize the downtown through eliminating blighting influences and improve the overall appearance of vacant, undeveloped, or underutilized property.

There is no estimated current value (“ECV”) for the Senior Center.



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

The Senior Center consists of two (2) parcels totaling 0.85 acres (APN 053-0-060-435 and 053-0-060-170) located at 533 and 525 Santa Clara Street respectively. The Senior Center building is located at 533 Santa Clara Street and the vacant parcel next to it is located at 525 Santa Clara Street. The vacant lot at 525 Santa Clara Street property is non-conforming in size and inadequate for development under the City's General Plan. The vacant property is approximately 3,200 sf with a lot frontage of 32 feet. The minimum lot size is for development within the CBD designation is 7,000 sf with a minimum lot frontage is 50 feet. Due to its non-conforming size, this parcel was acquired for the expansion of the Senior Center.

The Senior Center is zoned Central Business District ("CBD") within the City's General Plan and Zoning Ordinance, and is located within the Downtown Specific Plan's Transition Area. The Transition Area functions like the Core Area, but feels like a neighborhood allowing for a less formal separation of uses and landscaping.

Overall, the General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the commercial life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

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

There is no ECV for the Senior Center. However, considering the existing use of the property as a senior center, 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. The City's Park Department maintains the property.

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

The Senior Center is non-profit and self-funding. It relies on donations, grants, program fees, and support from community organizations. There are no site revenues generated from the Senior Center and the City's Park Department maintains the property.

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

There is no known history of environmental contamination.

**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 the Senior Center

The continued use of this property as a senior center and its being maintained by the City advances the Successor Agency's and the City's planning objectives to (i) establish a senior center to provide the senior citizens of the City with a place to conduct community and recreational activities; (ii) sponsor the rehabilitation and development of community facilities; (iii) and construct and expand community facilities that satisfy the diverse recreational needs of all segments of the population.



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

Prior to 1986, the Senior Center building was known as the “Pan Pad Club.” The Pan Pad Club operated between 1971 and 1986. In 1986, the City entered into negotiations with the owners to purchase the property for the senior center and the vacant parcel adjacent to the east. The Agency purchased the Pan Pad for \$450,000, the vacant parcel for \$30,000, and hired an architect to remodel the building for use as a senior center. The remodel was estimated to cost \$100,000 and took into consideration identifying and correcting any structural deficiencies.

The Senior Center opened in 1987.

**I. Sale of Property:**

The Senior Center is proposed to be retained by the City of Fillmore for governmental use pursuant to HSC 34181(a).

**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 Fillmore Senior Center Property to the City of Fillmore by the Successor Agency will occur only after the LRPMP is approved by the DOF.



## IV. Property to be Sold

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**Site No. 10**  
**Railroad Property**  
Santa Clara Street / Mountain View Street  
Portion of APN 053-0-083-230



- A. **Permissible Use (HSC §34191.5(c)(2)):**  
Site No. 10 is the “Railroad Property” and a portion of the Historical Park (Site No. 4). The Railroad Property is proposed to be sold by the Successor Agency.
- B. **Acquisition of Property (HSC §34191.5 (c)(1)(A) and §34191.5(c)(1)(B)):**  
Three (3) parcels were acquired by the Agency on October 26, 1990 for \$1,700,000 and developed into the Fillmore Historic Park (Site No. 4). These parcels were acquired by the Agency to revitalize the historic downtown area through the development of a tourist train operation and an historic railroad museum. Eventually, the tourist train operation grew into a successful partnership that established a park in the center of downtown that included a town square with an open plaza space, park greens, shade trees, and historic elements such as relocated historic buildings, a railroad museum, and artifacts.



The easterly parcel is the Railroad Property. While the Railroad Property is part of the Fillmore Historic Park, a developer is interested in developing a housing project on 0.66 acres.

The estimated current value (the “ECV”) for Railroad Property is unknown and will be determined through an appraisal.

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

The Railroad Property consists of one (1) 0.66-acre parcel (a portion of APN 053-0-083-230) located at the northeast corner of Santa Clara Avenue and Mountain View Street. The Property is zoned Central Business District (CBD) within the City’s General Plan and Zoning Ordinance, and is located within the Downtown Specific Plan’s Railroad Property. The City’s Zoning Ordinance has established this zone to provide for community and tourist commercial needs. The CBD zone is principally intended to be used as Fillmore’s business center where a wide range of specialty retail establishments as well as service businesses that the residents as well as visitors to the area. A priority of this district is the establishment and support of street level commercial uses that will ensure a pedestrian-oriented, lively, and diverse commercial district. In conjunction with these uses, residential uses are allowed as a secondary use.

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

To determine an ECV for the Railroad Property, a sales comparable analysis was conducted through the National Data Collective<sup>1</sup>. No sales comparable data was located within a 5 mile radius of the Railroad 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 Railroad Property.

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

There is no known history of environmental contamination.

**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 Railroad Property.

Selling the Railroad Property advances the Successor Agency’s and City’s planning objectives for the Project Area by developing and revitalizing this area of the community through job creation, development of underutilized property, a perceivable reduction in blight through new construction and infrastructure, and an increase in the City’s housing base.

A Tentative Parcel Map (Exhibit “I”) has been prepared to split the Railroad Property into two (2) separate parcels thereby separating the Railroad Property from the Fillmore Historic Park.

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

- October 1990, the Agency purchased three (3) parcels from the Southern Pacific Transportation Company becoming the Fillmore Historic Park;
- November 1994, the Railroad Property Specific Plan was approved;

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



- June 2004, an Exclusive Right to Negotiate was entered into with Zahid Shah for the Railroad Property in order to secure a Disposition and Development Agreement (the “DDA”) for a three (3) story mixed-use building project;
- January 28 2008, a DDA was entered into between the Agency and United Shah Corporation (the “Developer”) for the purchase and development of the Railroad Property; the DDA is still active. The purchase price will be determined through a current Fair Market Value appraisal. The development consists of uses for professional offices on a portion of the property and residential condominium units. Not less than three (3) units shall be restricted for purchase and occupancy by persons and families who qualify as lower- or very low-income persons or families.

**I. Sale of Property:**

The City proposes to sell the Railroad Property to the Developer. If the Developer does not purchase the Railroad Property, then the City proposes to sell the Property in accordance with the Successor Agency’s policies and procedures for property disposition as shown in Section I. Purchase and Sale Procedures” located in Exhibit “A.”

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

*Date of estimated current value* – October 2013

*Value Basis* – The estimated current value of the Railroad 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.”

*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.

When the Railroad Property is sold, net proceeds of the sale will be used for either enforceable obligations or distributed as property tax to the taxing entities. The selection of the former option shall be determined at the time of close of escrow. If a short-fall were to occur in the RPTTF at the time of close of escrow, then the net sale proceeds will be used to fulfill an enforceable obligation with any remaining sale proceeds then distributed as property tax to the taxing entities. If no short-fall were to occur at the time of close of escrow, then the net sale proceeds will be distributed to the taxing entities as property tax. Since it is impossible to foresee when and if a short-fall in the RPTTF may occur, or when the Railroad Property will be sold, the use of the net sale proceeds cannot be specifically determined at this time.



**Site No. 11**  
**Vacant Lot West of Central Avenue**  
510 Santa Clara Street  
APN 053-0-094-265



- A. **Permissible Use (HSC §34191.5(c)(2)):**  
Site No. 10 is the “Vacant Lot West of Central Avenue” and is proposed to be sold by the Successor Agency.
- B. **Acquisition of Property (HSC §34191.5 (c)(1)(A) and §34191.5(c)(1)(B)):**  
This parcel was acquired by the Agency on October 28, 2005 in an effort to revitalize the downtown through eliminating blighting influences and improve the overall appearance of vacant, undeveloped, or underutilized property. The acquisition records cannot be located at this time. Staff continues to search for this information.



The estimated current value of the Vacant Lot West of Central Avenue is unknown and will be determined through an appraisal.

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

The Vacant Lot West of Central Avenue consists of one (1) 0.37-acre parcel (APN 053-0-094-265) and is located at 510 Santa Clara Street. The property is zoned Central Business District (“CBD”) within the City’s General Plan and Zoning Ordinance, and is located within the Downtown Specific Plan’s Core Area. The General Plan calls for the CBD designation to: (i) cater to commercial uses which are not dependent upon high traffic volumes and visibility; (ii) continue to be the center for specialty retail, service businesses and office, and not compete with the uses along the Highway corridor; (iii) be recognized as the community center and specialized role in the commercial life of the City; and (iv) rejuvenate the downtown area through visual and structural improvements through development standards and design guidelines.

In addition, the City’s Zoning Ordinance has established this zone to provide for community and tourist commercial needs. The CBD zone is principally intended to be used as Fillmore’s business center where a wide range of specialty retail establishments as well as service businesses that the residents as well as visitors to the area. A priority of this district is the establishment and support of street level commercial uses that will ensure a pedestrian-oriented, lively, and diverse commercial district. In conjunction with these uses, residential uses are allowed as a secondary use.

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

To determine an ECV for the Vacant Lot West of Central Avenue property, a sales comparable analysis was conducted through the National Data Collective. No sales comparable data was located within a 5 mile radius of the Vacant Lot West of Central Avenue property. Therefore the ECV is unknown and will be determined through an appraisal.

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

No revenue is generated from the Vacant Lot West of Central Avenue.

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

There is no known history of environmental contamination.

**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 the Vacant Lot West of Central Avenue.

Selling the Vacant Lot West of Central Avenue will advance the Successor Agency’s and City’s planning objectives for the Project Area by developing and revitalizing this area of the community through job creation, development of underutilized property, a perceivable reduction in blight through new construction and infrastructure, and an increase in the City’s commercial base.

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

There are no current proposals for the Vacant Lot West of Central Avenue.



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

The City proposes to sell the property in accordance with the Successor Agency’s policies and procedures for property disposition as shown in Section I. Purchase and Sale Procedures” located in Exhibit “A.”

The estimated current value of the Vacant Lot West of Central Avenue is unknown and will be determined through an appraisal.

***Date of estimated current value*** – October 2013

***Value Basis*** – The estimated current value of the Vacant Lot West of Central Avenue is unknown and will be 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.”

***Proposed sale value*** – TBD 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.

When the Vacant Lot West of Central Avenue is sold, net proceeds of the sale will be used for either enforceable obligations or distributed as property tax to the taxing entities. The selection of the former option shall be determined at the time of close of escrow. If a short-fall were to occur in the RPTTF at the time of close of escrow, then the net sale proceeds will be used to fulfill an enforceable obligation with any remaining sale proceeds then distributed as property tax to the taxing entities. If no short-fall were to occur at the time of close of escrow, then the net sale proceeds will be distributed to the taxing entities as property tax. Since it is impossible to foresee when and if a short-fall in the RPTTF may occur, or when the Vacant Lot West of Central Avenue will be sold, the use of the net sale proceeds cannot be specifically determined at this time.



## 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)	Value Basis	Date of ECV	Sale Value	Sale Date	Purpose Acq'd	Address	APN	Lot Size (ac)	Zoning	ECV <sup>1</sup>	Est. of Income / Revenue (Annual)	Contract req'd for use of income / revenue	History Envrn Contamination	TOD	Adv of SA Planning Objectives	Previous develop. proposals / activities
1	Real Prop (Fee)	Governmental (Shiells Park)	Nov 1994	\$100,000	\$0.00	Land Use	N/A	N/A	N/A	Park	649 "C" St.	046-0-030-375	1.66	RL	None	None	N/A	No	No	Yes	No
2	Real Prop (Fee)	Governmental (Two Rivers Park)	April 2002	Unk <sup>2</sup>	\$0.00	Land Use	N/A	N/A	N/A	Park	River St. & "D" St.	052-0-191-015	11.68	PF	None	None	N/A	No	No	Yes	No
3	Real Prop (Fee)	Governmental (Performing Arts Park)	April 1994	\$75,000	\$0.00	Land Use	N/A	N/A	N/A	Performing Arts Park	351 Fillmore St.	053-0-071-030	0.40	CBD	None	\$4,980	N/A	No	No	Yes	No
											338 Central Ave.	053-0-071-170	0.14								
4	Real Prop (Fee)	Governmental (Historic Park)	Oct 1990	\$1,700,000 <sup>3</sup>	\$0.00	Land Use	N/A	N/A	N/A	Historic Railroad Park	Main St. / Santa Clara Ave. / Central St. / Mt. View St.	Portion of 053-0-083-230	1.44	CBD	None	\$1,801	No	No	No	Yes	Yes
												053-0-075-050	3.90								
												053-0-075-090	3.47								
5	Real Prop (Fee)	Governmental (Fires Station)	May 2001	\$1,100,000	\$0.00	Land Use	N/A	N/A	N/A	Fires Station / Public Works Yard	711 Sespe Place	052-0-092-130	1.81	PF	None	None	N/A	No	No	Yes	No
6	Real Prop (Fee)	Governmental (Right-of-Way)	May 2001	\$0.00	\$0.00	Land Use	N/A	N/A	N/A	Right-of-Way	SW corner 1 <sup>st</sup> St. & "A" St.	052-0-092-140	0.004	MH	None	None	N/A	No	No	Yes	No



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)	Value Basis	Date of ECV	Sale Value	Sale Date	Purpose Acq'd	Address	APN	Lot Size (ac)	Zoning	ECV <sup>1</sup>	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
7	Real Prop (Fee)	Governmental (Bile Path Right-of-Way)	Feb 1987	\$95,000	\$0.00	Land Use	N/A	N/A	N/A	Bike Path	Old Telegraph Rd.	052-0-063-020	0.20	None	None	None	N/A	No	No	Yes	No
												052-0-071-080	0.09								
												052-0-092-100	0.29								
												052-0-132-040									
												052-0-281-045	0.37								
		052-0-281-075																			
8	Real Prop (Fee)	Governmental (Common Area)	August 1998	\$25,000	\$0.00	Land Use	N/A	N/A	N/A	Fire Station	646 Lemon Way	052-0-260-305	1.03	RM	None	None	N/A	No	No	Yes	No
9	Real Prop (Fee)	Governmental (Senior Center)	Dec 1986	\$450,000	\$0.00	Land Use	N/A	N/A	N/A	Senior Center	533 Santa Clara St.	053-0-060-435	0.78	CBD	None	None	N/A	No	No	Yes	No
				\$30,000							525 Santa Clara St.	053-0-060-170	0.07								
10	Real Prop (Fee)	Sell (Railroad Prop.)	Oct 1990	\$1,700,000 <sup>3</sup>	Unk	Sales Comps	Oct 2013	TBD	TDB	Blight	Santa Clara / Mt. View St.	Portion of 053-0-083-230	0.66	CBD	None	None	N/A	No	No	Yes	No
11	Real Prop (Fee)	Sell (Vacant Lot)	Oct 2005	Unk <sup>2</sup>	Unk	Sales Comps	Oct 2013	TBD	TDB	Blight	510 Santa Clara St.	053-0-094-265	0.37	CBD	None	None	N/A	No	No	Yes	No

<sup>1</sup>Local factors that may affect land value were not taken into consideration. Therefore, the actual value of the property may vary greatly from the ECV. The ECV is only a planning number and may not be relied upon as a basis for actual Value.

<sup>2</sup>Unk – unknown; The acquisition records cannot be located at this time. Staff continues to search for this information.

<sup>3</sup>Site Nos. 4 and 10 were acquired together for a total acquisition cost of \$1,700,000

N/A – Not applicable

TBD – To be determined

**CBD** – Central Business District

**M-I** – Manufacturing/Industrial

**PF** – Public Facilities

**RL** – Residential Low

**RM** – Residential Medium

# 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 obligate 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

---

## **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 truStreet 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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April 26, 2013

Ms. Glenda D. Jay, Finance Director  
City of Fillmore  
250 Central Avenue  
Fillmore, CA 93015

Dear Ms. Jay:

Subject: Request for a Finding of Completion

The California Department of Finance (Finance) has completed the Finding of Completion for the City of Fillmore 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

cc: Ms. Rigo Landeros, Acting City Manager, City of Fillmore  
Ms. Sandra Bickford, Chief Deputy, Ventura County Auditor Controller  
California State Controller's Office

# Exhibit D – Resolution of the Oversight Board

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**RESOLUTION NO.OB 14-02**

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

**WHEREAS**, the Redevelopment Agency of the City of Fillmore was dissolved February 1, 2012; and

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

**WHEREAS**, on April 26, 2013, the Successor Agency received its Finding of Completion (the "FOC") from the California Department of Finance (the "DOF") pursuant to HSC Section 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 of the Successor Agency to the Redevelopment Agency of the City of Fillmore, as follows:

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

**OVERSIGHT BOARD RESOLUTION NO. OB 14-**  
**Page 2 of 2**

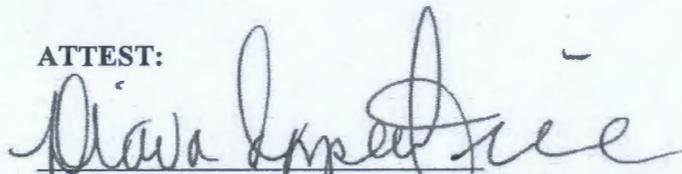
**Section 2.** The Long-Range Property Management Plan attached to this Resolution as Exhibit "A" is hereby approved.

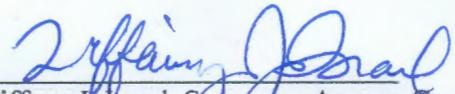
**Section 3.** This Resolution shall take effect upon the date of its adoption.

**PASSED, APPROVED, AND ADOPTED** by the Oversight Board at a special meeting held this 23<sup>rd</sup> day of October, 2013 by the following vote, to wit:

AYES: Bush, Neal, Godfrey, Walker  
NOES: Turner  
ABSENT: Keebler, Burgh  
ABSTAIN: NONE

  
\_\_\_\_\_  
Rick Neal, Chair  
Oversight Board

ATTEST:  
  
\_\_\_\_\_  
Diana Impeartrice, Oversight Board Deputy Secretary

**APPROVED AS TO FORM  
AND LEGAL CONTENT:**  
  
\_\_\_\_\_  
Tiffany J. Israel, Successor Agency Counsel  
Aleshire & Wynder, LLP

# Exhibit E – Resolution of the Successor Agency Board

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**RESOLUTION NO. SA 13-3398**

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

**WHEREAS**, the Redevelopment Agency of the City of Fillmore (the "Agency") was dissolved February 1, 2012; and

**WHEREAS**, consistent with the provisions of the California Health and Safety Code ("HSC"), the City Council elected to serve as the Successor Agency to the Redevelopment Agency of the City of Fillmore(the "Successor Agency"); and

**WHEREAS**, on April 26, 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§34191.5requires the Successor Agency to submit to the DOF 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, which identifies the disposition and uses of Successor Agency properties; and

**WHEREAS**, once the Oversight Board for the Successor Agency has considered and approved of the LRPMP the LRPMP will be submitted to the DOF; and

**WHEREAS**, once the LRPMP has received approvals from the Oversight Board and the DOF, the Successor Agency may act upon its implementation; and

**WHEREAS**, consistent with the applicable provisions of the HSC, staff recommends 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** that the Successor Agency to the Redevelopment Agency of the City of Fillmore hereby finds, resolves, approves, determines, and directs as follows:

**Section 1.** The foregoing recitals are true and correct and are incorporated herein.

**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 his designee, is hereby authorized to transmit the Long-Range Property Management Plan attached to this Resolution as Exhibit "A" to the Oversight Board for the Successor Agency for its 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 his 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 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.

By:  \_\_\_\_\_  
Rick Neal, Chair

**APPROVED AS TO FORM:**

  
Tiffany J. Israel, Agency Counsel  
Aleshire & Wynder, LLP

**ATTEST:**

  
Nancy Blendermann Meyer, Secretary  
Diana Impeartrice Deputy

CERTIFICATION

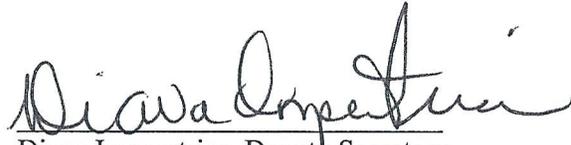
I, Diana Impeartrice, Deputy Secretary of the Successor Agency to the Redevelopment Agency of the City of Fillmore, California, do hereby certify that Resolution No. 2013-3398 was adopted by the Board of Directors of the Successor Agency to the Redevelopment Agency of the City of Fillmore, at a meeting held on the 22<sup>nd</sup> day of October, 2013, and that the same was adopted by the following vote, to wit:

AYES: McCall, Tucker, Conaway, Minjares and Neal

NOES: None

ABSTAIN: None

ABSENT: None

  
Diana Impeartrice, Deputy Secretary

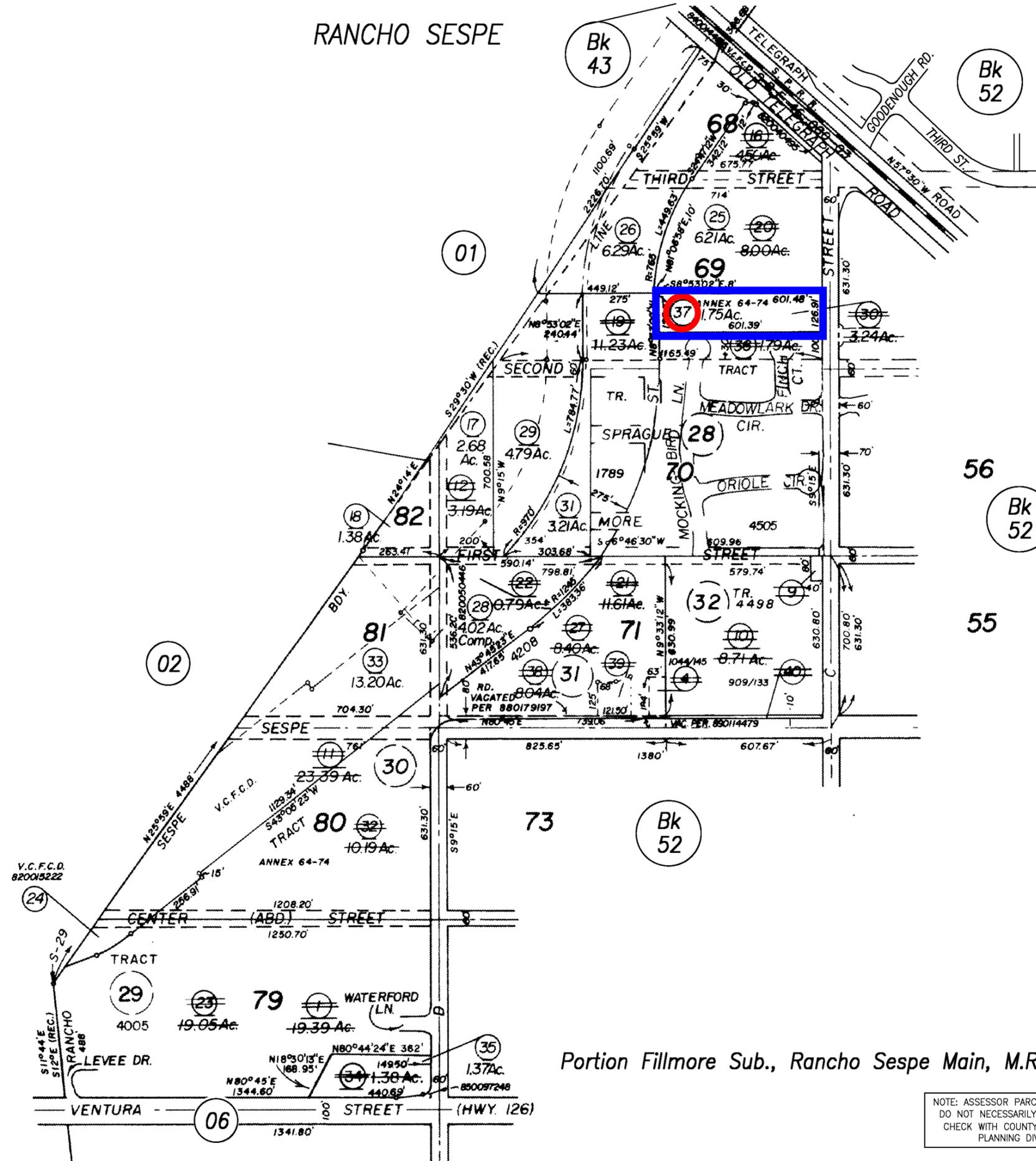
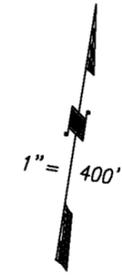
## Exhibit F – Assessor Parcel Maps

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RANCHO SESPE

Tax Rate Area  
 01001  
 01011  
 01002  
 62004  
 62010

46-03



Portion Fillmore Sub., Rancho Sespe Main, M.R. Bk.3, Pg.5

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

CITY OF FILLMORE and VICINITY  
 Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.  
 Assessor's Mineral Numbers Shown in Squares.

DRAWN	REVISED	7-23-2003
REDRAWN	M.T. CREATED	10-10-1966
INKED	PLOTTED	EFFECTIVE
		ROLL
Compiled By Ventura County Assessor's Office		



1" = 100'

Bk. 46  
28

49PM57  
Par 2  
213Ac

27PM76  
Par 1  
3Ac

Tract 4535 M.R. Bk.118,Pg.89  
Fillmore, Subdivision of Rancho Sespe, M.R. Bk.3,Pg.5

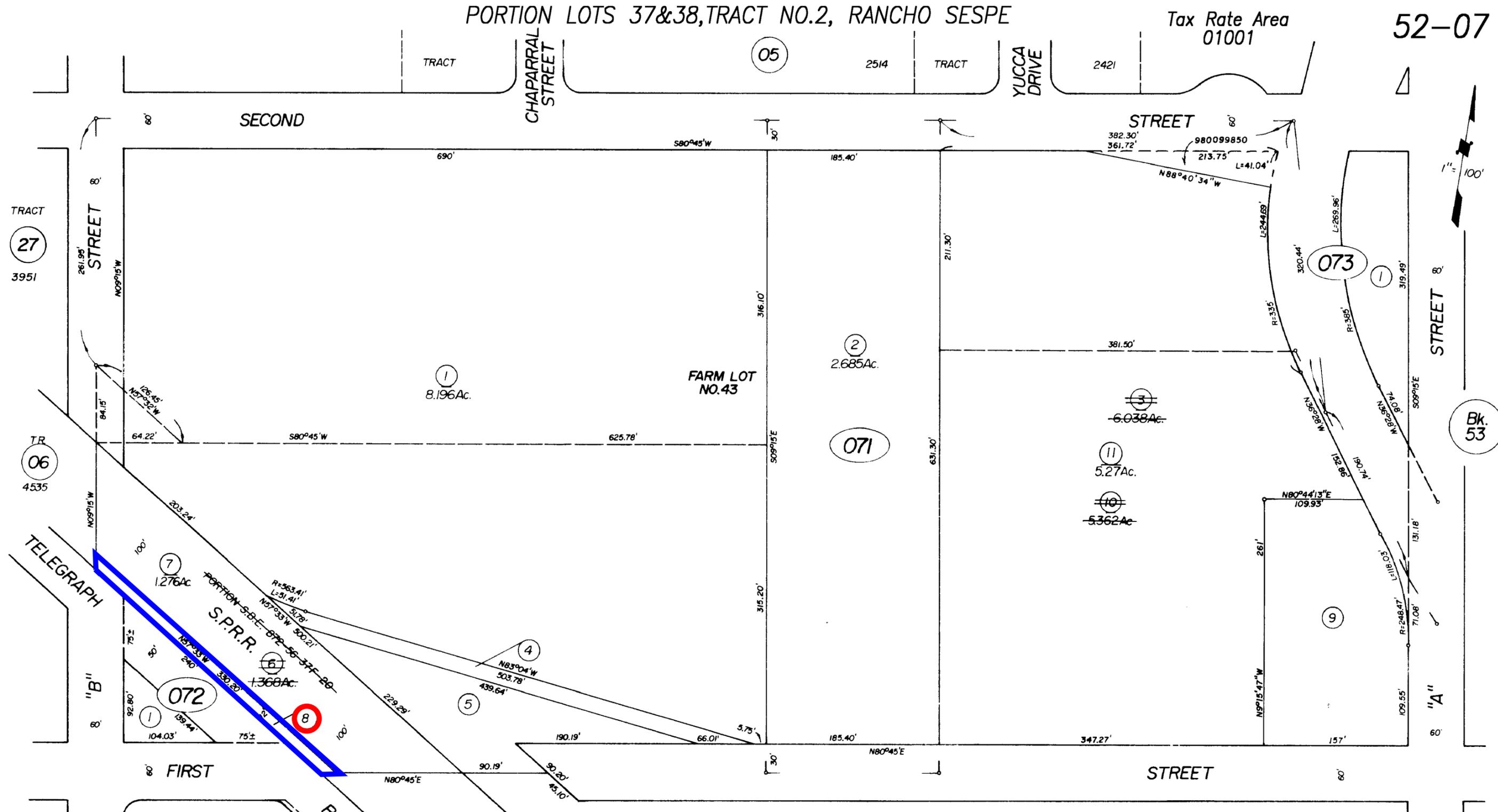
NOTE: For C.C.B.R.'s pertaining to Tract 4535, see document 900109675.

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

CITY OF FILLMORE,  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

DRAWN	DT	REVISED	2-5-2002
REDRAWN	BCA	CREATED	
INKED	PLOTTED	EFFECTIVE	90-91 ROLL
PREVIOUS Bk.52, Portion Pg.06			
Compiled By Ventura County Assessor's Office			



TRACT 27  
3951

TR 06  
4535

TRACT 2141

Bk. 53

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

CITY OF FILLMORE,  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

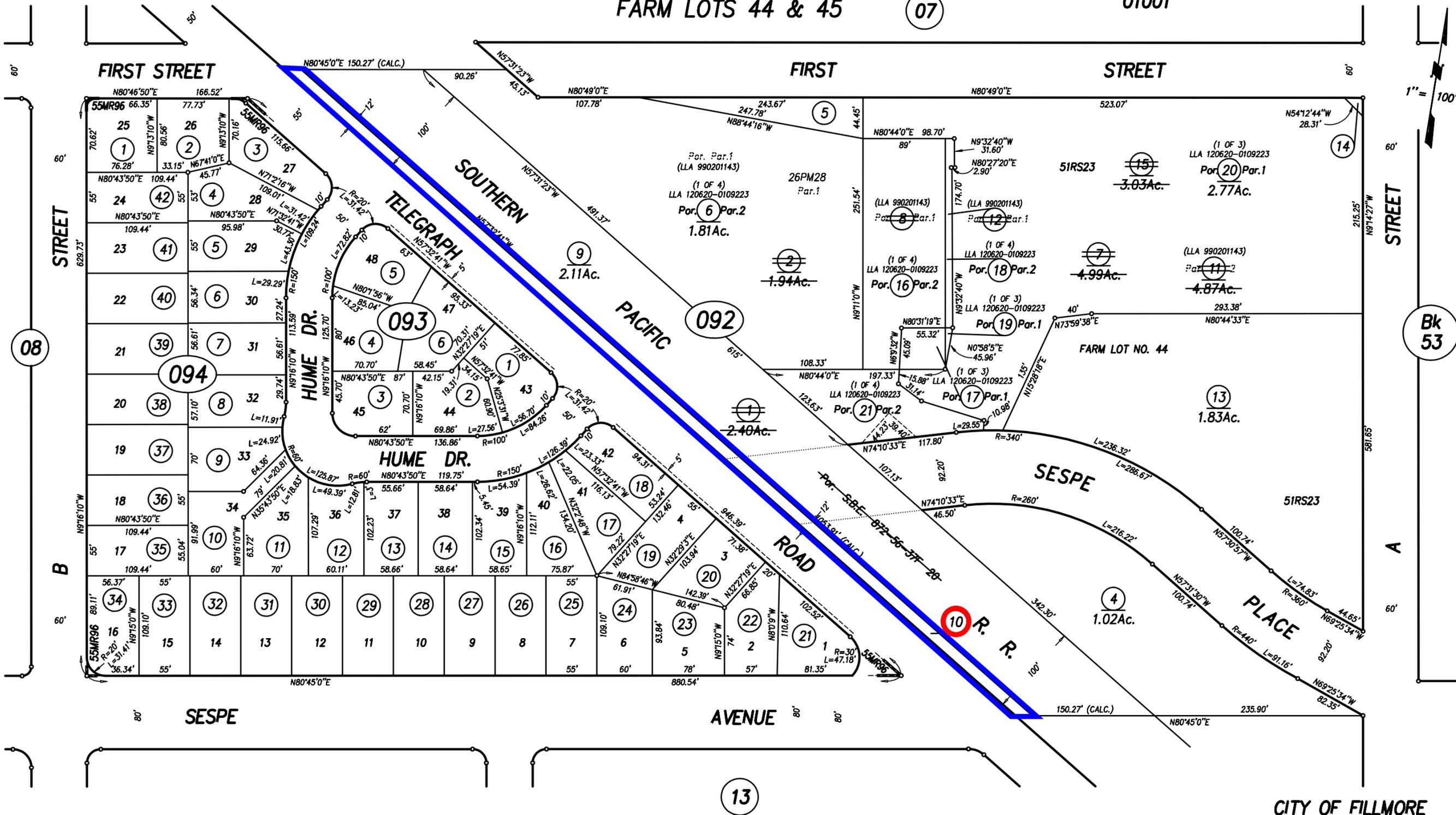
DRAWN	DURAN	REVISED	2-5-2002
REDRAWN	PLOTTED	CREATED	
INKED	EFFECTIVE	ROLL	
PREVIOUS Bk., Portion Pg.			
Compiled By Ventura County Assessor's Office			

RANCHO SESPE  
FARM LOTS 44 & 45

07

Tax Rate Area  
01001

52-09



EXPLANATION		REVISION LOG	
Code	Description	VOID A.P.N.(s)	NEW A.P.N.(s)
LLA 12-01	LLA 12-01	052-0-092-080	052-0-092-160 & -170
		052-0-092-120	052-0-092-180 & -190
		052-0-092-150	052-0-092-200 & -210

CITY OF FILLMORE,  
Ventura County Assessor's Map.

DRAWN	M.T.	REVISED	10-3-2012
REDRAWN	J.P.G.	CREATED	10-3-2012
INKED	PLOTTED	EFFECTIVE	71-72 ROLL
Compiled By Ventura County Assessor's Office			

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

Tract 2141, M.R. Bk.55, Pg.96  
Fillmore Subdivision, Rancho Sespe, M.R. Bk.3, Pg.5

Roll-Year 13-14

PORTION LOTS 37 & 38, TRACT NO. 2, RANCHO SESPE

Tax Rate Area  
01001

52-13

TRACT 09 2141



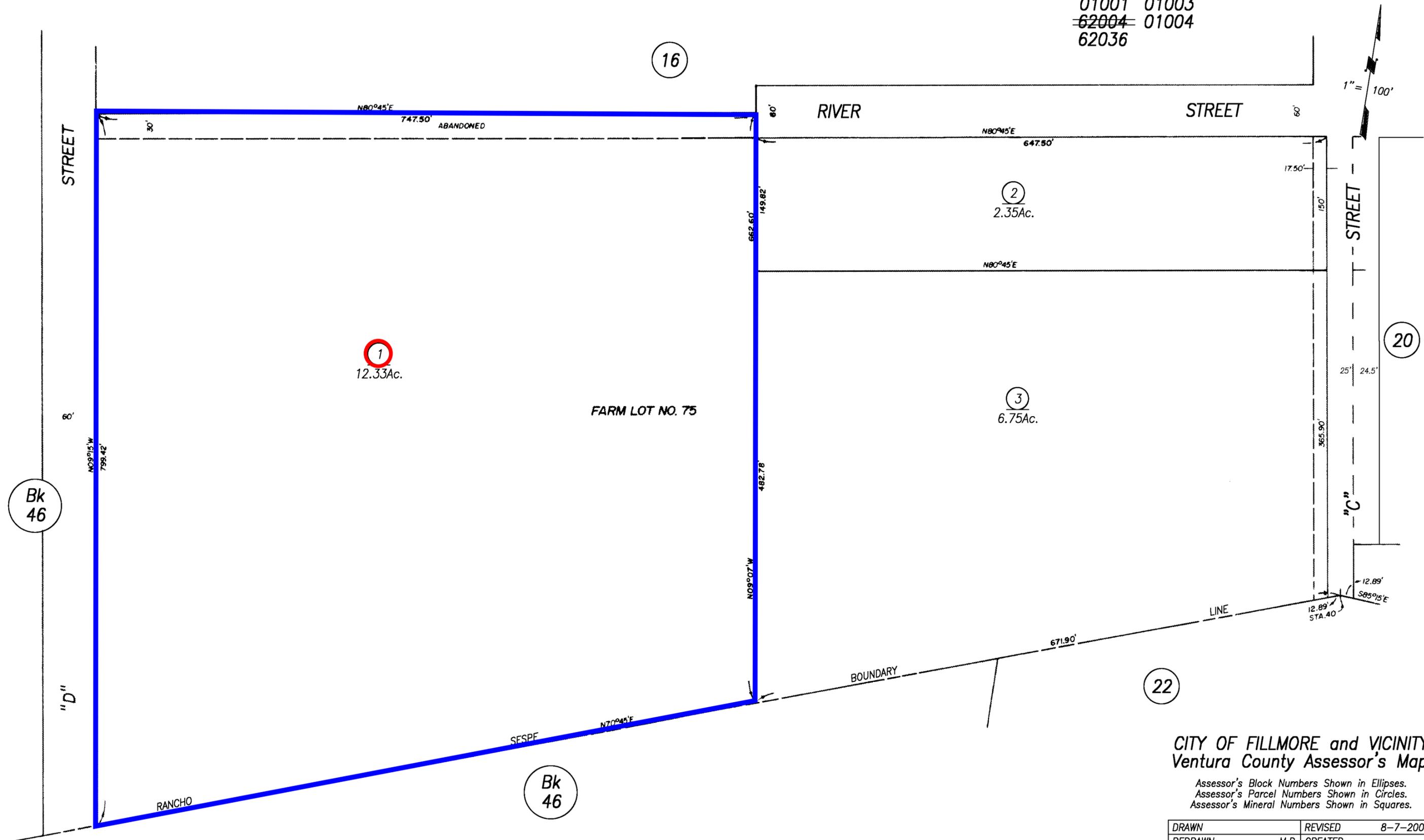
Portion Tract 2315-3, M.R. Bk.66,Pg.05  
 Portion Tract 2315-2, M.R. Bk.64,Pg.63  
 Tract 1603, M.R. Bk.38,Pg.29  
 Hukriede Subdivision, R.S. Bk.3,Pg.30  
 Fillmore, Subdivision of Rancho Sespe, M.R. Bk.3,Pg.5

CITY OF FILLMORE,  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.  
 Assessor's Mineral Numbers Shown in Squares.

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
 DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
 CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
 PLANNING DIVISION TO VERIFY.

DRAWN	REVISED	2-5-2002
REDRAWN	DURAN	CREATED
INKED	PLOTTED	EFFECTIVE
	PREVIOUS Bk.,	Portion Pg.
Compiled By Ventura County Assessor's Office		



Bk 46

Bk 46

22

20

16

**CITY OF FILLMORE and VICINITY  
 Ventura County Assessor's Map.**

Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.  
 Assessor's Mineral Numbers Shown in Squares.

DRAWN	REVISED	8-7-2007
REDRAWN	M.D. CREATED	
INKED	PLOTTED	EFFECTIVE ROLL
Compiled By Ventura County Assessor's Office		

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK WITH COUNTY SURVEYOR'S OFFICE OR PLANNING DIVISION TO VERIFY.

Roll-Year 08-09 BK. 052 , PG. 19 REVISION LOG

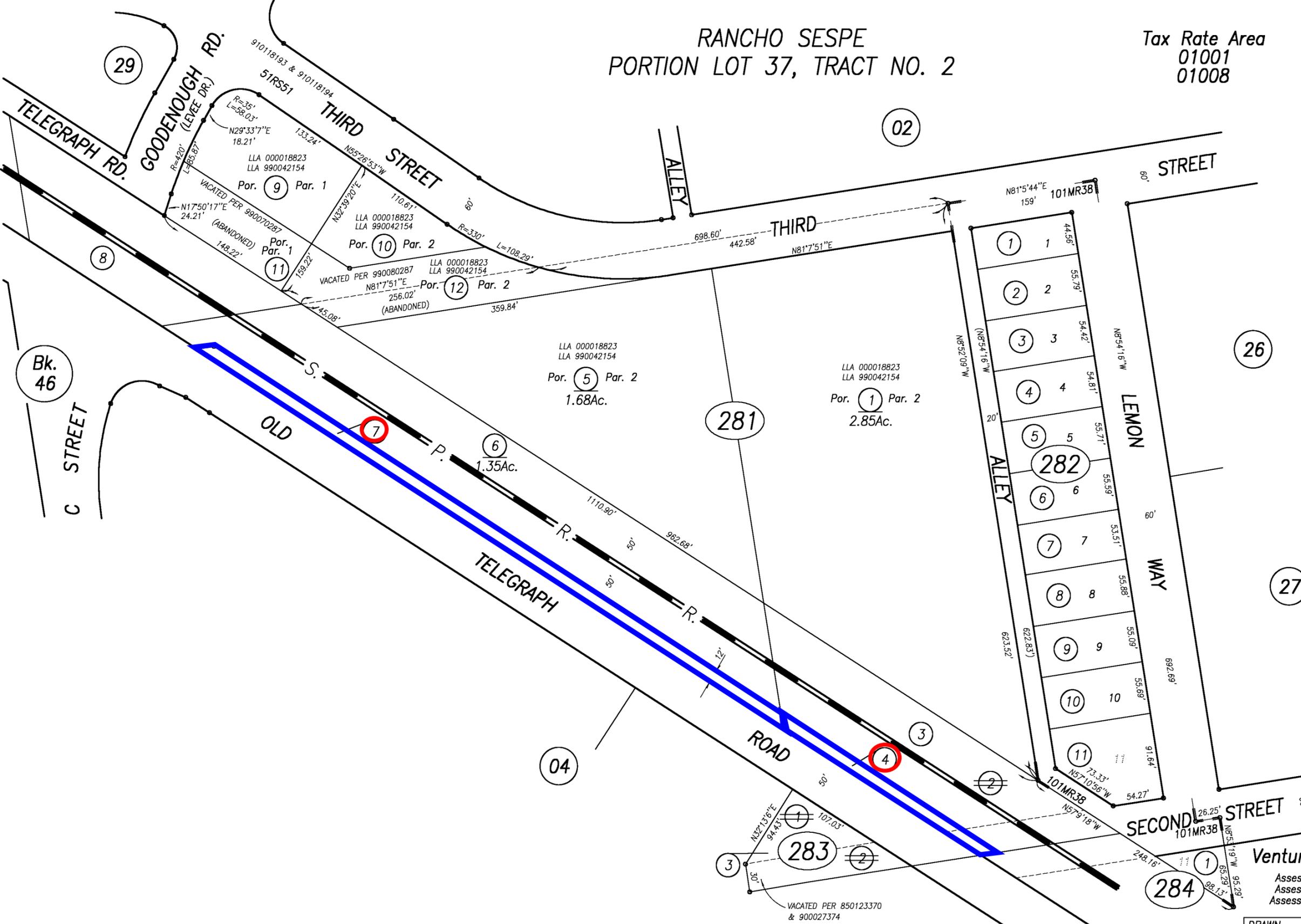
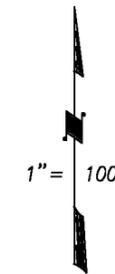
DATE	REFERENCE DOC.	EXPLANATION	VOID A.P.N.(s)	RESIDUAL A.P.N.(s)	NEW A.P.N.(s)
8/7/2007	Item 8-10(08-09)	Add 01003 & 01004			



RANCHO SESPE  
PORTION LOT 37, TRACT NO. 2

Tax Rate Area  
01001  
01008

52-28



Tract 4010, M.R. Bk.101, Pg.38  
Resub. Portion Farm Lot 60, Fillmore Subdivision of Rancho Sespe, M.R. Bk.15, Pg.83  
Fillmore Subdivision of Sespe Rancho, M.R. Bk.3, Pg.5

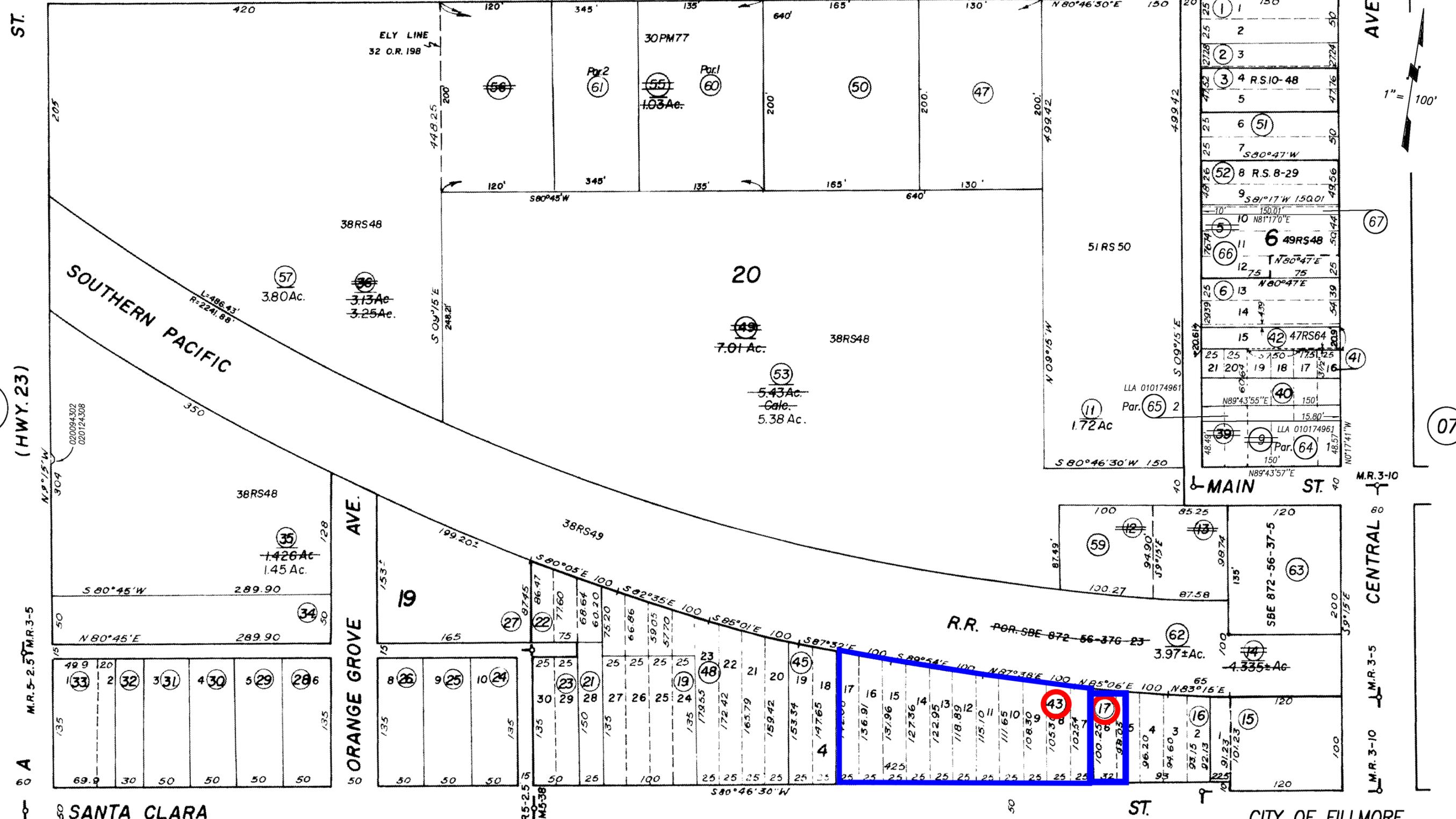
NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

DRAWN	REVISED	4-18-2011
REDRAWN	S.T. CREATED	5-24-2000
INKED	PLOTTED	EFFECTIVE 85-86 ROLL
PREVIOUS Bk.052, Pg. 28, Portion Pgs. 02, 04		
Compiled By Ventura County Assessor's Office		

Roll-Year	DATE	REFERENCE DOC.	EXPLANATION		VOID A.P.N.(s)	RESIDUAL A.P.N.(s)	NEW A.P.N.(s)
			Code	Description			
11-12	4/18/11	N/A			052-0-283-015 & -025		052-0-283-035

BK. 052 , PG. 28 REVISION LOG

CITY OF FILLMORE  
Ventura County Assessor's Map.  
Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.



Bk 52

(HWY. 23)

M.R. 5-2.5 M.R. 3-5

Portion Stow & Goodenough Subdivision, M.R. Bk.5, Pg.38  
 Portion Alcock Tract, M.R. Bk.5, Pg.2 1/2  
 Portion City of Fillmore, M.R. Bk.3, Pg.10  
 Fillmore Subdivision of Rancho Sespe, M.R. Bk.3, Pg.5

Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.  
 Assessor's Mineral Numbers Shown in Squares.

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
 DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
 CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
 PLANNING DIVISION TO VERIFY.

CITY OF FILLMORE,  
 Ventura County Assessor's Map.

DRAWN	REVISED	2-4-2008
REDRAWN	CREATED	
INKED	PLOTTED	EFFECTIVE
		ROLL

Compiled By Ventura County Assessor's Office

Roll - Year 08-09

DATE	REFERENCE DOC.	EXPLANATION	VOID A.P.N.(s)	RESIDUAL A.P.N.(s)	NEW A.P.N.(s)
2/4/2008	070530-0109783	PER GRANT DEED	053-0-060-050	053-0-060-660	053-0-060-670

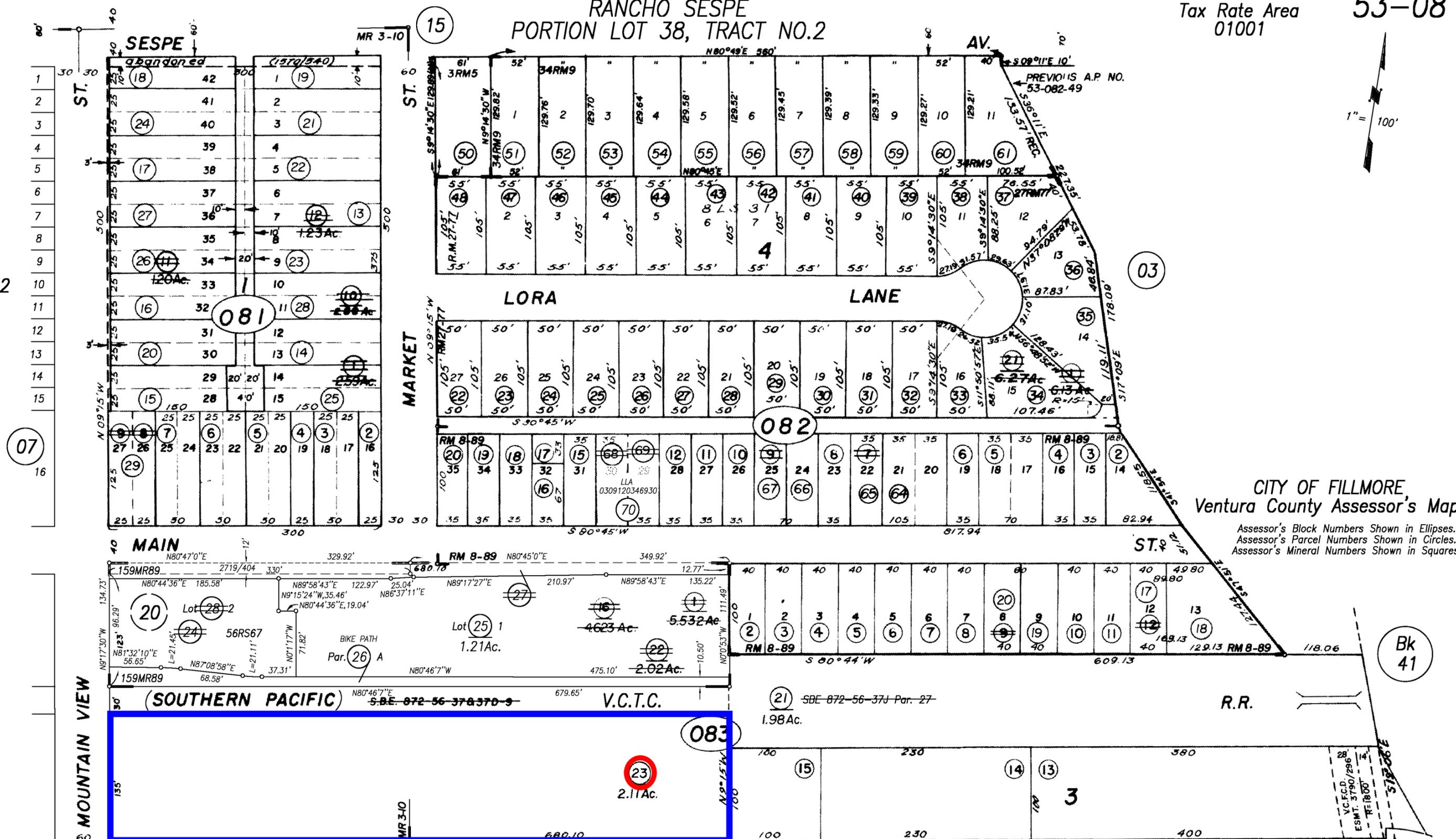
09



RANCHO SESPE  
PORTION LOT 38, TRACT NO.2

Tax Rate Area  
01001

53-08



CITY OF FILLMORE,  
Ventura County Assessor's Map.  
Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

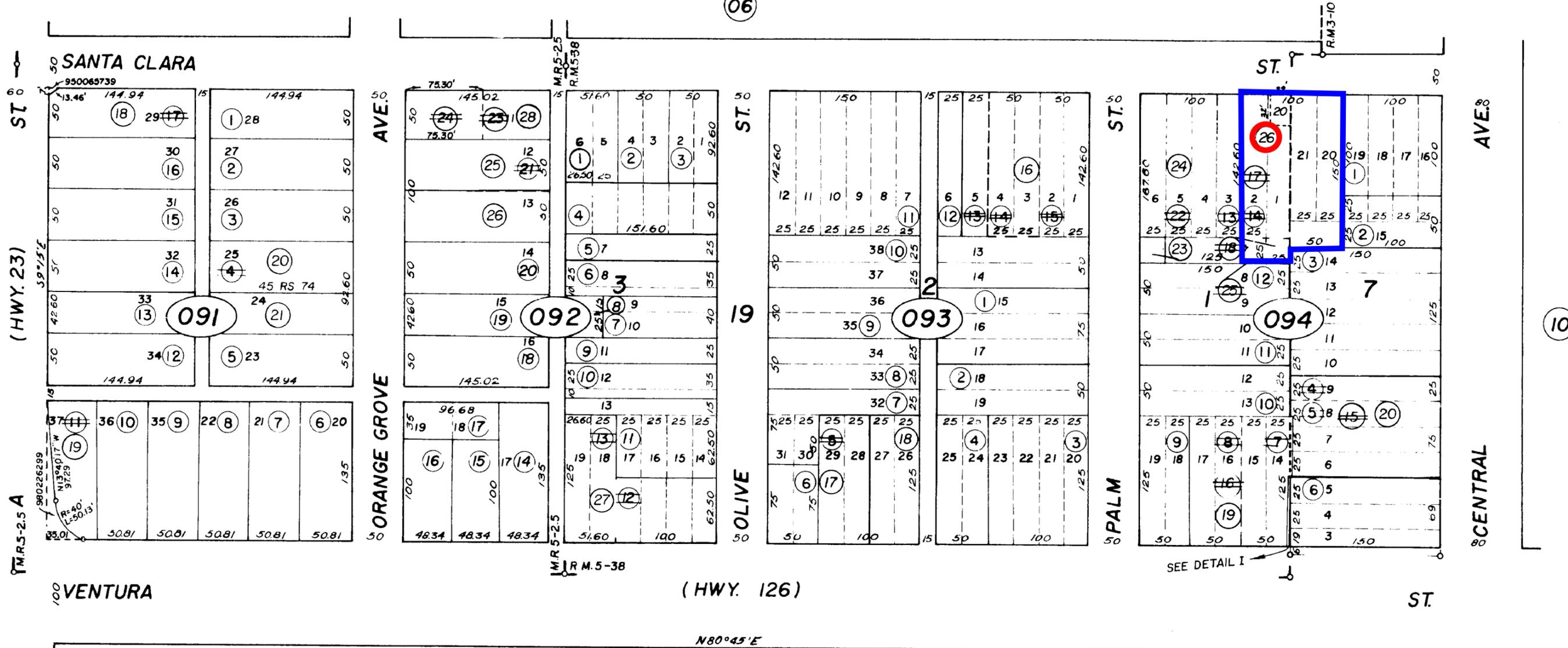
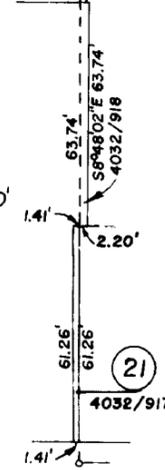
Portion Tract 5591, M.R. Bk.159, Pg.89  
Tract 1482 (Taylor Tract Sub. No.3), M.R. Bk.34, Pg.9  
Tract 1176 (Taylor Tract Sub. No.2), M.R. Bk.27, Pg.77  
Taylor Tract Sub. No.1, M.R. Bk.8, Pg.89  
Portion Fillmore Subdivision, M.R. Bk.3, Pg.5; Portion City of Fillmore, M.R. Bk.3, Pg.10

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

DRAWN	REVISED	7-1-2010
REDRAWN	CREATED	
INKED	PLOTTED	EFFECTIVE
		ROLL
Compiled By Ventura County Assessor's Office		

Roll-Year	11-12	BK. 053, PG. 08	REVISION LOG
DATE	7/1/10	10023-0024417	
REFERENCE DOC.			
EXPLANATION	Description	VOID A.P.N.(s)	NEW A.P.N.(s)
Code	Tr.5591, Lot. 2	053-0-083-280	To New Pg.20

DETAIL I  
SCALE: 1"=50'



Alcock Track M.R.5, Pg. 2.5  
Fillmore, City of, M.R.3, Pg. 10  
Stow & Goodenough Sub. R.M. Bk. 3, Pg. 38

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

CITY OF FILLMORE,  
Ventura County Assessor's Map.

DRAWN	REVISED	2-5-2002
REDRAWN	CREATED	2-5-2002
INKED	PLOTTED	EFFECTIVE
PREVIOUS Bk., Portion Pg.		
Compiled By Ventura County Assessor's Office		

# Exhibit G – Zoning Information

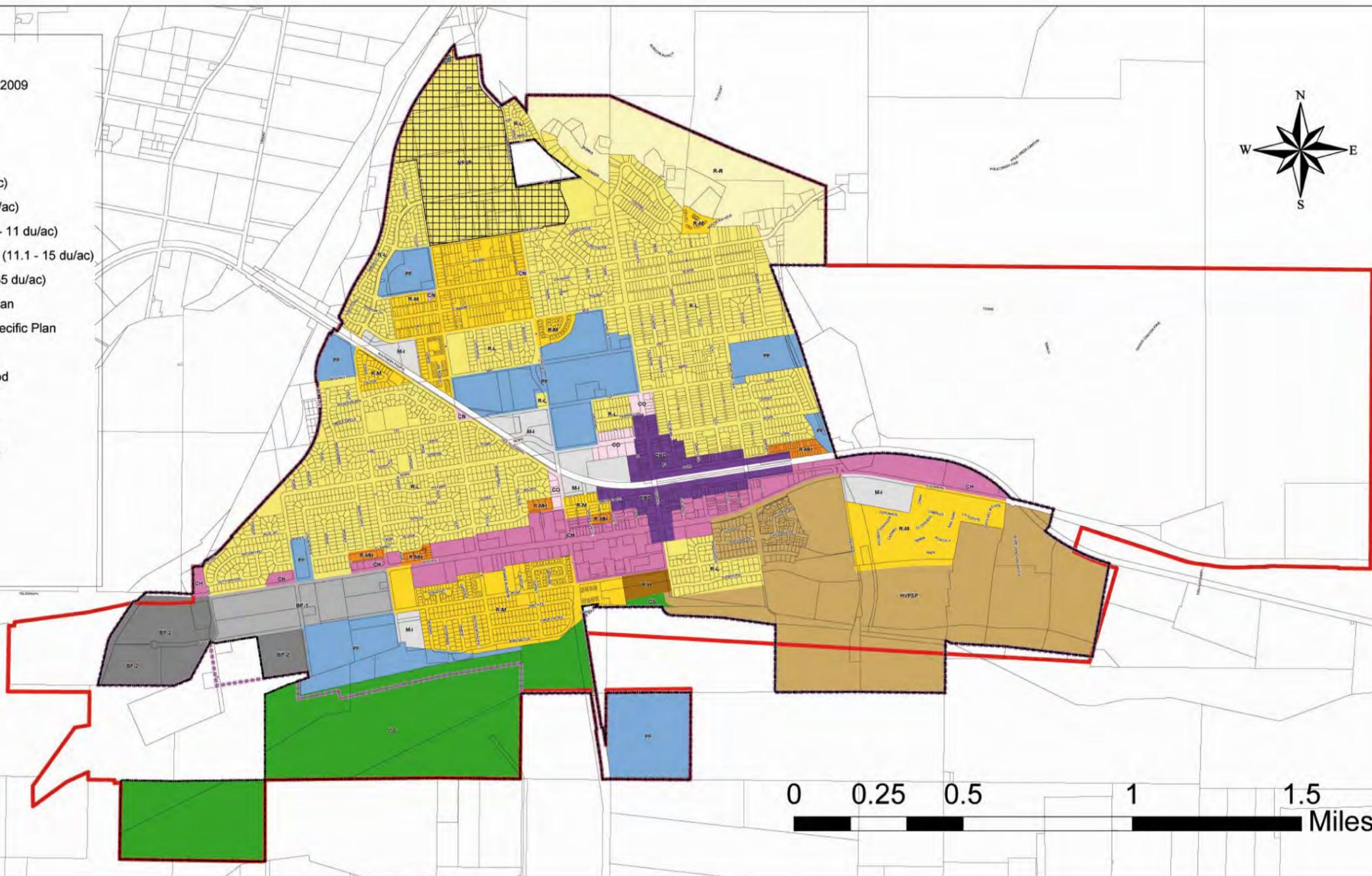
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**Legend**

- Sphere of Influence April 2009
- City Limits April 2009
- CURB Line April 2009

**Zoning**

- Residential Rural (1 du/ac)
- Residential Low (1 - 7 du/ac)
- Residential Medium (7.1 - 11 du/ac)
- Residential Medium High (11.1 - 15 du/ac)
- Residential High (15.1 - 35 du/ac)
- North Fillmore Specific Plan
- Heritage Valley Parks Specific Plan
- Commercial Office
- Commercial Neighborhood
- Commercial Highway
- Central Business District
- Manufacturing / Industrial
- Business Park - 1
- Business Park - 2
- Open Space
- Public Facilities
- Unincorporated



# City of Fillmore

## 1994 Zoning Map

We hereby certify that the planning commission of the City of Fillmore, State of California did by resolution adopted on the day (See Table at right), approve this map as section 6.04.0220.2 of the Zoning Ordinance of the City of Fillmore.

Patricia Smith  
Chairman

Denise Beauduy  
Secretary

Date and Resolution No	
05/16/95	95-408
06/20/95	95-409
09/20/95	95-415
10/12/95	95-416

We do hereby certify that this map constitutes section (see Table at right) adopted by Ordinance of the City of Fillmore, State of California, on the 22nd day of November, 1994

Roger Campbell  
Mayor

Noreen Withers  
City Clerk

--- Revision Date and Ordinance No ---			
06/27/95	95-708	10/22/02	02-766
07/11/95	95-709	10/22/02	02-767
10/10/95	95-710	07/22/03	03-772
10/24/95	95-711	07/27/04	04-779
12/22/98	98-739	08/22/06	06-798
03/09/99	99-741	03/11/08	08-806
01/17/02	02-761	03/11/08	08-807
02/12/02	02-762	05/27/08	08-808

NOTE: This Zoning map identifies zoning for all properties in the city. Please verify any of this information with the City Planning Department  
250 Central Avenue  
Fillmore, CA 93015-1907  
(805) 524-1500, x113  
(805) 524-7058 FAX



## Exhibit H – Historic Theater (Site No. 4)

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REPAIR AND RESTORATION REPORT

# FILLMORE TOWNE THEATER

336-338 Central Avenue  
Fillmore, California

## PHASE ONE: Research and Documentation

*prepared for*

**City of Fillmore  
Redevelopment Agency**

*prepared by*

**JOHN ASH GROUP**  
Architecture, Planning and Historic Preservation

*with the assistance of*

**KRAKOWER & ASSOCIATES**  
Structural Engineer

**DONALD F. DICKERSON ASSOCIATES**  
HVAC, Plumbing and Electrical Engineers

**RESTORATION STUDIO**  
Decorative Arts Conservation

**GEORGE THOMAS HOWARD ASSOCIATES**  
Theatre Consultant

**GLENN MAY CORPORATION**  
Construction Consultant

**SPECIALIZED TESTING**  
In-Place Masonry Shear Testing

**J & H ENVIRONMENTAL, INC.**  
Hazardous Materials Inspection

**FILLMORE TOWNE THEATER**  
**Repair and Restoration Research Report**  
City of Fillmore Redevelopment Agency

**ACKNOWLEDGEMENTS**

Roy Payne, Fillmore City Manager, and Pat Askren, Fillmore Fire Chief, have provided the daily assistance in administration and access which are making it possible to execute this project. During the interim period prior to rehabilitation, the City of Fillmore administration and employees have contributed significant effort in stabilizing the structure, securing the building, and retaining fallen and removed material.

The following organizations and individuals have provided documents, information and referrals without which it would not have been possible to provide a building history of the Fillmore Towne Theatre:

Fillmore Historical Society/Museum  
Fillmore Library  
Save the Towne Theatre Historical Architecture Subcommittee  
Ventura County Museum of History and Art  
Pat Askren  
Kathie Briggs  
Dorothy Haase  
Joyce Harrold  
Preston Kaufmann  
Dale Larson  
Carl Myers  
Sandra Sanders  
Harry Thayer

**Peyton Hall**  
*Project Architect*

**JOHN ASH GROUP**  
3780 Wilshire Blvd., 8th Floor  
Los Angeles, CA 90010  
tel. (213) 383-0056  
fax. (213) 383-0057

## REPAIR AND RESTORATION REPORT

### PHASE ONE: Research and Documentation

#### Table of Contents

	page no.
<b>Introduction</b>	0.1
<b>1.0 Building History, Description and Significance</b>	1.0.1
1.1 Architectural and Cultural History	1.1.1
1.2 Documentation Chronology	1.2.1
1.3 Character-Defining Features	1.3.1
<b>2.0 Existing Conditions Drawings</b>	2.0.1
Drawing A2.1 Basement Plan <i>(Photograph key plan)</i>	
Drawing A2.2 First Floor Plan <i>(Photograph key plan)</i>	
Drawing A2.3 Balcony Plan <i>(Photograph key plan)</i>	
Drawing A2.4 Roof Plan <i>(Photograph key plan)</i>	
Drawing A3.1 West and East Exterior Elevations	
Drawing A3.2 North and South Exterior Elevations	
Drawing A4.1 Building Cross Section at Auditorium and Lobby	
Drawing A4.2 Building Longitudinal Section	
Drawing A6.1 Basement Reflected Ceiling Plan	
Drawing A6.2 First Floor Reflected Ceiling Plan	
Drawing A6.3 Balcony Reflected Ceiling Plan	
Drawing A9.1 Marquee Details	
Drawing A9.2 Ticket Booth Details	
<b>3.0 Historic Color Analysis</b>	3.0.1
<b>4.0 Structural Conditions</b>	4.0.1
<b>5.0 Theater Systems Conditions</b>	5.0.1
<b>6.0 HVAC, Plumbing &amp; Electrical Conditions</b>	6.0.1

**FILLMORE TOWNE THEATER**  
**Repair and Restoration Research Report**  
City of Fillmore Redevelopment Agency

<b>7.0</b>	<b>Hazardous Materials</b>	<b>7.0.1</b>
<b>8.0</b>	<b>Reversal of Modifications</b>	<b>8.0.1</b>

**APPENDICES**

<b>A</b>	<b>Historic and Existing Conditions Photographs</b>	<b>A-0</b>
<b>B</b>	<b>Inventory of Contents to Be Retained</b>	<b>B-0</b>
<b>C</b>	<b>Historic Resources Inventory Form</b>	<b>C-0</b>
<b>D</b>	<b>In-Place Masonry Shear Test Report</b>	<b>D-0</b>
<b>E</b>	<b>Asbestos Inspection Report</b>	<b>E-0</b>
<b>F</b>	<b>Theatre Glossary</b>	<b>F-0</b>
<b>G</b>	<b>Damage Assessment by Michael Faulconer, AIA Architects &amp; Laurence Hauer, S.E, Inc.</b>	<b>G-0</b>

## **INTRODUCTION**

The Fillmore Towne Theatre was seriously damaged by the Northridge Earthquake on January 17, 1994. Portions of the unreinforced brick walls and parapets cracked, leaned and fell, causing City officials to quickly close the building. The desire to prevent demolition of this architecturally and culturally significant historic resource led to prompt action on the part of the citizens of Fillmore and government at the local and state level.

The City of Fillmore Redevelopment Agency, in conjunction with the City Council and City Management, acted expeditiously to purchase the property from private ownership. Working closely with the State Office of Historic Preservation and its representatives, the City of Fillmore sought and obtained a substantial grant from the 1994 Northridge Earthquake Disaster Relief Grants Program for repair and restoration. This grant program is made possible by the appropriation of funds by the California Department of Parks and Recreation, Office of Historic Preservation from the President's Discretionary Funds for damages sustained by historic properties.

The grant program is managed by Historic Preservation Partners for Earthquake Response (HPP), a group of federal, state, local, non-profit and private groups and agencies<sup>1</sup>. The program is administered at the federal level by the National Park Service, U. S. Department of the Interior, and in California by the Office of Historic Preservation with assistance from the National Trust for Historic Preservation and the Los Angeles Conservancy. HPP offers on-site expertise and technical advice, and monitors the program locally.

In order to receive funds, projects must be determined to be, at the lowest threshold, eligible for listing on the National Register of Historic Places. All funded work must conform to applicable federal and state criteria for historic resources, including the Secretary of Interiors Standards for Rehabilitation.

After formulating a request for qualifications, a scope of services, receiving proposals, and interviewing selected firms, the John Ash Group was selected as consultant for repair and restoration. The scope of work for completing the project is divided into three phases and summarized below:

### **PHASE ONE: Research and Documentation**

- 1.1 Research and document history, modifications to building, and historic colors.
- 1.2 Document remaining character-defining features.
- 1.3 Identify impacts and costs of reversing more recent architectural and building remodel modifications.
- 1.4 Review and document building damage caused by the Northridge Earthquake.
- 1.5 Review and document structural retrofit requirements, in compliance with the Uniform conservation Building Code.

---

<sup>1</sup>HPP is a partnership of the National Park Service, U.S. Department of Interior, California Office of Historic Preservation, National Trust for Historic Preservation, California Preservation Foundation, Los Angeles Conservancy, and Getty Conservation Institute.

**PHASE TWO:        Design Approach and Construction Documents**

- 2.1        Identify design alternatives for seismic damage repair and mitigation, and retention of historic fabric.
- 2.2        Identify a design approach which gives first priority to repair of north party wall to allow early repair and occupancy of the adjacent building.
- 2.3        Prepare program and methodology for restoration of character defining features.
- 2.4        Prepare a preliminary cost estimate for alternatives.
- 2.5        Submit alternatives for review by agencies having jurisdiction, and meet as needed for preliminary approvals.
- 2.6        Prepare construction documents for the approved alternatives.
- 2.7        Prepare final construction documents and cost estimate.

**PHASE THREE:     Bidding and Construction Observations**

- 3.1        Assist City of Fillmore in identifying qualified contractors; prepare bid packages.
- 3.2        Assist in review of bids and selection of lowest qualified bidder.
- 3.3        Provide construction observation services, including bi-weekly job meetings with the contractor.

## **1.0 BUILDING HISTORY, DESCRIPTION AND SIGNIFICANCE**

- 1.1 Architectural and Cultural History
- 1.2 Documentation Chronology
- 1.3 Character-Defining Features

## 1.1 Architectural and Cultural History

When the Fillmore Towne Theater opened to a packed house on October 2, 1916, the Fillmore Herald reported that the first show was "an event of no little importance in the town's history."<sup>2</sup> Almost eighty years later, the journalist's prediction has come to pass. The theater has experienced the vicissitudes of evolving entertainment trends and Southern California geology, surviving with much integrity as one of the oldest continuously operating moving picture houses in the United States. Though the building has significance in larger contexts, as with many community-oriented resources the Fillmore Towne Theatre is perhaps most significant in its local role as a key component of Fillmore's historic townscape a primary focus of community culture in the social history of Fillmore.

### FILLMORE HISTORY

The town of Fillmore in Ventura County, with a current population of more than 12,000, nestles up to the southern most slopes of Los Padres National Forest, just northeast of the confluence of Sespe Creek and the Santa Clara River. The Santa Clara Valley community is located about 60 miles northwest of the Los Angeles Basin, and twenty miles east of the Ventura coastal community. Though cattle and oil were important enterprises in early Fillmore, agriculture, especially citrus, continues to play an important role in the economy and landscape of the Santa Clara Valley. The short drive to Fillmore from nearby suburban sprawl is a rapid travel back in time to a representative southern California rural settlement at the turn of the century, with tawny hillsides, rolling citrus groves, and grassy flood plains as backdrop.

*The late 1800's were a busy time in Southern California. The railroad arrived, real estate sales were booming and a pioneering spirit permeated the air. Every little village as well as many larger settlements, liked to think of being the best place to live, raise a family and prosper. Our little Santa Clara Valley, which was sheep and cattle country, was no exception.*

*R. G. Surdam and Thomas Bard were developing Bardsdale, south of the Santa Clara River; Sespe area, west of the Sespe Creek, was being promoted; and a place called Cienega, east of the current fish hatchery, had a store, stagecoach stop, post office and school. When the Southern Pacific railroad came through our valley in 1886-87, company representatives wanted to promote the Cienega area for a townsite. the landowner would not sell any of his property so they went west to an area far enough from the Santa Clara River and Sespe creek to be safe from floods. The Sespe Land and Water company joined the Southern pacific Company in promoting Fillmore, named after Jerome A. Fillmore, the Southern Pacific General Superintendent.*

*Train excursions, barbecues and advertising in the Los Angeles Times were all part of the activities to lure people to our valley.*

---

<sup>2</sup>"Opening Night of New Theater," Fillmore Herald, Oct 6, 1916, p. 1 .

*On August 1, 1888, a street map of the town of Fillmore as recorded in the Ventura County court House at the request of Francis Bates, secretary of the Sespe Land and Water Company.*

*As Bardsdale, Sespe and Cienega became just names on a map, Fillmore continued to grow and prosper. By 1900, according to the Rand McNally Atlas, Fillmore had a population of 150.*

*Main Street was the "main" street, in our beginning, with a rooming house, general store, pool hall, fruit stand, barbershop, saloon and a lumber yard among the first businesses. In 1903, a big fire destroyed several of the Main Street businesses, some of which were rebuilt.*

*In 1907, electric lights were strung across the street from Stephen's store on the northwest corner of Central Avenue and Main Street to the Marmonson & Rood store on the northeast corner. In 1911, street lights were installed. A building spree on Central Avenue took place in 1910.*

*In 1914, Fillmore was incorporated as the city of Fillmore in Ventura County. In 1917, the streets were paved. On January 13, 1935, the last passenger train stopped here, ending a colorful era.<sup>3</sup>*

The Fillmore Towne Theatre served as an assembly space for many community functions. In addition to providing professional Vaudeville entertainment (newspaper advertisements headlined Mary Pickford) and moving pictures, theatres augmented churches and schools as a place for many types of meetings and presentations. High school pep rallies and fashion shows were held in the theatre. Wheel of fortune games and country store night (grocery giveaways) entertained and treated the citizens of Fillmore. Thus the Fillmore Towne Theatre served as one of the focusses of community life, an integral part of social life in Fillmore for many decades.

## THEATRE HISTORY

While not the earliest among surviving movie theatres, the Fillmore Towne Theatre is among the oldest extant continuously operating facilities. The building is a rare surviving example of a small town vaudeville house which was also built for the purpose of showing moving pictures. In the context of theatre history, movies were not big business until the 1920's, though the first feature-length film appeared in 1903.<sup>4</sup> Long before the movie palaces of the 1920's were developed as new genre of public buildings, arcades, storefront theatres and nickelodeons were serving up the still curious moving picture technology to the public. The Towne is a representative small town vaudeville and moving picture theatre of the 1910's, when stage performances were yet to be supplanted entirely by movies. The development of movie theatres, as represented by the Towne, parallels the decline of live performances as full length features became more popular; the advent of talking pictures in 1927 sealed the fate of vaudeville.

---

<sup>3</sup>Dorothy Haase, "History of Fillmore," Fillmore 1888-1988 (Fillmore, CA, Fillmore Historical Society, 1989), pp. 1-2.

<sup>4</sup>David Naylor, American Picture Palaces. The Architecture of Fantasy (New York, Prentice Hall Press, 1981), p. 13.

*Motion pictures began to be shown commercially at the turn of the century, as part of other established forms of popular entertainment, such as the penny arcade and vaudeville theatre, which had evolved their own built forms and traditions. The earliest movies were "shorts," lasting only a few minutes and cast with a few stock actors portraying a single scene or event. Gradually, shorts became popular by themselves and began to be shown in a new milieu, away from the penny arcade and vaudeville. The first movie theatres were established in existing buildings--either converted retail shops or vaudeville theatres--which were adapted for film projection. As the medium became more popular, buildings were designed exclusively for the special needs of motion picture exhibition. Stylistically, these designs evolved from incidental or accidental beginnings.*

*The appearance of feature-length films, which told an artistically edited story, coincided with the development of "feature" motion picture theatres--the "moving picture theatre" and early palaces that celebrated the theatre form through conscious design and architectural distinction. Movies in the 1910s and 1920s were silent adventures and romances, seldom very realistic and often set in an imaginary, exotic locale.<sup>5</sup>*

## DESIGNING AND BUILDING THE BARNES THEATRE

Merton Barnes, a prominent citizen of Fillmore is credited with the design of the new facility, modeled after a new theatre in San Fernando.<sup>6</sup> Barnes had performed in "cross country stock" before moving to Ventura County, and managed the older Empire Theatre, where he staged local productions such as the Mikado and numerous minstrel shows.<sup>7</sup>

*Judge Merton Barnes acquired his judicial title from his sixteen years as Fillmore's Justice of the Peace. In this capacity, he was, in 1924, elected Vice-President of the Magistrate and Constable Association of California. He moved his family from Ventura to Fillmore in 1911, opening the Empire theatre for motion pictures and traveling Vaudeville. Later, across the street, the Barnes theatre was opened in the Leon Hammond building which had been built to Mr. Barnes' specifications. Each theatre had been "staging-houses" for local talent. His community activities were his deepest pleasure--and concern. He served as President of the Rotary club, and of the Chamber of Commerce, acting also as Toast-Master for each, and at many civic affairs. In 1921, the Ventura elks Lodge #1430 was organized, a number of Fillmore and Bardsdale men becoming Charter Members, some holding elective offices. Judge Barnes was one of these. he was chosen as one of the Lodge's three Trustees. "Fortune Favored Fillmore" was his winning entry of the town's Slogan contest. Earlier, in Ventura, he had coined the*

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<sup>5</sup>Maggie Valentine, The show Starts on the Sidewalk: An Architectural History of the Movie Theatre, Starring S. Charles Lee (New Haven, CT, Yale University Press, 1994), pp. 5-6.

<sup>6</sup>"Work to Start on Modern Theater," Fillmore Herald, July 28, 1916, p. 1.

<sup>7</sup>Barbara Barnes Jones, daughter of Merton Barnes, Letter to Edith Moore Jarratt, undated, Fillmore Historical Museum.

*still-used advertising slogan "Cash and Carry." During World War I, he was head of the Fillmore Chapter of the American Red Cross.<sup>8</sup>*

Leon B. Hammond, a successful real estate investor, developed several buildings on the east side of Central Avenue in addition to providing a new showplace for Merton Barnes. County of Ventura records show that Hammond and his successors traded in many properties in Fillmore. Hammond, an English army surgeon, moved to Fillmore with his wife, Trinidad, and reared three children, after adventures in Brazil, Mexico and New Orleans. The Hammonds lived in a frame house on the site of the theatre, which they are reported to have moved to a lot across the alley to east of the theatre lot. Mr. Hammond sadly lost much of his commercial property after being taken advantage of by a Los Angeles attorney.<sup>9</sup>

Mrs. W. E. Cooney, a graduate of the Art Institute of Chicago selected cream white and soft green for the lobby and theatre interiors.<sup>10</sup>

#### THE BARNES THEATER, 1916-1926

The Ventura Free Press reported that the new Barnes Theater was "easily the finest of the kind in the county of in this end of the state."<sup>11</sup>

The historic photographs in Appendix A illustrate the brick facade of 1916. The most prominent feature of the building was a deep open lobby with a barrel vaulted ceiling opening to the street. The simple vernacular building front was decorated and its elements articulated simply by the use of brick veneer patterns and two colors of brick and mortar. Stacked bond and rowlock courses gave visual strength to the piers flanking the lobby. A soldier course stands in a lintel at each of the two wide storefront openings. A rowlock arch, soldier course, and projecting header course combine to create a classical profile at the central arch. An elongated framed basketweave pattern is used to create a panel which relieves the flat expanse of running bond above each storefront. The parapet steps up over the arch, and the top two courses project to form a cornice.

Marble veneer in large panels finishes the bulkheads under the storefront windows, and is used as a skirt at the piers which flank the lobby opening; the luxurious finish prompted the Herald to announce that "Nothing is too

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<sup>8</sup>Dorothy Haase, Untitled Monograph, Undated, Fillmore Historical Museum.

<sup>9</sup>Harry Thayer, grandson of Leon B. Hammond, Interviewed by Peyton Hall, Dec 6, 1994.

<sup>10</sup>Barbara Barnes Jones, Interviewed by Dorothy Haase, transcript, Undated, Fillmore Historical Museum.

"Scenery Purchased for New Theater/Local Lady Arranging Color Scheme for Entrance Lobby and Interior," Fillmore Herald, p. 1.

<sup>11</sup>Ventura Free Press, Oct 3, 1916, quoted in unpublished monograph by Dorothy Haase, Fillmore Historical Society.

good for Fillmore."<sup>12</sup> Fixed reeded glass transom in divided light metal frames with pivoting vent sash extend the length of each storefront opening. A simple flat marquee signboard spans the opening at the springline with simple decoration; apparently only surface illumination was used, as evidenced by a single gooseneck lamp.

The covered exterior lobby is deeper than the existing recessed foyer. Wall and vault are finished in plaster which may have been decoratively painted. Ceramic bases with colored lamps line the arch and frieze line of the side walls. Three poster frames are hung on each side wall from a continuous picture rail. A large hanging poster is barely visible at the rear lobby wall, corresponding to the following account.

*One accident resulted when a frame used for exhibiting posters in the lobby fell. The upper part was suspended with a rope in the (projection) booth.<sup>13</sup>*

There little written and no photographic documentation, combined with field observation, allows a broad, but not detailed reconstruction of an image of the interior of the theatre between the front doors and the auditorium itself. The deep outer lobby space left a wide but shallow foyer inside the front doors. The rear seats and top of aisles at the rear of the auditorium were separated from the foyer at the floor level by draw curtains.<sup>14</sup> The balcony and balcony stairs were added later, as was the stairway to the second floor. The upper level finished space consisted only of the existing projecting booth, though there is one reference to a manager's office reached by a ladder.<sup>15</sup>

The auditorium was designed with a steep floor rake of two inches to the foot to insure good audience sight lines to the stage. The original aisles were more closely spaced towards the center of the room than the existing layout. The original floor (which still exists under the later raised floor) stepped down to an orchestra pit which extended under the stage apron and opened to the basement by a door. An electric organ was added to the pit for musical accompaniment provided by local artists. The original seats had stained wood backs; some were veneered, some had leather seats only, some had leather seats and backs, and the rear row "loge" seats were premium sized with leather upholstery.

The side walls and ceiling of the auditorium have changed little in shape and detail. However, the original finishes were much finer than today's flat paint and tattered drapes. Opening night accounts refer to unfinished "mural decorations."<sup>16</sup> Initial historic color investigation shows that the auditorium walls were finished in several different colors. A dark tan punctuated the wainscot area below the wood trim. The wood trims were

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<sup>12</sup>"Building Beautiful As Well As Substantial," Fillmore Herald, Aug 11, 1916, p. 1

<sup>13</sup>"Big Fire Loss at Barnes' Theater," Fillmore Herald, September 24, 1920, p. 1.

<sup>14</sup>"Inventory/Fillmore Theatre Ltd., signed by M.P. Horwitz, Nov 1, 1934, Edwards Cinema Circuit Collection, B'hend & Kaufmann Archives.

<sup>15</sup>Invoice from Robert E. Power Studios to Jas. Edwards Theatre Circuit for "Painting & Decorating at Fillmore Theatre, Edwards Cinema Circuit Collection, B'hend & Kaufmann Archives.

<sup>16</sup>"Opening Night of New Theater," Fillmore Herald, Oct 6, 1916, p. 1.

originally stained in walnut. The plaster walls above the wood trim were decorated in a architectural (simulated) stone finish. The painted texture was a wiped finish. The pilasters were finished with same false stone finish but in a slightly darker hue.

Each wall between the pilasters contained a painted decorative panel. The findings indicate that a Trompe-l'oeil painting technique was used (in stone tones) to represent bas-relief artwork. A decorative line of diamond-shaped stencil art runs the entire length of the north and south walls. This embellishment was painted with a vivid red purple paint.

The stage and loft of the theatre have changed very little except for the widening of the proscenium, addition of an exit ramp, and use of stage space for air handling equipment. The integrity of the wood-framed stage tower, fly loft, grid, and fly gallery and pin rail has been maintained through lack of alteration and use since the 1920's. However, the Barnes Theatre was well prepared for presentations on opening night.

*Manager Merton Barnes of the Empire Theater has purchased from the Flag Scenic Co., of San Francisco, over a thousand dollars worth of scenery for the new theater which he expects to open October 1st. Following is a list of the scenery included in the order, which is probably the largest individual order for scenery ever sold in Ventura county: One fancy drop curtain, two tormentors or wings, one garden set, one Olio drop, one street scene, four wood wings, a 9-piece interior parlor set, together with a grand drapery border and sky borders."<sup>17</sup>*

The basement under the stage was originally reached by a door from the orchestra pit; the stage right stairway is an alteration. Dressing rooms, a hot air furnace, and independent lighting plant were provided.

## THE 1920 FIRE

A projector booth fire on September 21, 1920 caused no damage outside of the room. Merton Barnes purchased two new Powers 6B projectors to replace the damaged equipment. Metal lining in the projection booth partitions was credited with containing the fire.<sup>18</sup>

## THE STEARNS THEATER, 1926-1931

Mr. and Mrs. Henry C. Stearns bought the theater business from Barnes in 1926. Historic photographs from the 1920's show the addition of a blade marquee projecting over the sidewalk, reading "Stearns Theatre." The two-sided sign was attached to the building at the transom window level just north of the lobby entrance.

In August 1928, Stearns repainted, changing the side wall panels of the auditorium to an unspecified new finish.

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<sup>17</sup>"Scenery Purchased For New Theater," Fillmore Herald, \_\_\_\_\_, 1916, p. 1.

<sup>18</sup>"Big Fire Loss At Barnes Theater," Fillmore Herald, Sep 24, 1920, p. 1.

At this time an evaporative cooling system was added.

The Stearns' major alteration to the building was the replacement in 1928 of earlier marquees with the currently existing square metal awning which covers the main entrance and forms an awning over the sidewalk. In this manner the theatre parallels the development of the movie house genre; the illuminated neon marquees of the movie palaces evolved during the 1920's to replace the sober signage of traditional theatre buildings. In the oft-quoted words of movie palace architect S. Charles Lee, "the show starts on the sidewalk."

The Fillmore Herald reported in 1930 that "a number of comfortable lounge seats had been built in the balcony." This is the only documentation available other than field observation of construction materials and techniques to conclude that the balcony was added in 1930.

Western Electric sound equipment for "talking pictures" was purchased late in 1930. This was probably the first sound system in the facility, since sound was introduced in 1927, and much larger theatres in metropolitan Los Angeles were just installing sound equipment as late as 1929.

#### THE FILLMORE THEATER: Scheinberg and Horwitz, 1931-1937

The Stearns leased the theatre in 1931, for a period of 10 years to Nate Scheinberg and Paul Horwitz of Van Nuys, CA (Fillmore Theatre Ltd.). The operation was closed for "extensive alterations and improvements in the interior" costing \$350.<sup>19</sup> Alterations included raising the floor near the stage (the existing floor, which is framed up from the original floor, over the orchestra pit), increased seating capacity and new loge style cushioned seats, a better exit at the rear of the building (the ramp on the south side of the stage leading to the alley), a motor drive for the traveller curtain, new drapes and carpets, and painting of the walls to give a softer appearance. The new rear exit ramp undoubtedly replaced the now closed exit which opened through the south side wall to the rear of the adjacent building.

There is no explicit documentation to date the addition of the existing women's lounge and manager's office in the space west of the projection booth originally occupied by the lobby barrel vault. However, circumstantial evidence will be presented later indicating that this addition was not part of the 1931 remodel.

The 1931 redecorating was directed by Nate Smithe of West Coast Theatres.<sup>20</sup> The West Coast Theatres house style was colorful and florid, leading to undocumented speculation that the remnants of decorative painting on the ceiling of the existing lobby may have been a part of this work.

The freestanding box office/ticket kiosk in the outer lobby appears in a photograph dated c. 1940; however, no additional documentation of its provenance has been found

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<sup>19</sup>"Stearns Theatre Leased for A Ten Year Period," Fillmore Herald, Oct 9, 1931, p. 1.

<sup>20</sup>"New Fillmore Theatre Will Open Tonight," Fillmore Herald, Oct 16, 1931, p. 1.

An inventory of the theatre dated Nov 1, 1934 and signed by M. P. Horwitz includes the following items:

<u>Balcony:</u>	75	cut velour loge chairs
<u>Auditorium</u>	44	veneered chairs (sides)
	154	leather seated chairs
	182	leather seated and leather backed chairs
	50	leather loge chairs
	1	pictorial tapestry
	1	flower design tapestry covering back night table
	8	tapestry 12' x 12'
	10	ceiling electric light bowls
	6	Pylaster (sic) electric brackets with parchment shades
<u>Stage</u>	11	sets lines and blocks
	1	Dayton sound screen 20 x 16
	1	13 x 16 beam screen
	1	DeKolb upright piano
	1 ea	Motor driven curtain sloat, title curtain, valance, monks cloth full cyclorama
<u>Office</u>	1	9' x 12' rug
<u>Booth</u>	1	Powers 6-B
	1	RCA talking picture equipment
<u>Foyer</u>	4	one sheet frames
	4	pr. velvet pull curtains
	1	half round table
	1	27 1/2" x 13" mirror
	2	ceiling fixtures
	4	draw curtains in back of loges

#### THE FILLMORE THEATER: James Edwards, 1937-1939

In 1937 Scheinberg and Horwitz (Fillmore Theatres, Ltd.) assigned their lease for a period of ten years from 1934 to 1944, to James Edwards (Fillmore Amusement Company), with the approval of the building owner, the Fillmore Improvement Company. George Tighe, a prominent Fillmore citizen and businessman signed documents as President of the Fillmore Improvement Company. Edwards developed the now prominent Edwards Cinema Circuit which now operates numerous cinemas in Southern California.

Edwards promptly engaged Robert E. Powers Studios, a prominent theatrical decorative arts painter with studios

in San Francisco and Los Angeles, for "Painting & Decorating" all of the interiors.<sup>21</sup>

## THE 1939 FIRE

Inventories, invoices and letters in James Edwards's records document that a fire in January 1939 or shortly before, led to removal and replacement of substantially all fixtures, furnishings and equipment in the building. Seats were refurbished rather than being replaced. There is no documentation available to date to explain how the fire started and what type of damage was suffered. Carbon was found on the wood trim at the base of a pilaster on the side wall of the auditorium, indicating that the damage was extensive.

Additional building alterations were undertaken in the winter of 1939. The State Fire Inspector required an additional exit in the rear, which is the existing ramp on the north side of the stage leading to the rear alley. Edwards requested the lessor to relocate the heater fan to the basement and omit a new furnace and cooling system in lieu of spending available funds for a new V-shaped marquee; it is observed on the site that Edwards received a new mechanical system and not a new marquee.

A letter from the landlord to Edwards at this time requested that Edwards bring his architect to the site for suggestions as to how to locate the dressing room off the balcony.<sup>22</sup> The evidence of alterations in this area suggests that the addition of the women's toilet and manager's office on the second level, and the stair leading to them, was completed in 1939. As late as 1937, the Power Studios painting invoice refers to a ladder leading to the Manager's office.

## THE FILLMORE THEATER: Lloyd Beard, 1939-1953

Lloyd Beard signed an agreement to purchase James Edward's lease on August 2, 1939; however, there is subsequent correspondence between Edwards and Minnie Minor at the Burbank Theatre concerning interest payments due on a note.

A building permit was issued in 1945 for \$6,500 for substantial structural and partition work. R. Wilson and George Dippel were listed as architect and contractor, respectively. The work included metal studs, 8" "I" beams, and a built up roof with slate surface. There is no existing condition which fits this description.

Another permit was issued in 1952 for alterations valued at \$700 to a retail space, for David Wright, Jr. by contractor L. V. Askren. This description corresponds to a men's clothing store formerly located in the southerly store space.<sup>23</sup>

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<sup>21</sup>Invoice from Robert E. Power Studios to Jas. Edwards Theatre Circuit, May 24, 1937, Edwards Cinema Circuit Collection, B'hend & Kaufmann Archives.

<sup>22</sup>Letter from Fillmore Investment Company, Geo. W. Tighe, President, to James Edwards Jr., Jan 25, 1939, Edwards Cinema Circuit Collection, B'hend & Kaufmann Archives.

<sup>23</sup>Pat Askren, interviewed by Peyton Hall (Fillmore Towne Theater, Fillmore, CA), Dec. 8, 1994.

A building permit was issued in March 1954 for "entrance lobby change - doors etc., to Lloyd Beard and his contractor, Robert Johnson. In June 1954 the theatre advertised a "new wide screen," which accounts for the removal of approximately 16" of brick on each side of the proscenium opening; the existing condition reveals a crudely broken masonry pier trimmed poorly.

**THE FILLMORE THEATER:** Gordon West, 1953-1955; Harry Ulsh, 1955-

Newspaper accounts report that Mr. & Mrs. Harry Ulsh took over from Gordon West as the owner and operator of the theatre in 1955. Residents recall that Mr. and Mrs. E. W. Zane operated the theatre in the 1950's and 1960's.

**THE FILLMORE TOWNE THEATER:** Dale F. and Marilyn J. Larson, 1971-1994

The theatre was transferred to the ownership of the Larsons in May, 1971 by Diana Hooper; Edith Beard, widow of Lloyd Beard, held a deed of trust at that time.

Larson painted, reupholstered seats, recarpeted, and replaced the drapery and projection screen, as well as removing a "fake front" at the entrance and installing new dado finish and trim at the entrance area. The acoustical material on the auditorium walls was added by a lessee, Harold Graves, some time after 1971.<sup>24</sup>

Field observation indicates that the wall, floor and ceiling finishes and concession stand and equipment in the lobby area can also be dated to this period.

The existing marquee was restored in 1989 at a cost of more than \$13,000 utilizing in part grants administered by the City of Fillmore for street front improvements.

The Larson's transferred the property to Keith D. and Susan C. Banks in 1990, who transferred it back to seller in 1992 in lieu of foreclosure.

## REPAIR AND RESTORATION

The Fillmore Towne Theater was seriously damaged by the Northridge Earthquake on January 17, 1994. Portions of the unreinforced brick walls and parapets cracked, leaned and fell, causing City officials to quickly close the building. The desire to prevent demolition of this architecturally and culturally significant historic resource led to prompt action on the part of the citizens of Fillmore and government at the local and state level.

The Fillmore Redevelopment Agency purchased the property from Mr. & Mrs. Dale Larson on April 21, 1994.

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<sup>24</sup>Dale Larson, interviewed by Peyton Hall (Telephone), December 9, 1994.

## RECOMMENDATIONS FOR ADDITIONAL RESEARCH

Though the "principal players" have been cast by use of secondary sources, the research of County records to establish the succession of ownership of the property should be completed. Likewise, the chain of lessees, operators and managers who were not owners of the property is not complete. The latter information may be clarified by a search of recorded documents; however, local sources are also likely to provide recollections. Contact with individuals who worked in the theater and their families may lead to useful information and documentation.

Several historic photographs advertise the titles of movies on their marquees. These photographs can possibly be dated more precisely by determination of the release date of those films, and reading the Fillmore Herald following that date to check for advertising of those titles.

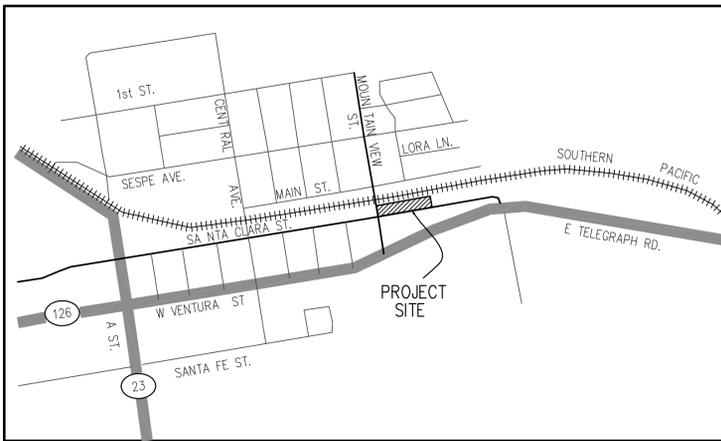
Extensive field investigation would be required to document, in sufficient detail for restoration, the painted trompe-l'oeil bas-relief panels on the auditorium side walls.

The project schedule limits the period available for research. However, John Ash Group welcomes any comments or additional information concerning the history of the Fillmore Towne Theater for use during the course of this project. We encourage the contribution of any information, documentation or ephemera related to the building to the Fillmore Historical Museum.



## Exhibit I – Tentative Parcel Map (Site No. 10)

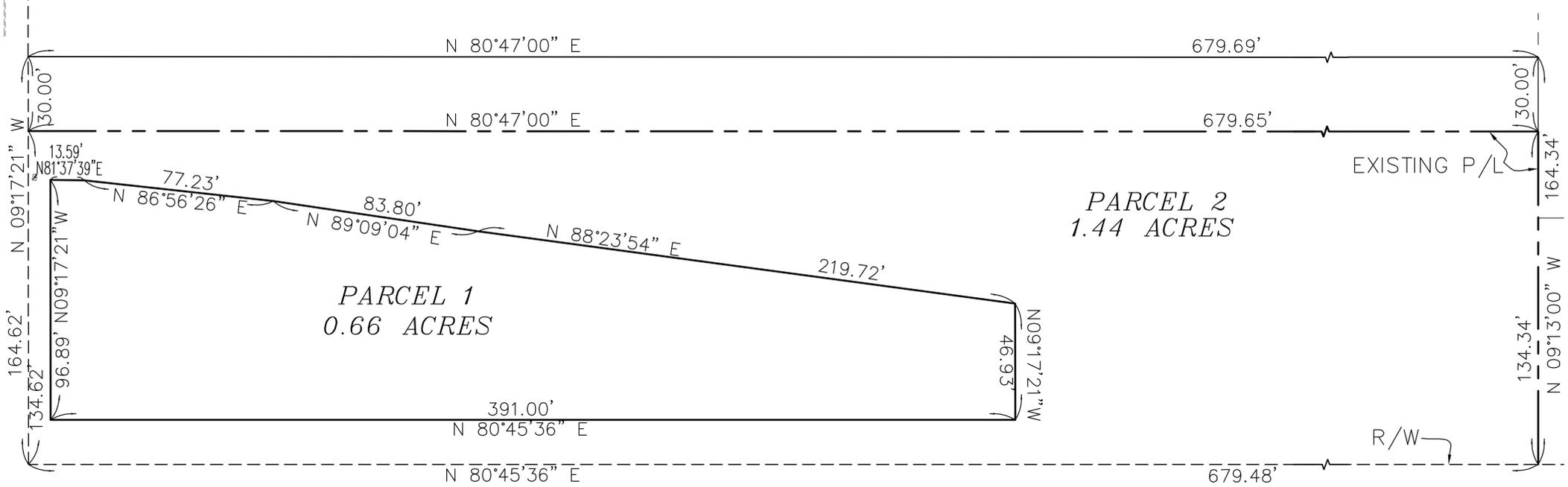
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VICINITY MAP  
N.T.S.



MOUNTAIN VIEW STREET



SANTA CLARA STREET

<u>Applicant</u> ZAHID SHAH 502 VENTURA STREET FILLMORE, CA 93015 (805) 207-3957	<u>Current Owner</u> CITY OF FILLMORE 250 CENTRAL AVENUE FILLMORE, CA 93015 (805) 524-3701	<u>Prepared By</u>  Engineering Planning Surveying	143 Triunfo Canyon Road, Suite 100 Westlake Village, CA 91361 Phone: 805/496-1928, 818/889-8641 REGISTERED ENGINEER NO. 42388 DATE E. J. KIM P.E. EXP. 3/31/08	<p><b>PARCEL MAP</b> SPA 05-01</p> <p>1 OF 1 SHEETS</p>
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