

RESOLUTION NO. OB 04-14

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY APPROVING THE REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN PREPARED BY THE SUCCESSOR AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5, DETERMINING THAT APPROVAL OF THE LONG-RANGE PROPERTY MANAGEMENT PLAN IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

RECITALS:

A. Pursuant to Health and Safety Code Section 34175(b) and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.* (53 Cal.4th 231(2011)), on February 1, 2012, all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Tehachapi Redevelopment Agency (the "Agency") transferred to the control of the Successor Agency to the Agency (the "Successor Agency") by operation of law.

B. Pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency must prepare a long-range property management plan which addresses the disposition and use of the real properties of the former Agency, and which must be submitted to the Oversight Board of the Successor Agency (the "Oversight Board") and the Department of Finance (the "DOF") for approval following the issuance by DOF to the Successor Agency of a finding of completion pursuant to Health and Safety Code Section 34179.7.

C. Pursuant to Health and Safety Code Section 34179.7, DOF issued a finding of completion to the Successor Agency on October 16, 2013.

D. On May 27, 2014, the Oversight Board adopted Resolution No. OB 03-14 approving the long-range property management plan prepared by the Successor Agency and dated May 27, 2014 (the "LRPMP"), which LRPMP addressed the disposition and use of the real properties of the former Agency and includes the information required pursuant to Health and Safety Code Section 34191.5(c)

E. By correspondence dated July 1, 2014, DOF indicated that DOF was denying the LRPMP. Because time is of the essence, instead of sending a denial letter, DOF stated that DOF would work with Successor Agency staff to prepare a revised LRPMP that DOF would approve.

F. Accordingly, with the assistance of DOF, the Successor Agency has prepared and submitted to the Oversight Board the revised long-range property management plan dated July 14, 2014, and attached hereto as Exhibit A (the "Revised LRPMP").

G. By correspondence dated July 15, 2014, DOF stated that the Revised LRPMP should be submitted to DOF for its review and approval.

H. Pursuant to Health and Safety Code Section 34180(j), the Successor Agency should submit the Revised LRPMP to the Oversight Board for approval and at the same time, the Successor Agency should submit the Revised LRPMP to the County Administrative Officer, the County Auditor-Controller, and DOF.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

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

Section 2. This Resolution is adopted pursuant to Health and Safety Code Section 34191.5.

Section 3. The Oversight Board hereby approves the Revised LRPMP as presented by the Successor Agency and attached hereto as Exhibit A.

Section 4. The staff of the Successor Agency is hereby directed to transmit to DOF this Resolution together with written notice and information regarding the action taken by this Resolution. Such notice to DOF shall be provided by electronic means and in a manner of DOF's choosing.

Section 5. The staff and the Board of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution and any such actions previously taken are hereby ratified.

Section 6. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA"). Pursuant to the State CEQA Guidelines (14 Cal Code Regs 15000 *et seq.*)(the "Guidelines"), the Oversight Board has determined that the approval of the Revised LRPMP is not a project pursuant to CEQA and is exempt therefrom because it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment (Guidelines Section 15378(b)(5)). Further, it can be seen with certainty that there is no possibility that approval of the Revised LRPMP may have a significant effect on the environment, and thus the action is exempt from CEQA (Guidelines Section 15061(b)(3)). Staff of the Successor Agency is hereby directed to prepare and post a notice of exemption pursuant to Guidelines Section 15062.

PASSED AND ADOPTED this 30th day of July, 2014.

A.

AYES: Grimes, Nunneley, Vasquez, Caudle, Garrett, Hall

NOES: None

ABSENT: Lebsack

ABSTAIN: None



Ed Grimes, Chair
Oversight Board for the Successor Agency to the
Tehachapi Redevelopment Agency

ATTEST:



Ashley Whitmore, Secretary
Oversight Board for the Successor Agency to the
Tehachapi Redevelopment Agency

EXHIBIT A
Revised Long-Range Property Management Plan

**LONG RANGE
PROPERTY MANAGEMENT PLAN
SUCCESSOR AGENCY TO THE FORMER
CITY OF TEHACHAPI REDEVELOPMENT AGENCY**

AMENDED

July 14, 2014

**115 SOUTH ROBINSON STREET
TEHACHAPI, CA 93561**

SUMMARY OF PROPERTIES OWNED BY THE SUCCESSOR AGENCY

The City of Tehachapi Redevelopment Agency purchased a parcel with three (3) dilapidated and uninhabitable residential structures which represented blight and blighting influence in the City. The property is located right across the street from the City Hall and the Police Department. The purpose of the purchase and reuse of the property was two (2) fold. First, the amelioration of blight and blighting influences and secondly to create more parking opportunities for the employees and visitors of the City Hall and Police Department. The above activity in terms of property purchase and repurposing was consistent with the Tehachapi Redevelopment Plan.

INVENTORY

Former dilapidated houses
201 East F Street
APN 040-200-10
.17 Acres
Zoning C-2

Date of Acquisition and Value

April 12, 2004 \$129,346.

Purpose Property was Acquired

As previously indicated the purchase of the property in question was to repurpose the blighted property into much needed overflow parking facility for the City. There are no fees associated with the use of this parking facility and therefore based on the above there has been no revenue accrued to the City of Tehachapi or the former Tehachapi Redevelopment Agency.

Estimate of the Current Value

\$30,057 based on Kern County Assessed Value

Estimate of Lease, Rental or Other Revenues Generated by the Property

There are no fees associated with the use of this parking facility and therefore there has not been nor will there be any revenue accrued to the Successor Agency or the former Tehachapi Redevelopment Agency.

History of Environmental Contamination or Remediation Efforts

The property in question is not considered a "Brown Field Site". As a matter of proper due diligence prior to the purchase of the subject parcel the property was evaluated in terms of Phase I environmental review to evaluate the potential for hydrocarbons and other potential contaminations. The former residential property was cleared.

Property's Potential for Transit-Orientated Development and the Advancement of Planning Objectives of the Successor Agency

The repurposing of the parcel in question as an overflow parking facility for the City service does not lend itself to Transit-Orientated development.

History of Previous Development Proposals and Activities

As previously indicated the parcel supported three (3) dilapidated and uninhabitable residential structures. The property in question has been repurposed for a City related overflow parking opportunity. The parking is managed by the Agency and there is a no fee public parking and as such there is no rental or lease revenue associated with the property in question.

USE OF DISPOSITION OF PROPERTIES

As indicated, the property in question has been repurposed for the use as additional off street parking facility for City governmental use and purposes to be used as originally intended.

EXHIBITS

