



AGENDA SPECIAL MEETING

Redevelopment Successor Agency Oversight Board

Board Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

September 10, 2015

9:00 a.m.

CALL TO ORDER:

ROLL CALL

Board Chair: Manfredi

Vice Chair: Haworth

Board Members: Haddix, Allison, Farinelli, Green, Cox

City staff and contract employees present at the meeting will be noted in the minutes

PUBLIC ADDRESS

This time is reserved for members of the audience to address the Agency Board on items of interest that are not on the Agenda and that are within the subject matter jurisdiction of the Agency Board.

It is recommended that speakers limit their comments to no more than 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Agency Board on items on the Agenda should notify the Chairman when that Agenda item is called.

The Agency Board is prohibited by law from taking any action on matters discussed that are not on the Agenda. No adverse conclusions should be drawn if the Agency Board does not respond to public comment at this time.

Speakers are asked to please use the microphone, and provide their name for the record. Prior to addressing the Agency Board, any handouts are to be provided to Board Clerk who will distribute them to the Agency Board and the appropriate staff.

BOARD AND STAFF REPORTS – Section 1

1.1 BOARD REPORTS

Legislative Items

Oral / Written Reports

1.2 STAFF REPORTS

Written/Oral Reports

CONSENT CALENDAR – Section 2

All items listed under Consent Calendar are considered to be routine and will be enacted by one motion. For discussion of any Consent Item, it will be made a part of the Regular Agenda at the request of any member of the Agency Board or any person in the audience.

2.1 Approval of the May 14, 2015 Special Redevelopment Successor Agency Oversight Board Meeting Minutes (McClendon)**PUBLIC HEARINGS – Section 3**

None

DEFERRED BUSINESS – Section 4

None

NEW BUSINESS – Section 5

- 5.1 Agency Resolution # -15, Authorizing the Board Chair to Execute the Revised Settlement Agreement Between Greenhills Holdings and the City of Chowchilla, and the Chowchilla Successor Agency, Thereby Resolving the Litigation in Case Number MCV-058019 (Locke)**
- 5.3 Agency Resolution # -15, Approving Recognized Obligation Payment Schedule 15-16B for the Period from January 1 – June 30, 2016 for the Successor Agency of the Chowchilla Redevelopment Agency (Pruett)**
- 5.2 Agency Resolution # -15, Approving the Revised Long-Range Property Management Plan Pursuant to Health and Safety Code Section 34191.5 (Locke)**

ANNOUNCEMENTS – Section 6

October Redevelopment Successor Agency Oversight Board Meeting

ADJOURNMENT**PUBLIC NOTIFICATION**

I, Joann McClendon, Deputy Board Clerk for the City of Chowchilla Redevelopment Successor Agency Oversight Board, declare under penalty of perjury that I posted the above Agency Board Agenda for the Special meeting of September 10, 2015 at the Chowchilla Civic Center, 130 S Second Street on September 9, 2015 at 11:00am.

/s/

Joann McClendon
Board Clerk



MINUTES SPECIAL MEETING

Redevelopment Successor Agency Oversight Board

Board Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

May 14, 2015

CALL TO ORDER – 9:00 AM

ROLL CALL

Board Chair: Manfredi
Vice Chair: Haworth (9:05 a.m.)
Board Members: Allison, Farinelli, Cox
Interim Executive Director Lehr
Absent: Board Member Green

City staff and contract employees present: Finance Director Rod Pruetz, Accounting Manager Sherrie Dueker, Deputy Board Clerk Joann McClendon

PUBLIC ADDRESS

None

BOARD AND STAFF REPORTS – Section 1

- 1.1 **BOARD REPORTS**
Legislative Items
Oral / Written Reports
- 1.2 **STAFF REPORTS**
Written/Oral Reports

CONSENT CALENDAR – Section 2

- 2.1 **Consideration of Minutes From the February 26, 2015 Meeting (McClendon)**

Motion by Board Member Farinelli, seconded by Board Member Cox to approve the Consent Calendar as presented. Motion passed by voice vote with Vice Chair Haworth and Board Member Green absent.

PUBLIC HEARINGS – Section 3

None

DEFERRED BUSINESS – Section 4

None

NEW BUSINESS – Section 5**5.1 Agency Resolution # 03-15, Approving Loan Repayment Agreement for Advanced Funding from the General Fund to the Successor Agency to meet Debt Obligations due to RPTTF Shortfall (Pruett)**

Motion by Vice Chair Haworth, seconded by Boar Member Allison to approve Agency Resolution 03-15, Approving Loan Repayment Agreement for Advanced Funding from the General Fund to the Successor Agency to Meet Debt Obligations Due to RPTTF Shortfall. Motion passed with Board Member Green absent.

ANNOUNCEMENTS – Section 6

June 25 Redevelopment Successor Agency Oversight Board Meeting

ADJOURNMENT

Motion by Board Member Allison, seconded by Vice Chair Haworth to adjourn the May 14, 2015 Special Chowchilla Redevelopment Agency Oversight Board meeting at 9:30 a.m. Motion passed by voice vote with Board Member Green absent.

ATTEST:**APPROVED:**

Joann McClendon
Board Clerk

Stell Manfredi
Board Chair



REPORT TO THE AGENCY OVERSIGHT BOARD

Special Meeting of September 10, 2015

Agenda Section: New Business

SUBJECT: **Adopt a Resolution Approving a Revised Form of Settlement of Case, and Authorizing the Mayor/Board Chair to Execute the Revised Settlement Agreement with Greenhills Holdings, and Take all Such Further Actions Required to Implement the Long Range Property Management Plan**

Prepared By: Craig Locke, City Engineer / Director of Public Works

Approved By: Brian Haddix, City Administrator

RECOMMENDATION:

Adopt a Resolution authorizing the Board Chair to execute a Revised Form of Settlement Agreement between the City and Successor Agency on the one hand, and Greenhills Holdings on the other, thus resolving litigation in case number MCV058019.

HISTORY / BACKGROUND:

On or about October 26, 2011, Greenhills Holdings, LLP filed an action in the Madera County Superior Court against the City of Chowchilla, individually and in its capacity as Successor Agency to the former Chowchilla Redevelopment Agency.

The parties to that action have engaged in extensive settlement negotiations to attempt to settle the Action. And propose to settle it based on the following terms:

1. The City shall convey to Plaintiff the 6.73 acres of real property subject to the purchase agreement of July 17, 2009 (herein referred to as the "Property") by deeding clear title to that land to Plaintiff free of any liens, encumbrances, or other clouds on title (hereinafter sometimes referred to as the "Property Transfer").
2. The City shall grant easements of ingress and egress, including for commercial and industrial vehicles over the street East Palm Parkway (to be constructed), adjacent to the Property and to the real property previously purchased by the Chowchilla Redevelopment Agency from Plaintiff.
3. Plaintiff shall, at its expense, construct the street adjacent to the real property, identified above, to finished street standards. The City of Chowchilla shall waive any fees and other permit requirements and costs and expenses related to that street construction. Plaintiff shall construct the street within 30 years from the date of execution of the revised settlement agreement entered into if this offer is accepted by the City Council and the Oversight Board of the Successor Agency and the former Chowchilla Redevelopment Agency, the State of California Department of Finance. In the event that the road is not constructed within 30 years, the City and /or its successors' only remedy shall be that the Plaintiffs shall be required to convey the 6.73 acres back to the City and/or its successors
4. If the proposed terms of the revised settlement are approved by the City Council, the Settlement offer shall be presented to the Oversight Board of the Successor Agency to the former Chowchilla Redevelopment Agency. The City shall then take whatever further steps

are necessary in order to obtain final authorization or approval of the Property Transfer from the State of California Department of Finance and/or State Controller.

5. Each party to the action would bear its own attorneys' fees, costs, and expenses.
6. Neither party to the action would admit fault, wrongdoing, or the allegations of any complaint, cross-complaint, answer, or affirmative defenses.

The Revised Settlement Agreement is true to these terms, but allows an option for a more expeditious approval by the Department of Finance (DOF) of the Successor Agency's Long Range Property management Plan (LRPMP). This facilitates the timely liquidation of all Agency real estate holdings not transferred for government use.

The first change is to create the option to monetize the 6.73 acres and convert a property transfer into a transfer of funds, now listed as an Enforceable Obligation on the Successor Agency's Recognized Obligation of Payment schedule. This simplifies LRPMP implementation by eliminating the need for the creation of parcels and subdividing the 26.5 acre parcel 02-250-053. Rather than hire consultants to create the stipulated lots, a cash payment will be made to Greenhills upon the sale of the parcel.

The cash of the payment is based on the price of the land which created the original debt secured by the land; \$1.00 per square foot. The debt of 6.73 acres at \$1.00 per square foot is \$293,159. The City will reduce this amount through a lot line adjustment off parcel 02-250-064, transferring an unnecessary Right Of Way to Greenhills. This transfers 0.53± acres to Greenhills, reducing the cash payment by \$23,087± to \$270,072±. The Revised Agreement further requires Greenhills to purchase from the City the 0.20± acre parcel 02-250-066 at \$1.00 per square foot, a sum of \$8,700±.

The form of the Revised Settlement has been approved by the City Council and Successor Agency on September 8, 2015. Once the DOF approves the ROPs and LRPMP, the Successor Agency is enabled to sell the parcel and eliminate the liability with the proceeds of the sale. The remaining funds will be used to retire enforceable obligations and any remainder beyond that will be distributed amongst the taxing entities.

FINANCIAL IMPACT:

The previous Settlement Agreement and Release of Claims would result in the City transferring real property to Plaintiff, the Revised Settlement Agreement provides the City with the option of settling the claim monetarily with Successor Agency proceeds at the cost basis with which the liability was incurred.

ATTACHMENTS:

- Resolution
- First Amendment to Settlement Agreement

COUNCIL RESOLUTION # -15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA AUTHORIZING THE MAYOR TO EXECUTE THE REVISED SETTLEMENT AGREEMENT BETWEEN GREENHILLS HOLDINGS AND THE CITY OF CHOWCHILLA, AND THE CHOWCHILLA SUCCESSOR AGENCY, THEREBY RESOLVING THE LITIGATION IN CASE NUMBER MCV058019

WHEREAS, on October 26, 2011, Greenhills Holdings, LLP (hereinafter sometimes referred to as "Plaintiff") filed an action in the Superior Court of the State of California, County of Madera, entitled, Greenhills Holdings v. City of Chowchilla, et al., Madera County Superior Court Case No. MCV058019 (hereinafter referred to as the "Action").

WHEREAS, Plaintiff and Defendants in the Action, the City of Chowchilla, individually and in its capacity as Successor Agency to the former Chowchilla Redevelopment Agency, have engaged in extensive settlement negotiations to attempt to settle the Action..

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chowchilla hereby finds and determines the following:

1. The above recitals are true and correct.
2. The Mayor is authorized to execute a settlement agreement resolving the litigation on the following terms and conditions:
3. The City shall convey to Plaintiff a funds and property equal in value to that 6.73 acres of real property subject to the purchase agreement of July 17, 2009 (herein referred to as the "Property").
4. The City shall grant easements of ingress and egress, including for commercial and industrial vehicles over the street East Palm Parkway (to be constructed), adjacent to the Property and to the real property previously purchased by the Chowchilla Redevelopment Agency from Plaintiff.
5. Plaintiff shall, at is expense, construct the street adjacent to the real property, identified above, to finished street standards. The City of Chowchilla shall waive any fees and other permit requirements and costs and expenses related to that street construction. Plaintiff shall construct the street within 30 years from the date of execution of the revised settlement agreement entered into if this offer is accepted by the City Council and the Oversight Board of the Successor Agency and the former Chowchilla Redevelopment Agency, the State of California Department of Finance. In the event that the road is not constructed within 30 years, the City and /or its successors' only remedy shall be that the Plaintiffs shall be required to convey the current market value of the 6.73 acres back to the City and/or its successors
6. This Proposed Revised Settlement shall be presented to the Oversight Board of the Successor Agency to the former Chowchilla Redevelopment Agency. The City shall then take whatever further steps are necessary in order to obtain final authorization or approval of the Property Transfer from the State of California Department of Finance and/or State Controller.
7. Each party to the Action shall bear its own attorneys' fees, costs, and expenses.
8. Neither party to the action admits fault, wrongdoing, or the allegations of any complaint, cross-complaint, answer, or affirmative defenses.

9. This revised Settlement is achieve a compromise that is in the best interest of all parties and shall not be interpreted as an admission of any kind on the part of, or in any way to the prejudice of, either party, Plaintiff Greenhills Holdings, LLP or the City of Chowchilla.
10. Counsel for Plaintiffs and Defendants shall prepare a mutually-agreeable revised settlement agreement containing the applicable terms above and other standard terms of such agreements, with the Mayor executing the agreement on behalf of the City, and such agreements shall include Plaintiff's agreement to dismiss the Action with prejudice.

* * * * *

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 8th day of September, 2015 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

John Chavez, Mayor

ATTEST:

Joann McClendon
Interim City Clerk

SUCCESSOR AGENCY RESOLUTION # -15

RESOLUTION OF THE SUCCESSOR AGENCY OF THE CITY OF CHOWCHILLA AUTHORIZING THE BOARD CHAIR TO EXECUTE THE REVISED SETTLEMENT AGREEMENT BETWEEN GREENHILLS HOLDINGS AND THE CITY OF CHOWCHILLA, AND THE CHOWCHILLA SUCCESSOR AGENCY, THEREBY RESOLVING THE LITIGATION IN CASE NUMBER MCV058019

WHEREAS, on October 26, 2011, Greenhills Holdings, LLP (hereinafter sometimes referred to as "Plaintiff") filed an action in the Superior Court of the State of California, County of Madera, entitled, Greenhills Holdings v. City of Chowchilla, et al., Madera County Superior Court Case No. MCV058019 (hereinafter referred to as the "Action").

WHEREAS, Plaintiff and Defendants in the Action, the City of Chowchilla, individually and in its capacity as Successor Agency to the former Chowchilla Redevelopment Agency, have engaged in extensive settlement negotiations to attempt to settle the Action..

NOW, THEREFORE, BE IT RESOLVED that the Successor Agency of the City of Chowchilla Redevelopment Agency hereby finds and determines the following:

1. The above recitals are true and correct.
2. The Mayor is authorized to execute a settlement agreement resolving the litigation on the following terms and conditions:
3. The City shall convey to Plaintiff a funds and property equal in value to that 6.73 acres of real property subject to the purchase agreement of July 17, 2009 (herein referred to as the "Property").
4. The City shall grant easements of ingress and egress, including for commercial and industrial vehicles over the street East Palm Parkway (to be constructed), adjacent to the Property and to the real property previously purchased by the Chowchilla Redevelopment Agency from Plaintiff.
5. Plaintiff shall, at is expense, construct the street adjacent to the real property, identified above, to finished street standards. The City of Chowchilla shall waive any fees and other permit requirements and costs and expenses related to that street construction. Plaintiff shall construct the street within 30 years from the date of execution of the revised settlement agreement entered into if this offer is accepted by the City Council and the Oversight Board of the Successor Agency and the former Chowchilla Redevelopment Agency, the State of California Department of Finance. In the event that the road is not constructed within 30 years, the City and /or its successors' only remedy shall be that the Plaintiffs shall be required to convey the current market value of the 6.73 acres back to the City and/or its successors
6. This Proposed Revised Settlement shall be presented to the Oversight Board of the Successor Agency to the former Chowchilla Redevelopment Agency. The City shall then take whatever further steps are necessary in order to obtain final authorization or approval of the Property Transfer from the State of California Department of Finance and/or State Controller.
7. Each party to the Action shall bear its own attorneys' fees, costs, and expenses.
8. Neither party to the action admits fault, wrongdoing, or the allegations of any complaint, cross-complaint, answer, or affirmative defenses.

9. This revised Settlement is achieve a compromise that is in the best interest of all parties and shall not be interpreted as an admission of any kind on the part of, or in any way to the prejudice of, either party, Plaintiff Greenhills Holdings, LLP or the City of Chowchilla.
10. Counsel for Plaintiffs and Defendants shall prepare a mutually-agreeable revised settlement agreement containing the applicable terms above and other standard terms of such agreements, with the Mayor executing the agreement on behalf of the City, and such agreements shall include Plaintiff's agreement to dismiss the Action with prejudice.

* * * * *

PASSED AND ADOPTED by the Successor Agency of the City of Chowchilla this 8th day of September, 2015 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

John Chavez, Board Chair

ATTEST:

Joann McClendon
Board Clerk

FIRST AMENDMENT TO SETTLEMENT AGREEMENT
Greenhills Holdings v. Chowchilla Redevelopment Agency, et al.,
Madera County Superior Court Case No. MCV058019

This First Amendment to Settlement Agreement modifies the Settlement Agreement ("Agreement") executed by Plaintiff Greenhills Holdings ("Plaintiff"), the City of Chowchilla ("City"), and the Successor Agency to the former Chowchilla Redevelopment Agency ("Successor Agency") (the City and Successor Agency are sometimes collectively referred to herein as "Chowchilla"), dated as of November 29, 2013. An accurate and complete photocopy of the Settlement Agreement is Exhibit A to this First Amendment.

1. Section 1.1 of the Agreement is amended as follows: "In connection with the 6.73 acres of real property subject to the purchase agreement of July 17, 2009 between the former Chowchilla Redevelopment Agency and Plaintiff, APN Parcel No. 02-250-053, if mutually agreeable to both parties, Chowchilla has the option to sell the property, and monetarily remit the 6.73 acre obligation to Plaintiff a rate of \$1.00 per square foot for the entire parcel less the 0.53 portion discussed in new Section 1.1.5 below, approximately 6.20 acres. Chowchilla shall pay Plaintiff the total sum of \$270,072 if this option is exercised."
2. Section 1.1.5 is added to the Agreement: "If mutually agreeable to both parties, Chowchilla has the option to transfer to Plaintiff a portion of APN Parcel No. 02-250-064 bisecting parcel 02-250-062 of approximately 0.53 acres (estimated as 23,245 square feet), via a lot line adjustment."
3. Section 1.1.6 is added to the Agreement: "If Chowchilla exercises the option to pay Plaintiff for said property as per amended Section 1.1 above, Plaintiff shall purchase at public auction APN Parcel No. 02-250-66, approximately 0.2 acres, at a price of \$1.00 per square foot."
4. Section 1.2 of the Agreement is amended as follows: "If Chowchilla exercises the option to pay Plaintiff for said property per amended Section 1.1 above, Plaintiff is released from any obligation to construct the roadway known as Prosperity Boulevard."
5. Chowchilla agrees to take whatever further steps are necessary to obtain approval of this First Amendment from the California Department of Finance.
6. Plaintiff and Chowchilla agree to cooperate to obtain approval of this First Amendment from the Superior Court of Madera.
7. All other terms of the Settlement Agreement remain in full force and effect.

GREENHILLS HOLDINGS, LLP

By:
Name: C. K. Kwon
Title: General Partner

Date: _____

CITY OF CHOWCHILLA

By:
Name: John Chavez
Title: Mayor

Date: _____

CHOWCHILLA SUCCESSOR AGENCY

By:
Name: John Chavez
Title: Chairman

Date: _____

Approved as to form:

By:
David Ritchie
City Attorney, City of Chowchilla

Date: _____

Exhibit A: Settlement Agreement

Exhibit "A"

1 JAMES T. DIAMOND, JR., State Bar # 131525
 2 jdiamond@goldfarblipman.com
 3 GOLDFARB & LIPMAN LLP
 4 1300 Clay Street, Eleventh Floor
 5 City Center Plaza
 6 Oakland, California 94612
 7 Telephone: (510) 836-6336
 8 Facsimile: (510) 836-1035

FILED
 MADERA SUPERIOR COURT
 2014 NOV 20 AM 8:39
 BONNIE THOMAS
 CLERK OF THE COURT
 DEPUTY

5 Attorneys for Defendants

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 7 COUNTY OF MADERA

8 GREENHILLS HOLDINGS, a California
 9 limited partnership,

10 Plaintiff,

11 v.

12 CHOWCHILLA REDEVELOPMENT
 13 AGENCY; CITY OF CHOWCHILLA; *et al.*,

14 Defendants.
 15

Case No.: MCV058019

STIPULATION AND [PROPOSED]
 ORDER APPROVING SETTLEMENT
 AGREEMENT

Date: November 20, 2014
 Time: 8:30 a.m.
 Dept.: 5, Hon. James E. Oakley

Action Filed: October 26, 2011

*[Exempt from filing fees pursuant to
 Gov. Code §6103]*

16
 17 Plaintiff Greenhills Holdings, LLP (the "Plaintiff") and Defendant the City of
 18 Chowchilla, individually and in its capacity as Successor Agency to the former Chowchilla
 19 Redevelopment Agency (the "City") HEREBY STIPULATE AND AGREE, by the signature of
 20 their respective counsel, as follows:

- 21 1. On October 26, 2011, Plaintiff filed a Complaint for breach of contract and other
 22 causes of action against the City and the City's former Redevelopment Agency.
 23 2. Plaintiff and the City have agreed to settle the matter without trial on the terms set
 24 forth in the Settlement Agreement (the "Agreement") attached hereto as Exhibit A, the terms of
 25 which are incorporated herein by reference. A true and correct copy of City Resolution 88-13,
 26 authorizing the Mayor to execute the Settlement Agreement, is attached hereto as Exhibit B.
 27 3. As part of the compensation that the parties agreed to in settlement of this action,
 28 the City is required to shall convey to Plaintiff a 6.73 acre of real property (the "Property")

1 subject to the purchase agreement of July 17, 2009 between the former Chowchilla
2 Redevelopment Agency and Plaintiff (the "Purchase Agreement"), by deeding clear title to that
3 land to Plaintiff free of any liens, encumbrances, or other clouds on title (hereinafter sometimes
4 referred to as the "Property Transfer").

5 4. The Property, as former redevelopment agency property, is subject to the
6 Redevelopment Dissolution Act, AB 1x 26, under which the City, as Successor Agency to the
7 former Redevelopment Agency, must obtain the approval of the California Department of
8 Finance ("DOF") in order to convey the Property to any person or entity.

9 5. Section 1.4 of the Agreement provides that the City shall take whatever further
10 steps are necessary in order to obtain final authorization or approval of the Property Transfer
11 from the DOF.

12 6. The City and Successor Agency have sought approval of the conveyance required
13 in the Agreement, and the DOF has denied its request, unless this Court approves the settlement
14 in this action. A true and correct copy of the DOF letter is attached hereto as Exhibit C.

15 7. The Parties reached settlement through mediation with retired United States
16 District Court Judge Oliver Wanger.

17 8. The settlement terms, set forth in Paragraphs 1.1 through 1.4 of the Agreement,
18 are fair, just and reasonable under the circumstances.

19 9. Plaintiff and the City therefore hereby request that the Court approve the
20 Settlement Agreement.

21 IT IS SO STIPULATED.

22 DATED: November 20, 2014.

LANG, RICHERT & PATCH

By: 

SCOTT J. IVY
Counsel for Plaintiff
GREENHILLS HOLDINGS, LLP

EXHIBIT A

SETTLEMENT AGREEMENT AND GENERAL RELEASE

This Settlement Agreement and General Release (the "Agreement"), dated as of November 2, 2013, is entered into by and between Greenhills Holdings, LLP, the City of Chowchilla, and the Successor Agency to the former Chowchilla Redevelopment Agency. These parties are sometimes referred to herein collectively as the "Parties."

RECITALS

- A. On or about October 26, 2011, Greenhills Holdings, LLP (hereinafter sometimes referred to as "Plaintiff") filed an action in the Superior Court of the State of California, County of Madera, entitled, *Greenhills Holdings v. City of Chowchilla, et al.*, Madera County Superior Court Case No. MCV058019 (hereinafter referred to as the "Action").
- B. Plaintiff and Defendants in the Action, the City of Chowchilla, individually and in its capacity as Successor Agency to the former Chowchilla Redevelopment Agency, engaged in extensive settlement negotiations to attempt to settle the Action.
- C. On August 12, 2013, Plaintiff executed a Conditional Offer to Settle ("Settlement Offer"), which was ultimately approved by all the partners of Plaintiff. Among the terms of the Settlement Offer was a requirement that the City of Chowchilla convey to Plaintiff the 6.73 acres of real property at issue in the Action (herein referred to as the "Property").
- D. On October 22, 2013, the City Council of the City of Chowchilla approved the Settlement Agreement, on its behalf and acting as the Board of Directors of the Successor Agency.
- E. On October 24, 2013, the Oversight Board to the Successor Agency approved the Successor Agency's Long Term Property Management Plan ("LTPMP"), and the LTPMP was submitted to the California Department of Finance for approval. The LTPMP listed the Property at issue as being subject to a settlement agreement between Plaintiff and the City of Chowchilla.
- F. Plaintiff, the City of Chowchilla and the Successor Agency now desire to resolve all disputes, claims, charges or grievances that may exist between them arising out of or related to the Action, in accordance with the terms and conditions set forth herein.

AGREEMENT

Now, therefore, in consideration of the mutual promises, conditions and covenants set forth below, the Parties hereto agree as follows:

1. Settlement Terms. In full and final settlement of all disputes, claims, charges or grievances that may exist against the City, in its individual capacity and as Successor Agency (hereinafter referred to as the "City"), including but not limited to, any disputes, claims, charges

or grievances in any way relating to or arising out of the Action or the Purchase Agreement on the matters released in Paragraph 7.

1.1 The City shall convey to Plaintiff the 6.73 acres of real property subject to the purchase agreement of July 17, 2009 between the former Chowchilla Redevelopment Agency and Plaintiff (the "Purchase Agreement"), by deeding clear title to that land to Plaintiff free of any liens, encumbrances, or other clouds on title (hereinafter sometimes referred to as the "Property Transfer").

1.2 The City shall grant easements of ingress and egress, including for commercial and industrial vehicles over the streets East Palm Parkway (to be constructed) and Prosperity Boulevard (to be constructed) which are adjacent to the Property and to the real property previously purchased by the Chowchilla Redevelopment Agency from Plaintiff.

1.3 Plaintiff shall, at its expense, construct the streets that are adjacent to the two real properties identified above to finished street standards. The City of Chowchilla shall waive any fees and other permit requirements and costs and expenses related to that street construction. Plaintiff shall construct the road by no later than 30 years from the date of execution of the Settlement Agreement entered into if this offer is accepted by the City Council and the Oversight Board of the Successor Agency to the former Chowchilla Redevelopment Agency, the State of California Department of Finance and/or State Controller. In the event that the road is not constructed within 30 years, the City and/or its successors' only remedy shall be that Plaintiffs shall be required to convey the 6.73 acres back to the City and/or its successors.

1.4 The City shall then take whatever further steps are necessary in order to obtain final authorization or approval of the Property Transfer from the State of California Department of Finance ("DOF") and/or State Controller.

1.5 The Settlement terms agreed to herein represent a settlement and compromise of Plaintiffs claimed damages for any and all disputes, claims, or charges on matters released in this Agreement.

2. The Settlement terms provided for in Section 1 shall constitute the entire, maximum, and only obligations of the City to Plaintiff under this Agreement.

3. Each party shall bear its own attorneys' fees, costs, and expenses.

4. Neither party admits fault, wrongdoing, or the allegations of any complaint, cross-complaint, answer, or affirmative defenses.

5. This Agreement is to buy peace and affect a compromise that is in the best interest of all parties and shall not be interpreted as an admission of any kind on the part of, or in any way to the prejudice of, either Plaintiff Greenhills Holdings, LLP, the City of Chowchilla or the Successor Agency.

6. If the City does not obtain DOF approval of this Agreement by August 13, 2014, the Parties agree to meet and confer in good faith to discuss an extension of this deadline. Other than meeting and conferring, however, the Parties may terminate this Agreement if DOF

CL

approval is not obtained by August 13, 2014 and the Parties do not reach an agreement to extend the deadline.

7. For valuable consideration, the receipt and adequacy of which is hereby acknowledged, Greenhills Holdings, on behalf of itself, all of its general and limited partners, its administrators, attorneys, insurers, devisees, creditors, trustees, successors and assigns (all collectively referred to as "the Releasing Parties"), does hereby release and forever discharge the City of Chowchilla, the Successor Agency, the Former Redevelopment Agency of the City of Chowchilla and all of each of these entity's Council Members, Board Members, agents, representatives, officers, directors, current or former employees, volunteers, insurers, heirs, assigns, benefit plans, plan trustees and plan administrators, past and present, and their attorneys, and all persons acting by, through, under or in concert with them or any of them (all collectively referred to as "the Released Parties"), of and from any and all claims, causes of action, suits, disputes, charges, grievances, debts, liens, contracts, judgments, agreements, promises, liabilities, claims, demands, damages, losses, costs, or expenses of any nature whatsoever, known or unknown, fixed or contingent (hereinafter called "Claims"), which the Releasing Parties or any of them now has or may hereafter have against the Released Parties, or any of them, by reason of any matter, event, act, omission, cause or thing whatsoever from the beginning of time to the date of this Agreement, including, but not limited to, any and all Claims relating to or arising out of the Action and the Purchase Agreement.

8. This Agreement represents the sole and entire agreement between the parties and supersedes any and all prior agreements, negotiations, and discussions between the parties hereto and/or their representatives. Any amendment to or deletion from this Agreement must be in writing specifically referring to this Agreement and must be signed by duly authorized representatives of all of the parties hereto.

9. This Agreement shall be construed as a whole in accordance with its fair meaning and the laws of the State of California. The Parties agree that the language of this Agreement shall not be construed for or against any particular party merely because that party or its attorneys prepared, drafted or proposed such language.

10. The provisions of this Agreement are severable. If any provision is held to be invalid or unenforceable, it shall not affect the validity or enforceability of any other provision. This Agreement may be executed in multiple counterparts, each of which shall constitute an original, and all of which shall constitute a single Agreement.

11. This Agreement is binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

12. In the event any action is brought by a party hereto against another party by reason of any breach of any of the covenants, agreements or provisions on the part of the other party or parties arising out of this Agreement, then in that event the prevailing party shall be entitled to have the recovery of and from the other party or parties of all costs and expenses of the action, including attorneys' fees.

CR

13. In executing this Agreement, the parties acknowledge that they have the opportunity to consult with and to obtain the advice and counsel of attorneys duly licensed to practice law in all the courts of the State of California and that they have executed this Agreement after independent investigation and without fraud, duress, or undue influence.

14. The Parties agree to perform any further actions, execute and deliver any further documents and obtain consents, as may be reasonably requested to fully effectuate the purposes, terms and conditions of this Agreement.

15. This Agreement may be executed in counterparts, each of which may be treated for all purposes as an original.

16. Plaintiff represents and warrants that the individual executing this Agreement on its behalf is duly authorized to execute and deliver this Agreement to the City, and that all actions or authorization necessary for the authorization and execution of this Agreement have been taken.

GREENHILLS HOLDINGS, LLP

By: *C. K. Kwon*
Name: C. K. Kwon
Title: General Partner

Date: 11/29/13

CITY OF CHOWCHILLA

By: *Richard L Walker*
Name: ~~Mark Lewis~~ Richard Walker
Title: ~~City Administrator~~ Mayor

Date: 1/31/14

CHOWCHILLA SUCCESSOR AGENCY

By: *Richard L Walker*
Name: ~~Mark Lewis~~ Richard Walker
Title: ~~Director~~ Mayor

Date: 1/31/14

Approved as to form:

By: *Jeremy Price*
~~Thomas Ebersole~~ Jeremy Price
City Attorney, City of Chowchilla

Date: 01/30/2014



REPORT TO THE AGENCY OVERSIGHT BOARD

Special Meeting of September 10, 2015

Agenda Section: New Business

SUBJECT: **Consideration of a Resolution Approving Recognized Obligation Payment Schedule 15-16B for the Period from January 1 – June 30, 2016 for the Successor Agency of the Chowchilla Redevelopment Agency**

Prepared By: Sherri Dueker, Accounting Manager

Authorized By: Rod Pruett, Finance Director

Approved By: Brian Haddix, City Administrator

RECOMMENDATION:

Adopt the resolution for revised ROPS 15-16B.

HISTORY / BACKGROUND:

In accordance with AB 1484 which was enacted to clarify the intent of ABx1 26, the law that dissolved all redevelopment agencies, the Successor Agency (City of Chowchilla) is required to adopt a Recognized Obligation Payment Schedule (ROPS) for each 6 month period of the Agency's future operations.

The ROPS packet, designated as ROPS 15-16B, includes a summary of the values reported in the prior period and the 6-month period covered by this document, the estimated obligations and expenditures spreadsheet, the report of cash balances, and a recap of actual expenditures of approved obligations made for the period of January 1, 2015 thru June 30, 2015. The deadline for submitting this form to the California State Department of Finance is October 5, 2015. Upon submitting to the Department of Finance, the information is subject to a review period to a maximum of 45 days.

The Successor Agency has recently addressed an obligation that has not been listed on prior ROPS schedules due to ongoing litigation. Due to a court ordered Settlement Agreement, The Successor Agency is required to add this obligation to the ROPS. You will find this obligation added to the expenditure detail report for period January 1, thru June 30, 2016 in the amount of \$303,200.00.

This item was originally reviewed and approved by the Successor Agency of the Chowchilla Redevelopment Agency at its regular meeting on September 8, 2015.

FINANCIAL IMPACT:

None

ATTACHMENTS:

ROPS

Resolution

Chowchilla Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#)

A	B	C	D	E	F	G	H	I	
		Fund Sources							
		Bond Proceeds		Reserve Balance		Other	RPTTF		
	Cash Balance Information by ROPS Period	Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	Comments	
ROPS 14-15B Actuals (01/01/15 - 06/30/15)									
1	Beginning Available Cash Balance (Actual 01/01/15)	197,167					10,046	13/14B PPA = \$ 117,762 14-15A \$-107,716.	
2	Revenue/Income (Actual 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015					66	296,696		
3	Expenditures for ROPS 14-15B Enforceable Obligations (Actual 06/30/15) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q	5,943					321,855	This amount reflects Total RPTTF expenditures less \$50,000 for Admin Fees which should have been posted in the 14/15A ROPS Period	
4	Retention of Available Cash Balance (Actual 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
5	ROPS 14-15B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15B PPA in the Report of PPA, Column S	No entry required							
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 191,224	\$ -	\$ -	\$ -	\$ 66	\$ (15,113)		
ROPS 15-16A Estimate (07/01/15 - 12/31/15)									
7	Beginning Available Cash Balance (Actual 07/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 191,224	\$ -	\$ -		\$ 66	\$ (15,113)		
8	Revenue/Income (Estimate 12/31/15) RPTTF amounts should tie to the ROPS 15-16A distribution from the County Auditor-Controller during June 2015						345,861		
9	Expenditures for ROPS 15-16A Enforceable Obligations (Estimate 12/31/15)						810,947		
10	Retention of Available Cash Balance (Estimate 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ 191,224	\$ -	\$ -	\$ -	\$ 66	\$ (480,199)		

Recognized Obligation Payment Schedule (ROPS 15-16B) - Summary

Filed for the January 1, 2016 through June 30, 2016 Period

Name of Successor Agency: Chowchilla
Name of County: Madera

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A Sources (B+C+D):		\$ 500,367
B	Bond Proceeds Funding (ROPS Detail)	197,167
C	Reserve Balance Funding (ROPS Detail)	-
D	Other Funding (ROPS Detail)	303,200
E Enforceable Obligations Funded with RPTTF Funding (F+G):		\$ 670,204
F	Non-Administrative Costs (ROPS Detail)	545,204
G	Administrative Costs (ROPS Detail)	125,000
H Total Current Period Enforceable Obligations (A+E):		\$ 1,170,571

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	670,204
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	-
K Adjusted Current Period RPTTF Requested Funding (I-J)		\$ 670,204

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	670,204
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N Adjusted Current Period RPTTF Requested Funding (L-M)		670,204

Certification of Oversight Board Chairman:
Pursuant to Section 34177 (m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

Name	Title
/s/	
Signature	Date

Chowchilla Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail

January 1, 2016 through June 30, 2016

(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					O	P		
										M							N	
										Funding Source								Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF					
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin				
								\$ 7,113,200		\$ 197,167	\$ -	\$ 303,200	\$ 545,204	\$ 125,000	\$ 1,170,571			
1	2005 TAX ANTICIPATION NOTES	Bonds Issued On or Before 12/31/10	10/4/2005	12/31/2039	US BANK	ANNUAL P&I PAYMENTS	1	6,810,000	N				165,812		\$ 165,812			
3	PROPERTY TAX ADMIN FEES	Professional	1/1/2013	12/31/2039	MADERA COUNTY	PROPERTY TAX ADMIN FEES	1		N						\$ -			
4	LEGAL FEES	Legal	9/28/2010	12/31/2039	COTA COLE	LEGAL FEES FOR ADMINISTRATION OF AGENCY	1		N					7,000	\$ 7,000			
5	LEGAL FEES - GREENHILLS/KWAN	Litigation	9/28/2010	12/31/2015	GOLDFARB, LIPMAN/COTA COLE	DEFENSE FROM PROPERTY OWNER SUIT	1		N				2,000		\$ 2,000			
6	LEGAL FEES - HIGH SPEED RAIL	Litigation	9/28/2010	12/31/2015	WULFSBERG, REESE/COTA COLE	SUIT TO STOP PROPERTY VALUE LOSS	1		N						\$ -			
7	LEGAL FEES - CDCR	Litigation	9/28/2010	12/31/2014	WULFSBERG, REESE/COTA COLE	SUIT TO STOP PRISON CONVERSION/BLIGHT	1		N						\$ -			
8	LEGAL FEES -ANTENUCCI'S	Litigation	9/28/2010	12/31/2014	COTA COLE	SUIT TO COLLECT ON LOAN OWED TO AGENCY	1		N						\$ -			
9	PROPERTY TAX	Miscellaneous	1/1/2010	12/31/2039	MADERA COUNTY	PARCEL TAX ON PROPERTY OPERATED BY AGENCY	1		N						\$ -			
10	ADMINISTRATIVE FEES	Admin Costs	1/1/2013	1/1/2013	CITY OF CHOWCHILLA	DIRECT AND INDIRECT ALLOCABLE CHARGES	1		N						\$ -			
11	PROPERTY DEVELOP/SALE FEES	Property Dispositions	1/1/2010	1/1/2020	CITY OF CHOWCHILLA	COSTS FOR PREPPING FOR SALE BY AGENCY	1		N						\$ -			
12	LIABILITY INSURANCE PREMIUM	Miscellaneous	1/1/2010	12/31/2039	CENTRAL SAN JOAQUIN VALLEY RMA	ANNUAL, PRORATED PREMIUM	1		N						\$ -			
13	BOND TRUSTEE FEES	Fees	12/1/2005	2/28/2038	US BANK	ANNUAL BOND TRUST ACCOUNT MTCE FEES	1		N				2,500		\$ 2,500			
14	ANNUAL BOND DISCLOSURE REPORTING	Fees	3/1/2007	1/15/2039	NBS	ANNUAL BOND DISCLOSURE REPORTING FEES	1		N				2,500		\$ 2,500			
15	ANNUAL HOUSING REPORT FOR HCD	Fees	1/1/2007	12/31/2016	CITY OF CHOWCHILLA	TIME/MATERIALS FOR PREPARING REPORT	1		N						\$ -			
16	ANNUAL REPORT OF RDA TRANSACTIONS	Dissolution Audits	1/1/2011	12/31/2039	CITY OF CHOWCHILLA	TIME/MATERIALS FOR PREPARING REPORT	1		N						\$ -			
17	ANNUAL FINANCIAL AUDITS	Miscellaneous	2/8/2010	3/31/2013	PRICE, PAIGE / OTHERS	FEE FOR ON-GOING AUDIT OF SUCCESSOR AGY	1		N						\$ -			
18	ENVIRONMENTAL STUDY OF PARCEL	Improvement/Infrastructure	12/1/1996	6/30/2013	TECHNICON	EIR REPORT ON PARCEL TO BE SOLD	1		N						\$ -			
19	RDA WRAP-UP AUDIT	Professional Services	2/8/2010	3/31/2013	PRICE, PAIGE	AUDIT OF RDA FINAL PERIOD TO 1/31/12	1		N						\$ -			
20	SETTLEMENT AGREEMENT FOR CFD	Litigation	3/27/2012	6/30/2013	COMMUNITY FACILITY DISTRICT	PYMT TO SETTLE OUTSTANDING OBLIGATION FOR PR YR ASSESS.	1		N						\$ -			
22	LOW/MOD HOUSING SUPPORT CONTRACT	Professional Services	7/25/2011	7/25/2014	SELF HELP ENTERPRISES	LOAN PORTFOLIO MANAGEMENT FEES AS GRANT MATCH	1		N						\$ -			
23	PARKING LOT IMPROVEMENTS	Improvement/Infrastructure	6/6/2008	12/31/2020	CITY OF CHOWCHILLA	FORMER RDA OBLIGATION TO CONSTRUCT PARKING SPACES	1		N						\$ -			
24	CURB/GUTTER/SIDEWALK PROJECT	Improvement/Infrastructure	10/21/2009	12/31/2016	VARIOUS VENDORS	1001 ROBERTSON BOULEVARD REPAIRS	1		N						\$ -			
25	STORMWATER PROJECT PAYMENT	Improvement/Infrastructure	1/1/2010	12/31/2020	VARIOUS VENDORS	COMMERCE AVENUE PROJECT	1		N						\$ -			
26	UNPAID EMPLOYEE WAGES	Unfunded Liabilities	6/30/2011	7/15/2011	VARIOUS EMPLOYEES	ACCRUED WAGES/BENEFITS FOR FY 10-11 PAYROLL	1		N						\$ -			
27	DOWNTOWN STREETScape	Professional Services	1/1/2010	12/31/2020	VARIOUS VENDORS	PROJECT DESIGN WORK	1		N						\$ -			
28	PROPERTY DEVELOPMENT/SALES	Property Dispositions	1/26/2012	2/2/2012	THOMAS WILKINS COMPANY	APPRAISAL FOR LOT 13	1		N						\$ -			
29	SA ADMIN ALLOWANCE	Admin Costs	1/1/2010	12/31/2039	SA left payee empty	SA EMPLOYEE & ADMINISTRATIVE COST	1		N					118,000	\$ 118,000			
30	INFRASTRUCURE IMPROVEMENT	Improvement/Infrastructure	4/26/2013	12/31/2039	VARIOUS VENDORS	WELL#14 / METERS			N	197,167					\$ 197,167			
31	LONG TERM PROPERTY MANAGEMENT PLAN	Property Dispositions	10/26/2013	12/31/2039	VARIOUS VENDORS	PROPERTY MANAGEMENT			N				15,000		\$ 15,000			
32	LOAN REPAY TO GF	RPTTF Shortfall	5/15/2015	12/31/2030	CITY OF CHOWCHILLA	Reimbursement of Expense to GF			N				357,392		\$ 357,392			
33	GREENHILLS HOLDINGS	Litigation	11/29/2013	Upon Approval of LRPMP	GREENHILLS HOLDINGS	PAYMENT TO SETTLE OUTSTANDING OBLIGATION		303,200	N			303,200			\$ 303,200			
34									N						\$ -			
35									N						\$ -			
36									N						\$ -			

Chowchilla Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Prior Period Adjustments
 Reported for the ROPS 14-15B (January 1, 2015 through June 30, 2015) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)
 (Report Amounts in Whole Dollars)

ROPS 14-15B Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS 14-15B (January through June 2015) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 15-16B (January through June 2016) period will be offset by the SA's self-reported ROPS 14-15B prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the county auditor-controller (CAC) and the State Controller.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T		
Item #	Project Name / Debt Obligation	Non-RPTTF Expenditures						RPTTF Expenditures												Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 15-16B Requested RPTTF)	SA Comments
		Bond Proceeds		Reserve Balance		Other Funds		Non-Admin						Admin							
		Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Available RPTTF (ROPS 14-15B distributed + all other available as of 01/1/15)	Net Lesser of Authorized / Available	Actual	Difference (If K is less than L, the difference is zero)	Authorized	Available RPTTF (ROPS 14-15B distributed + all other available as of 01/1/15)	Net Lesser of Authorized / Available	Actual	Difference (If total actual exceeds total authorized, the total difference is zero)	Net Difference (M+R)			
		\$ 301,242	\$ 5,943	\$ -	\$ -	\$ -	\$ -	\$ 194,513	\$ 184,701	\$ 184,701	\$ 184,701	\$ -	\$ 129,091	\$ 112,062	\$ 112,062	\$ 137,154	\$ -	\$ -			
1	2005 TAX ANTICIPATION NOTES	-	-	-	-	-	-	169,713	169,713	\$ 169,713	169,713	\$ -						\$ -			
2	LOAN FROM MADERA COUNTY	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -			
3	PROPERTY TAX ADMIN FEES	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -			
4	LEGAL FEES	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -			
5	LEGAL FEES - GREENHILLS/KWAN	-	-	-	-	-	-	3,000	897	\$ 897	897	\$ -						\$ -			
6	LEGAL FEES - HIGH SPEED RAIL	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -			
13	BOND TRUSTEE FEES	-	-	-	-	-	-	1,800	1,760	\$ 1,760	1,760	\$ -						\$ -			
14	ANNUAL BOND DISCLOSURE REPORTING	-	-	-	-	-	-	2,000	1,831	\$ 1,831	1,831	\$ -						\$ -			
15	ANNUAL HOUSING REPORT FOR	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -			
16	ANNUAL REPORT OF RDA TRANSACTIONS	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -			
17	ANNUAL FINANCIAL AUDITS	-	-	-	-	-	-	7,500	-	\$ -	-	\$ -						\$ -			
28	PROPERTY DEVELOPMENT/SALES	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -			
29	SA ADMIN ALLOWANCE	-	-	-	-	-	-	-	-	\$ -	-	\$ -	125,000	112,062		137,154		\$ -	Total Admin for 14/15B period = \$137,153.85. However, \$50,000 belongs to 14/15A period that was not posted. Total 14/15B Admin = \$87,153.85 Total 14/15A Admin \$95,347 originally reports was \$45,347		
30	INFRASTRUCURE IMPROVEMENT	301,242	5,943	-	-	-	-	-	-	\$ -	-	\$ -						\$ -			
31	LONG TERM PROPERTY MANAGEMENT PLAN	-	-	-	-	-	-	10,500	10,500	\$ 10,500	10,500	\$ -						\$ -			
										\$ -	-	\$ -						\$ -			

RDA SUCCESSOR AGENCY OVERSIGHT BOARD RESOLUTION # -15

RESOLUTION OF THE RDA SUCCESSOR AGENCY OVERSIGHT BOARD OF THE CITY OF CHOWCHILLA AFFIRMING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD FROM JANUARY 1, THRU JUNE 30, 2016 ON BEHALF OF THE SUCCESSOR AGENCY OF THE CHOWCHILLA REDEVELOPMENT AGENCY

WHEREAS, the City of Chowchilla designated itself to be the Successor Agency of the Chowchilla Redevelopment Agency in accordance with AB x1 26; and

WHEREAS, the legislation enacted under AB x1 26 requires the Successor Agency to adopt a Recognized Obligation Payment Schedule (ROPS) covering each 6 month period of the Agency's future operations; and

WHEREAS, the Successor Agency of the Chowchilla Redevelopment Agency has approved the proposed ROPS for the period from January 1 – June 30, 2016 on September 10, 2015.

WHEREAS, the RDA Successor Agency Oversight Board now wishes to consider the proposed ROPS.

NOW THEREFORE, THE RDA SUCCESSOR AGENCY OVERSIGHT BOARD OF THE CITY OF CHOWCHILLA does hereby resolve, find and order as follows:

1. The above recitals are true and correct.
2. The Recognized Obligation Payment Schedule for the period of January 1, – June 30, 2016 is hereby affirmed and accepted.
3. This resolution is effective immediately upon adoption.

PASSED AND ADOPTED by the RDA Successor Agency Oversight Board of the City of Chowchilla, California, at a special meeting held on the 10th day of September, 2015 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairman Stell Manfredi

ATTEST:

Joann McClendon, Board Secretary



REPORT TO THE AGENCY OVERSIGHT BOARD

Special Meeting of September 10, 2015

Agenda Section:	<u>New Business</u>
SUBJECT:	Consideration of Approval of Revised Long Term Property Management Plan and Resolution
Prepared By:	<u>Sherri Dueker, Accounting Manager</u>
Authorized By:	<u>Rod Pruett, Finance Director</u>
Approved By:	<u>Brian Haddix, City Administrator</u>

RECOMMENDATION:

Adopt a Resolution approving the Revised Long Range Property Management Plan

HISTORY / BACKGROUND:

Pursuant to Health and Safety Code section 34191.5, within six months after receiving a Finding of Completion, pursuant to Health and Safety Code Section 34179.7, from the Department of Finance (the "DOF"), the Chowchilla Successor Agency (the "Successor Agency"), successor in interest of the former Chowchilla Redevelopment Agency (the "Former RDA"), is required to submit for approval to the Oversight Board and the DOF a Long-Range Property Management Plan ("LRPMP") that addresses the disposition and use of the real properties of the former redevelopment agency.

The Successor Agency received its Finding of Completion as of April 26, 2013 and has prepared the LRPMP to address the disposition and use of the real properties of the former redevelopment agency which are housing assets disposed of pursuant to Health and Safety Code Section 34176 and public use parcels disposed of pursuant to Health and Safety Code Section 34177(e), 34181(a) and 34191.3.

The Former RDA transferred the properties listed below to the City in March 2011, the "Transferred Governmental Use Parcels":

1. Property located in the City of Chowchilla identified as Assessor's Parcel Nos. APN 002-310-011, 002-310-013, 002-310 015, 002-310-017, 002-310-019, 002-310-021, and 002-310-023, publicly owned, operated, and maintained areas dedicated for use as a storm drain pond (the "Storm Drain Parcels");
2. Property located in the City of Chowchilla identified as Assessor's Parcel Nos. 002-240-005 and 002-240-006, publicly owned, operated, and maintained areas dedicated for use as a waste treatment plan (the "Waste Treatment Plant Parcels");
3. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-280-027, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "S. Chowchilla Right of Way Parcel");

4. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-175-002, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "Front Avenue Right of Way Parcel");
5. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-041-007, a publicly owned, operated, and maintained area dedicated for use as a youth center (the "Youth Center Parcel"); and
6. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-067, a publicly owned, operated, and maintained area dedicated for use as a water basin, water well and water tank (the "Water Tank Parcel").

In addition to the Transferred Public Use Parcels, on March 8, 2011 the Former RDA transferred the property located in the City of Chowchilla identified as Assessor's Parcel Nos. 002-250-053 (the "Liquidation Parcel") to the City.

Upon the dissolution of the Former Agency on February 1, 2012, pursuant to Health and Safety Code Section 34175(b), the Former RDA properties listed below, which shall herein after be collectively referred to as the "Retained Governmental Use Parcels," were retained by the Successor Agency:

1. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-064, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "Right of Way Parcel 1 ");
2. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-066, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "Right of Way Parcel 2 "). This parcel will no longer be retained for Government Use, and is intended to be liquidated by this revised LRPMP; and
3. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-063, a publicly owned, operated, and maintained area dedicated for use as a water canal (the "Berenda Canal Parcel").

The Oversight Board approved a transfer of the Retained Governmental Use Parcels to the City and ratified the transfer of the Transferred Governmental Use Parcels to the City pursuant to Health and Safety Code Sections 34177(e), 34191.3 and 34181(a). The Oversight Board further approved the Initial LRPMP on October 24, 2013. The Oversight Board actions were submitted to the California Department of Finance (the "DOF") on October 25, 2013. By determination letter dated March 21, 2014, the DOF required that Successor Agency revise the LRPMP to include the various public use properties that the Oversight Board had requested be transferred to the City pursuant to Health and Safety Code Sections 34177(e), 34191.3 and 34181(a), including the Transferred Governmental Use Parcels, the Retained Governmental Use Parcels, and the Liquidation Parcel.

Health and Safety Code Section 34191.5 authorizes four categories for disposition of a successor agency's property, as summarized in Table 1, below:

Table 1: Permitted Uses/Disposition of Successor Agency Real Property Under a LRPMP (Health and Safety Code Section 34191.5)

Plan Category	Use/Disposition Purpose of Property	Property Transferee
Enforceable Obligation	Use Consistent with Enforceable Obligation Terms	Designated Enforceable Obligation Recipient
Governmental	Governmental Use in Accordance with Section 34181(a)	Appropriate Public Jurisdiction
Approved Redevelopment Plan Project	Direct Use, or Liquidation and Use of Proceeds, for Project Identified in Approved Redevelopment Plan	Host Community (City of Chowchilla)
Other Liquidation	Distribution of Sale Proceeds as Property Taxes to Affected Taxing Entities	Approved Purchase

As more fully set forth in the Revised LRPMP, the Revised LRPMP provides for the disposition of the properties in the following manner.

Table 2: Summary of LRPMP List of Properties and Designated Use/Disposition

Property:	Recommended Use
“Storm Drain Parcels”	Governmental Use
“Waste Treatment Plant Parcels”	Governmental Use
“S. Chowchilla Right of Way Parcel”	Governmental Use
“Front Avenue Right of Way Parcel”	Governmental Use
“Youth Center Parcel”	Governmental Use
“Water Tank Parcel”	Governmental Use
“Right of Way Parcel 1 ”	Governmental Use
“Remnant Parcel”	Governmental Use
“Right of Way Parcel 2 ”	Other Liquidation
“Berenda Canal Parcel”	Governmental Use
“Liquidation Parcel”	Other Liquidation

On February 26, 2015, pursuant to Health and Safety Code Section 34191.5(b) the Oversight Board approved the Revised LRPMP. Although the action of the City Council and Successor Agency’s governing board are not required by law, the Department of Finance has conditioned the Department’s approval of the Revised LRPMP on an express acknowledgment and agreement by the City and Successor Agency that the City will use the Transferred Governmental Use Parcels and the Retained Governmental Use Parcels for the public uses summarized in Table 3, consistent with the Revised LRPMP:

Table 3: Summary of City Uses for Transferred Governmental Use Parcels and the Retained Governmental Use Parcels

Parcel	Designated Public Use
Storm Drain Parcel	The City will own, operate, and maintain the property as a storm drain pond.
Waste Treatment Plant Parcels	The City will own, operate, and maintain the property for waste water overflow and future expansion of the water treatment plant.
S. Chowchilla Right of Way Parcel	The City will own, operate, and maintain the property as a public right of way (sidewalk).
Front Avenue Right of Way Parcel	The City will own, operate, and maintain the property as a public right of way (sidewalk).
Youth Center Parcel	The City will own, operate, and maintain the property as a youth/community center.

Water Tank Parcel	The City will own, operate, and maintain the property for the placement of water basin, water well or water tank.
Right of Way Parcel 1	The City will own, operate, and maintain the property as a public right of way (public sidewalk)
Berenda Canal Parcel	The City will own, operate, and maintain the property for use as a water canal.

On September 8, 2015, the City Council and Successor Agency approved the Resolutions, pursuant to Health and Safety Code Section 34191.5, of the Revised LRPMP and authorized the disposition of the properties in conformance with the LRPMP and as an express acknowledgement and agreement that the City will use the Transferred Governmental Use Parcels and the Retained Governmental Use Parcels for the public uses described in Table 3, consistent with the Revised LRPMP.

FINANCIAL IMPACT:

The Revised LRPMP directs the Successor Agency transfer the Retained Governmental Use Parcels to the City and ratifies the transfer of the Transferred Governmental Use Parcels to the City. The Revised LRPMP further requires that the City enter into a compensation agreement pursuant to Health and Safety Code Section 34180(f) with the affected taxing entities (the "Taxing Entities") specifying that the Net Proceeds (as further defined and described below), of the City's use of the Properties and any further disposition by the City to third parties of the Properties, will be remitted to the County Auditor-Controller for distribution to all of the Taxing Entities on a pro-rata basis in proportion to each Taxing Entity's respective share of the property tax base.

The Revised LRPMP directs the Successor Agency and City to sell the 'Liquidation Parcel' and 'Right of Way Parcel 2'. The Successor Agency and City will either list the properties for sale for the appraised value or the highest offer received or place the property for auction, and the proceeds of the sale minus the documented costs to the City for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or will be sent to the County Auditor-Controller for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B).

ATTACHMENTS:

- Revised LRPMP
- Inventory Data
- Resolution

**REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN
(Pursuant to Health and Safety Code Section 34191.5)**

Chowchilla Successor Agency

September 2015

Introduction and Executive Summary

Procedural Background

The former Chowchilla Redevelopment Agency (the "Former RDA") was dissolved on February 1, 2012, pursuant to ABx1 26 (as amended by AB 1484, the "Redevelopment Dissolution Statutes"). The Redevelopment Dissolution Statutes govern the dissolution of the Former RDA, which includes the disposition of its former real property (excluding housing assets as such term is defined in Health and Safety Code Section 34176).

Upon receipt of the finding of completion under Health and Safety Code Section 34191.5(b), the Chowchilla Successor Agency (the "Successor Agency"), successor in interest of the Former RDA under Health and Safety Code Section 34173, was entitled to and prepared a Long-Range Property Management Plan (the "Initial LRPMP") in connection with the disposition of the real property assets of Former RDA (excluding "housing assets" as defined in Health and Safety Code Section 34176). The Successor Agency obtained a "finding of completion" from DOF on April 26, 2013, pursuant to Health and Safety Code Section 34179.7, indicating that the Successor Agency has satisfactorily made a series of required payments of Former RDA funds in accordance with the Redevelopment Dissolution Statutes.

The Initial LRPMP was approved by the Successor Agency's Oversight Board (the "Oversight Board") on October 24, 2013 and submitted to the California Department of Finance (the "DOF") on October 25, 2013. By letter of March 21, 2014, the DOF specified various revisions that are required to the Initial LRPMP before the DOF would be prepared to approve the Successor Agency's Initial LRPMP. Those revisions included adding various public use properties that the Oversight Board had requested be transferred to the City pursuant to Health and Safety Code Sections 34177(e), 34191.3 and 34181(a); but which the DOF instead required to be placed on the LRPMP.

This document constitutes the revised Long-Range Property Management Plan (the "Revised LRPMP") of the Successor Agency, prepared in accordance with Health and Safety Code Section 34191.5, and addressing the revisions specified by the DOF. The Revised LRPMP will be presented for consideration of approval by the Oversight Board and the DOF. Upon such approval, this Revised LRPMP will serve as the official Long-Range Property Management Plan of the Successor Agency pursuant to the Redevelopment Dissolution Act, with particular reference to Health and Safety Code Section 34191.5, and no subsequent or future approvals will be required from the Oversight Board or the DOF for the transfer of the properties pursuant to this Revised LRPMP.

Organization of the Revised LRPMP

Part I of this Revised LRPMP contains a summary of the previous transfers made by the Successor Agency, and approved by the Oversight Board, which are reaffirmed under this Revised LRPMP and sets forth the parameters that will govern the disposition and use of the Properties (defined in Part II below) prescribed under this Revised LRPMP.

In accordance with Health and Safety Code Section 34191.5(c), Part II of this Revised LRPMP contains summary sheets for each of the Properties setting forth the information required under Health and Safety Code Section 34191.5(c)(1) and summarizing the directed designated use and disposition for each of the Properties.

Accompanying this Revised LRPMP is the information checklist required by the DOF (Appendix A) and the DOF Tracking Worksheet (Appendix B).

PART I: SUMMARY OF PREVIOUS TRANSFERS AND PARAMETERS FOR FUTURE TRANSFERS

This Part I contains a summary of the previous transfers made by the Successor Agency, and approved by the Oversight Board, which are reaffirmed under this Revised LRPMP. Part I further sets forth the parameters that will govern the disposition and use of the Properties prescribed in Part II of this Revised LRPMP.

A. Previous Transfers

Disposition of Housing Assets. At the time of its dissolution on February 1, 2012, and in accordance with Health and Safety Code Section 34176(b)(2), the Former RDA transferred ownership of the Former RDA's "housing assets" to the City of Chowchilla (the "City"). The transferred housing assets were listed in the "Housing Asset Transfer List" prepared in accordance with Section 34176(a)(2) and approved by the California Department of Finance (the "DOF"). This Revised LRPMP reaffirms and ratifies the transfer of the housing assets to the City as described in the Housing Asset Transfer List without the need for additional approvals from the Oversight Board or the DOF.

Disposition of Governmental Use Properties. Under Health and Safety Code Sections 34177(e), 34191.3 and 34181(a) the Oversight Board is authorized to approve and direct the disposition, by the Successor Agency to the City of Chowchilla (the "City"), of governmental purpose properties constructed and used for roads, school buildings, parks and open space, police and fire stations, libraries, and local agency administrative buildings and other governmental purposes.

The Successor Agency requested the Oversight Board to direct the transfer of the public owned, operated, and maintained governmental use properties located in the City. Through the adoption of Oversight Board Resolution 07-13, the Oversight Board ratified the disposition of specified governmental use properties previously conveyed by the Former RDA to the City and approved the future transfer of specified governmental use properties from the Successor Agency to the City. By letter dated March 21, 2014, the DOF approved only the transfer of the Corporation Yard Parcels, property located in the City of Chowchilla identified as Assessor's Parcel Nos. 001-240-003, 001-240-007, 001-240-008, 001-240-010 and 001-240-014, publicly owned, operated, and maintained area dedicated for use as a municipal corporation maintenance yard. The DOF noted that the balance of the properties were required to be placed on this Revised LRPMP.

This document reaffirms and ratifies the transfer of the Corporation Yard Parcels from the Successor Agency to the City as authorized pursuant to Health and Safety Code Sections 34177(e), 34191.3 and 34181(a) pursuant to Resolution 07-13 without the need for additional approvals from the Oversight Board or the DOF. This Revised LRPMP is scheduled for consideration by the Successor Agency's Oversight Board on **September 10, 2015** and, if approved by the Oversight Board, will be transmitted to the DOF for its approval in accordance with Health and Safety Code Section 34191.5(b).

B. Parameters for Transfers Pursuant to Revised LRPMP

The Successor Agency is now responsible for disposition of the Properties in accordance with the procedures and requirements of Redevelopment Dissolution Statutes, with particular reference to Health and Safety Code Section 34191.1, 34191.3, 34191.4(a), and 34191.5.

Property Uses/Disposition. Health and Safety Code Section 34191.5 authorizes four categories for disposition of a successor agency's property, as summarized in Table 1, below:

Table 1: Permitted Uses/Disposition of Successor Agency Real Property Under a LRPMP (Health and Safety Code Section 34191.5)

Plan Category	Use/Disposition Purpose of Property	Property Transferee
Enforceable Obligation	Use Consistent with Enforceable Obligation Terms	Designated Enforceable Obligation Recipient
Governmental	Governmental Use in Accordance with Section 34181(a)	Appropriate Public Jurisdiction
Approved Redevelopment Plan Project	Direct Use, or Liquidation and Use of Proceeds, for Project Identified in Approved Redevelopment Plan	Host Community (City of Chowchilla)
Other Liquidation	Distribution of Sale Proceeds as Property Taxes to Affected Taxing Entities	Approved Purchase

Part II of this Revised LRPMP contains the proposed designated use and disposition for each of the Properties.

Compensation Agreements.

The Successor Agency interprets Health and Safety Code Section 34191.5 to mean that agreements with taxing entities pursuant to Health and Safety Code Section 34180(f) are not required in connection with the disposition of the Successor Agency's Properties to the City under authority of Health and Safety Code Section 34191.5(c)(2)(A) for use or further disposition by the City as governmental use properties or for projects identified in the Former RDA's approved redevelopment plans.

However, the City and the Successor Agency will enter into a compensation agreement pursuant to Health and Safety Code Section 34180(f) (the "Compensation Agreement") with the affected taxing entities (the "Taxing Entities") specifying that the Net Proceeds (as further defined and

described below), of the City's use of the Properties and any further disposition by the City to third parties of the Properties, will be remitted to the County Auditor-Controller for distribution to all of the Taxing Entities on a pro-rata basis in proportion to each Taxing Entity's respective share of the property tax base.

Transfer of the properties by the Successor Agency to the City in accordance with this Revised LRPMP is conditioned upon full execution of a Compensation Agreement by the City, the Successor Agency and the Taxing Entities, to the extent applicable. As will be further set forth in the Compensation Agreement, the Net Proceeds to be remitted by the City for distribution to the Taxing Entities will consist generally of the following:

- So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property.
- Upon disposition of a property by the County to a private development entity, the Net Proceeds will consist of the sale proceeds, if any, received by the County with respect to the property minus the documented costs to the City of the improvement, operation, maintenance and disposition of the property.

Notwithstanding the foregoing or any other provision of this Revised LRPMP, no Compensation Agreement will be required, and the City may retain any proceeds from the use or disposition of the Properties, if a court order, legislation or DOF policy reverses the DOF's directive regarding the need for a Compensation Agreement (a "Reversal"). In the event of a Reversal that occurs prior to the full execution of the Compensation Agreement, the properties will be transferred to as directed under this LRPMP without the condition of or need for such full execution. If a Reversal occurs after the full execution of the Compensation Agreement, the Compensation Agreement will provide that it can be terminated by any party. Upon such termination, any Net Proceeds received by the City after such termination, may be retained by the City and are directed pursuant to this Revised LRPMP to be used by the City to pay costs of one or more projects identified in the approved redevelopment plans.

Enforceable Obligations. One of the Properties are directed under this Revised LRPMP to be owned and retained by the City to fulfill enforceable obligation. The City will be required to one of the Properties in accordance with the specified terms of the enforceable obligation. If in the future, any of the Properties retained to fulfill an enforceable obligation are no longer required to fulfill the enforceable obligation, the City may retain the property for public use, sell the property for private development for projects identified in the Former RDA's approved redevelopment plan, or liquidate the Properties with the consent of the Successor Agency and its Oversight Board.

Retention for Public Use. Eight of the Properties are directed under this Revised LRPMP to be transferred to or retained by the City for the development or continued use and operation by the City of a governmental use identified in the Former RDA's approved redevelopment plans. At this time, it is anticipated that any lease rental income, use fee income, or other income that may

be obtained by the City from such City-retained Properties will be far exceeded by the costs to the City of improving, operating and maintaining such Properties as governmental use properties, with the result that any Net Proceeds are considered unlikely. If in the future any of the properties retained for public use is to be sold by the City for private development for projects identified in the Former RDA's approved redevelopment plans, the Properties will be transferred following the procedures described directly below.

Transfer for Projects in an Approved Redevelopment Plan. If in the future any of the Properties retained for public use is to be sold by the City for private development for projects identified in the Former RDA's approved redevelopment plans, the Properties will be sold in the manner prescribed below.

Transfers, for private development for a projects identified in the Former RDA's approved redevelopment plan, by the City will be made to a selected development entity in accordance with the terms of a property conveyance agreement approved by the City Council acting in accordance with the requirements of Chapter 2 of Part 4 of Division 1 of Title 5 of the California Government Code (commencing with Government Code Section 52201).

In accordance with Government Code Section 52201(b), the purchase price or lease payments to be paid by the selected developer of each such Property under a property conveyance agreement will equal not less than either the fair market value of the Property at its highest and best use or the fair reuse value of the Property at the use and with the covenants and conditions and the development costs authorized pursuant to the property conveyance agreement, as determined by formal action of the City Council.

The amount of any Net Proceeds from the sale of each of these Properties by the City will depend on the purchase price or lease payments determined in accordance with the statutory requirements cited above, and the counterbalancing documented costs incurred by the City in connection with the improvement, operation, maintenance, and disposition of the Property.

Liquidation. One of the Properties under this Revised LRPMP is designated for liquidation. That property and in the future if any of the Properties retained for public use is to be liquidated by the Successor Agency, the Properties will be liquidated in the manner prescribed below. For the Properties to be liquidated, the Successor Agency will either list the Properties for sale for the appraised value or the highest offer received or place the Properties for auction, and the proceeds of the sale minus the documented costs to the City for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or will be sent to the County Auditor-Controller for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B).

Not Surplus Property. Because the City is obligated to dispose of the Properties in accordance with this Revised LRPMP and to satisfy goals, objectives and purposes of the City's General Plan, the Former RDA's approved redevelopment plans, and the Redevelopment Dissolution Statutes, the Properties are not "surplus" property of the City and are not subject to the

disposition requirements and procedures of the Surplus Lands Act (Government Code Section 54220 *et seq.*).

Instead, disposition of the Properties in accordance with this Revised LRPMP constitutes a "common benefit" that may take place under authority of Government Code Section 37350 and/or other disposition authority deemed appropriate by the City. The provisions of the California Environmental Quality Act and Government Code Section 65402(a) regarding General Plan conformance will apply to the disposition by the City of each Property

Part II: LRPMP Property Information Inventory and Proposed Uses

As a result of the disposition of assets described above, the remaining properties that transferred to the ownership of the Successor Agency or the City in connection with the dissolution of the Former RDA that are thereby subject to the Revised LRPMP, consists of the Former RDA properties listed below (herein collectively referred to as the "Properties").

The Former RDA transferred the properties listed below to the City in March 2011, by determination letter issued on March 21, 2014, the DOF required that these "Transferred Governmental Use Parcels" be addressed in this Revised LRPMP:

1. Property located in the City of Chowchilla identified as Assessor's Parcel Nos. APN 002-310-011, 002-310-013, 002-310 015, 002-310-017, 002-310-019, 002-310-021, and 002-310-023, publicly owned, operated, and maintained areas dedicated for use as a storm drain pond (the "Storm Drain Parcels");
2. Property located in the City of Chowchilla identified as Assessor's Parcel Nos. 002-240-005 and 002-240-006, publicly owned, operated, and maintained areas dedicated for use as a waste treatment plan (the "Waste Treatment Plant Parcels");
3. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-280-027, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "S. Chowchilla Right of Way Parcel");
4. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-175-002, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "Front Avenue Right of Way Parcel");
5. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-041-007, a publicly owned, operated, and maintained area dedicated for use as a youth center (the "Youth Center Parcel");
6. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-067, a publicly owned, operated, and maintained area dedicated for use as a water basin, water well and water tank (the "Water Tank Parcel")

Upon the dissolution of the Former Agency on February 1, 2012, pursuant to Health and Safety Code Section 34175(b), the Former RDA properties listed below, which shall herein after be collectively referred to as the “Retained Governmental Use Parcels,” were retained by the Successor Agency, by determination letter issued on March 21, 2014, the DOF required that these “Retained Governmental Use Parcels” be addressed in this Revised LRPMP:

1. Property located in the City of Chowchilla identified as Assessor’s Parcel No. 002-250-064, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the “Right of Way Parcel 1 ”);
2. Property located in the City of Chowchilla identified as Assessor’s Parcel No. 002-250-066, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the “Right of Way Parcel 2 ”). This parcel will no longer be retained for Government Use, and is intended to be liquidated by this revised LRPMP; and
3. Property located in the City of Chowchilla identified as Assessor’s Parcel No. 002-250-063, a publicly owned, operated, and maintained area dedicated for use as a water canal (the “Berenda Canal Parcel”).

The Former RDA transferred the property located in the City of Chowchilla identified as Assessor’s Parcel Nos. 002-250-053 (the “Liquidation Parcel”) to the City, by determination letter issued on March 21, 2014, the DOF required that the “Liquidation Parcel” be addressed in this Revised LRPMP.

Table 2 below summarizes the designated use and disposition for the Properties under Health and Safety Code Section 34191.5(c)(2).

Table 2: Summary of LRPMP List of Properties and Designated Use/Disposition

No.	APN	Referenced as:	Recommended Use
1.	002-310-011, 002-310-013, 002-310 015, 002-310-017, 002-310-019, 002-310-021, and 002-310-023	“Storm Drain Parcels”	Governmental Use
2.	002-240-005 and 002-240-006	“Waste Treatment Plant Parcels”	Governmental Use
3.	002-280-027	“S. Chowchilla Right of Way Parcel”	Governmental Use
4.	002-175-002	“Front Avenue Right of Way Parcel”	Governmental Use
5.	002-041-007	“Youth Center Parcel”	Governmental Use
6.	002-250-067	“Water Tank Parcel”	Governmental Use
7.	002-250-064	“Right of Way Parcel 1 ”	Governmental Use
8.	002-250-065	“Remnant Parcel”	Governmental Use
9.	002-250-066	“Right of Way Parcel 2 ”	Other Liquidation
10.	002-250-063	“Berenda Canal Parcel”	Governmental Use
11.	002-250-053	“Liquidation Parcel”	Other Liquidation

The Property Inventory Sheets below, provide the required information for the Properties required to be transferred pursuant to this Revised LRPMP. The Inventory Sheets also address the specific LRPMP requirements listed in Health and Safety Code Section 34191.5(c)(1).

Table 3: Property Inventory Sheet for Storm Drain Parcel

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-310-011, 002-310-013, 002-310 015, 002-310-017, 002-310-019, 002-310-021, and 002-310-023
Lot Size	___ acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired to for storm drain.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency desires to ratify the transfer of the Storm Drain Parcels to the City as a governmental use property for the continued use and operation of storm drain retainage. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property as a public improvement.	

Table 4: Property Inventory Sheet for Waste Treatment Plan Parcels

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-240-005 and 002-240-006
Lot Size	___ acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired to provide an area for waste treatment ponds.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency desires to ratify the transfer of the Waste Treatment Plant Parcels to the City as a governmental use property for the continued use and operation of sewer treatment ponds. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property as a public improvement.	

Table 5: Property Inventory Sheet for S. Chowchilla Right of Way Parcel

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-280-027
Lot Size	___ acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired for right of way purposes.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency desires to ratify the transfer of the S. Chowchilla Right of Way Parcel to the City as a governmental use property for the use and operation of a public right of way. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property as a public improvement.	

Table 6: Property Inventory Sheet for Front Avenue Right of Way Parcel

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-175-002
Lot Size	___ acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired to provide public parking.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency desires to ratify the transfer of the Front Avenue Right of Way Parcel to the City as a governmental use property the use and operation of a public right of way. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property as a public improvement.	

Table 7: Property Inventory Sheet for Youth Center Parcel

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-041-007
Lot Size	___ acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired for operation of a youth center.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency desires to ratify the transfer of the Youth Center Parcel to the City as a governmental use property for use as a youth center or other public use. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property as a public improvement.	

Table 8: Property Inventory Sheet for Water Tank Parcel

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-250-067
Lot Size	3.58 acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired to house a water tank.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency desires to ratify the transfer of the Water Tank Parcel to the City as a governmental use property to house a water tank and appurtenant public improvements. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property as a public improvement.	

Table 9: Property Inventory Sheet for Right of Way Parcel 1

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-250-064
Lot Size	2.66 acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired for right of way purposes.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency will transfer Municipal Lot 2 to the City as a governmental use property for the use and operation of a public right of way. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property as a public improvement.	

Table 10: Property Inventory Sheet for Remnant Parcel

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-250-065
Lot Size	.60 acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired for public uses.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency will transfer the Remnant Parcel to the City as a governmental use property for the continued use and operation for the public uses. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property.	

Table 11: Property Inventory Sheet for Right of Way Parcel 2

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-250-066
Lot Size	.2 acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	Light industrial
Current Use	Vacant land
Purpose of acquisition	This property was acquired for right of way purposes.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	\$1.00 per square foot
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	
Potential for transit oriented development	
Reuse potential/advancement of planning objectives	
Recommended Action	
<p>The Successor Agency proposes to allow the City to liquidate the property by listing the Right of Way Parcel 2 for sale for the appraised value or the highest offer received or to place the Right of Way Parcel 2 for auction, and the proceeds of the sale minus the documented costs to the City for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or will be sent to the County Auditor-Controller for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B) .</p>	

Table 12: Property Inventory Sheet for Berenda Canal Parcel

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-250-063
Lot Size	5.19 acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	
Current Use	
Purpose of acquisition	This property was acquired for a water canal.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
The Successor Agency will transfer the Berenda Canal Parcel to the City as a governmental use property for the use and operation of a canal or other public use. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property.	

Table 13: Property Inventory Sheet for Liquidation Parcel

[Insert Site Map or Photo]	
Property Background and Description (§34191.5(c)(1)(B)-(C))	
APN	002-250-053
Lot Size	26.28 acres
Acquisition Date	
Purchase Price/Value	
Current Zoning	Light industrial
Current Use	Vacant land
Purpose of acquisition	This property was acquired to provide public parking.
Estimate of Current Property Value (§34191.5(c)(1)(A))	
Estimated Current Value	
Date of Estimated Current Value	
Value Basis	
Proposed Sale Value	Not applicable.
Proposed Sale Date	Not applicable.
Revenue Generated by Property	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
History of Environmental Contamination/Remediation	
History of contamination/remediation	
Disposition Plan	
History of previous development proposals	Current proposal to use the site as a light industrial development [fill in details of proposal]
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
Recommended Action	
<p>The Successor Agency proposes to allow the City to liquidate the property by listing the Liquidation Parcel for sale for the appraised value or the highest offer received or to place the Liquidation Parcel for auction, and the proceeds of the sale minus the documented costs to the City for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or will be sent to the County Auditor-Controller for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B) .</p>	

APPENDIX A
LRPMP CHECKLIST

APPENDIX B
DOF TRACKING WORKSHEET

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA

No.	HSC 34191.5 (c)(1)(C)		Property Type	HSC 34191.5 (c)(2)			HSC 34191.5 (c)(1)(A)			SALE OF PROPERTY <i>(if applicable)</i>		Property Val	HSC 34191.5 (c)(1)(B)		HSC 34191.5 (c)(1)(C)		SC 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)	Other Prop
	Address or Description	APN		Permissible Use	If Sale of Property, specify intended use of sale proceeds	Permissible Use Detail	Acquisition Date	Value at Time of Acquisition	Estimated Current Value	Date of Estimated Current Value	Estimated Current Value Basis		Proposed Sale Value	Proposed Sale Date	Purpose for which property was acquired	Lot Size	Current Zoning	Estimate of Current Parcel Value	Annual Estimate of Income/Revenue	Are there any contractual requirements for use of income/revenue?	Has there been historic environmental contamination, studies, and/or remediation, and designation as a brownfield site for the property?	Does the property have the potential as a transit oriented development?	Were there advancements to the successor agency's planning objectives?	
1	Storm Drain Parcels	002-310-011, 002-310-013, 002-310-015, 002-310-017, 002-310-019, 002-310-021, and 002-310-023	Other	Governmental Use	Continued use for storm drain purposes	Oct-08	63,300	292,436	2/20/15	Agency Estimate	n/a	n/a	Public use	6.33 Acres			0	No	No	No	No	No	No	
2	Waste Treatment Plant Parcels	002-240-005 and 002-240-006	Other	Governmental Use	Continued use for waste treatment	Aug-06	38,400	480,690	2/20/15	Agency Estimate	n/a	n/a	Public use	3.83 Acres			0	No	No	No	No	No	No	
3	S Chowchilla Right of Way Parcel	002-280-027	Roadway/Walkway	Governmental Use	Future right of way	May-06	6,861	6,981	2/20/15	Agency Estimate	n/a	n/a	Public use	4.15 Acres			0	No	No	No	No	No	No	
4	Front Avenue Right of Way Parcel	002-175-002	Roadway/Walkway	Governmental Use	Future right of way	1995	309,668	1	2/20/15	Agency Estimate	n/a	n/a	Public use	3.3 Acres			0	No	No	No	No	No	No	
5	Youth Center Parcel	002-041-007	Public Building	Governmental Use	Public building	May-09	225,000	0	2/20/15	Agency Estimate	n/a	n/a	Public use	0.48 Acres			0	No	No	No	No	No	No	
6	Water Tank Parcel	002-250-067	Other	Governmental Use	Public improvement	Jul-09	35,800	7,972	2/20/15	Agency Estimate	n/a	n/a	Public use	3.58 Acres	light industrial		0	No	No	No	No	No	No	
7	Right of Way Parcel 1	002-250-064	Roadway/Walkway	Governmental Use	Future right of way	Jul-09	93,085	1	2/20/15	Agency Estimate	n/a	n/a	Public use	2.66 Acres	light industrial		0	No	No	No	No	No	No	
8	Remnant Parcel	002-250-065	Other	Governmental Use	Public use	Jul-09	20,997	1	2/20/15	Agency Estimate	n/a	n/a	Public use	0.6 Acres	light industrial		0	No	No	No	No	No	No	
9	Right of Way Parcel 2	002-250-066	Roadway/Walkway	Sale of Property	Fulfill an Enforceable Obligation	Jul-09	6,999	1	2/20/15	Agency Estimate	n/a	n/a	Public use	0.2 Acres	light industrial		0	No	No	No	No	No	No	
10	Berenda Canal Parcel	002-250-063	Other	Governmental Use	Public improvement	Jul-09	181,621	1	2/20/15	Agency Estimate	n/a	n/a	Public use	5.19 Acres	light industrial		0	No	No	No	No	No	No	
11	Liquidation Parcel	002-250-053	Vacant Lot/Land	Sale of Property	Fulfill an Enforceable Obligation	Sep-06	262,800	1	2/20/15	Agency Estimate	FMV or Highest Offer	Upon approval of LRPMP	Redevelopment	26.28 Acres	light industrial		0	No	No	No	No	No	Yes	

RDA SUCCESSOR AGENCY OVERSIGHT BOARD RESOLUTION # -15

RESOLUTION OF THE RDA SUCCESSOR AGENCY OVERSIGHT BOARD OF THE CITY OF CHOWCHILLA APPROVING THE REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5

WHEREAS, pursuant to ABx1 26 enacted in June 2011 (as amended by AB 1484 enacted in June 2012, the "Dissolution Law"), the Chowchilla Redevelopment Agency (the "Former RDA") was dissolved as of February 1, 2012, and the City of Chowchilla, acting in a separate limited capacity and known as the Successor Agency of the Chowchilla Redevelopment Agency, has elected to serve as the successor agency (the "Successor Agency") of the Former RDA; and

WHEREAS, pursuant to Health and Safety Code Section 34173(g), as added by the Dissolution Law, the Successor Agency is a separate legal entity from the City of Chowchilla (the "City"); and

WHEREAS, the City Council (the "City Council") of the City serves in a separate capacity as the governing board of the Successor Agency and also serves as the governing body of the City; and

WHEREAS, the Successor Agency is charged with paying the enforceable obligations, disposing of the properties and other assets, and unwinding the affairs of the Former RDA; and

WHEREAS, an oversight board for the Successor Agency (the "Oversight Board") has been formed and is functioning in accordance with Health and Safety Code Section 34179; and

WHEREAS, on April 26, 2013, the Successor Agency received a "Finding of Completion" from the California Department of Finance (the "DOF") pursuant to Health and Safety Code Section 34179.7, confirming that the Successor Agency had made specified required payments under the Dissolution Law; and

WHEREAS, the Former RDA transferred the properties listed below to the City in March 2011, by determination letter issued on March 21, 2014, the DOF required that these "Transferred Governmental Use Parcels" be addressed in the LRPMP:

1. Property located in the City of Chowchilla identified as Assessor's Parcel Nos. APN 002-310-011, 002-310-013, 002-310 015, 002-310-017, 002-310-019, 002-310-021, and 002-310-023, publicly owned, operated, and maintained areas dedicated for use as a storm drain pond (the "Storm Drain Parcels");
2. Property located in the City of Chowchilla identified as Assessor's Parcel Nos. 002-240-005 and 002-240-006, publicly owned, operated, and maintained areas dedicated for use as a waste treatment plan (the "Waste Treatment Plant Parcels");
3. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-280-027, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "S. Chowchilla Right of Way Parcel");
4. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-175-002, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "Front Avenue Right of Way Parcel");

5. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-041-007, a publicly owned, operated, and maintained area dedicated for use as a youth center (the "Youth Center Parcel");
6. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-067, a publicly owned, operated, and maintained area dedicated for use as a water basin, water well and water tank (the "Water Tank Parcel"); and

WHEREAS, upon the dissolution of the Former Agency on February 1, 2012, pursuant to Health and Safety Code Section 34175(b), the Former RDA properties listed below, which shall herein after be collectively referred to as the "Retained Governmental Use Parcels," were retained by the Successor Agency, by determination letter issued on March 21, 2014, the DOF required that these "Retained Governmental Use Parcels" be addressed in the LRPMP:

1. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-064, a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "Right of Way Parcel 1 ");
2. Property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-063, a publicly owned, operated, and maintained area dedicated for use as a water canal (the "Berenda Canal Parcel"); and

WHEREAS, the Former RDA transferred the property located in the City of Chowchilla identified as Assessor's Parcel Nos. 002-250-053 (the "Liquidation Parcel") to the City, by determination letter issued on March 21, 2014, the DOF required that the "Liquidation Parcel" be addressed in the LRPMP; and

WHEREAS, the Former RDA transferred the property located in the City of Chowchilla identified as Assessor's Parcel No. 002-250-066, previously identified as a publicly owned, operated, and maintained area dedicated for use as a public right of way (the "Right of Way Parcel 2 ") will be liquidated as addressed in the LRPMP; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency is entitled to prepare and submit a Long-Range Property Management Plan (the "LRPMP") to the Oversight Board and the DOF no later than six months following the issuance by the DOF of the Finding of Completion; and

WHEREAS, in compliance with that requirement, the Successor Agency prepared an initial LRPMP (the "Initial LRPMP"), the Oversight Board approved the Initial LRPMP on October 24, 2013, and the Successor Agency submitted the Initial LRPMP to the DOF for its approval on October 25, 2013.

WHEREAS, by letter of March 21, 2014, the DOF specified various revisions that are required to the Initial LRPMP before the DOF would be prepared to approve the Successor Agency's Initial LRPMP. Those revisions included addressing the disposition of the Transferred Governmental Use Parcels, the Retained Governmental Use Parcels, and the Liquidation Parcel in the LRPMP and providing more information on the enforceable obligation related to the Greenhills Parcel; and

WHEREAS, to satisfy the DOF's request, the Successor Agency has prepared a revised LRPMP (the "Revised LRPMP"), in the form on file with the City Clerk; and

WHEREAS, as fully set forth in the LRPMP, the LRPMP provides for the disposition of the properties in the following method:

1. With respect to the Transferred Governmental Use Parcels, the Successor Agency proposes to ratify the transfer to the City so that the City may continue to own, operate and maintain the Transferred Governmental Use Parcels for the public purposes described in the Revised LRPMP and as summarized below;
2. With respect to the Retained Governmental Use Parcels, the Successor Agency proposes to transfer the Retained Governmental Use Parcels to the City so that the City may continue to own, operate and maintain the Retained Governmental Use Parcels for the public purposes described in the Revised LRPMP and as summarized below; and
3. With respect to the Liquidation Parcel and Right of Way Parcel 2 , the Successor Agency proposes to offer these properties for sale in the manner described in the Revised LRPMP;

WHEREAS, through the approval of the Revised LRPMP, it is the understanding of the City Council that:

1. The Revised LRPMP, amends, restates, replaces and supersedes in its entirety the Initial LRPMP;
2. As a result, subject to the further approvals of the Revised LRPMP by the DOF, the official long-range property management plan of the Successor Agency pursuant to Health and Safety Code Section 34191.5(c) shall consist of the Revised LRPMP;
3. The City Council expressly acknowledges and agrees that the City will use the Transferred Governmental Use Parcels and the Retained Governmental Use Parcels for the following public uses, consistent with the Revised LRPMP:

Parcel	Designated Public Use
Storm Drain Parcel	The City will own, operate, and maintain the property as a storm drain pond.
Waste Treatment Plant Parcels	The City will own, operate, and maintain the property for waste water overflow and future expansion of the water treatment plant.
S. Chowchilla Right of Way Parcel	The City will own, operate, and maintain the property as a public right of way (sidewalk).
Front Avenue Right of Way Parcel	The City will own, operate, and maintain the property as a public right of way (sidewalk).
Youth Center Parcel	The City will own, operate, and maintain the property as a youth/community center.
Water Tank Parcel	The City will own, operate, and maintain the property for the placement of water basin, water well or water tank.
Right of Way Parcel 1	The City will own, operate, and maintain the property as a public right of way (public sidewalk)
Berenda Canal Parcel	The City will own, operate, and maintain the property for use as a water canal.

WHEREAS, the staff report (the "Staff Report") accompanying this Resolution contains additional information and analysis upon which the findings and actions set forth in this Resolution are based.

WHEREAS, approval of the LRPMP and the disposition of the properties pursuant to the terms of the Revised LRPMP is exempt from the requirements of the California Environmental

Quality Act and the applicable state and local implementing guidelines ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

BE IT FURTHER RESOLVED that, for the reasons set forth above, the City Council finds and determines that approval of the Revised LRPMP is exempt from the requirements of CEQA, and the Successor Agency Executive Director, or the Executive Director's designee, is authorized to file the appropriate notice of exemption with respect to the approval of the Revised LRPMP in accordance with CEQA.

BE IT FURTHER RESOLVED pursuant to Health and Safety Code Section 34191.5(b) the Oversight Board approved the Revised LRPMP, establishing the Revised LRPMP. The City Council hereby approves the Revised LRPMP and hereby accepts the responsibilities of implementing the terms of the Revised LRPMP and further agrees and acknowledges that the City will use the Retained Governmental Use Parcels and the Transferred Governmental Use Parcels for the governmental/public uses identified in the LRPMP as summarized in this Resolution;

BE IT FURTHER RESOLVED that, upon approval by the DOF of the Revised LRPMP, establishing the Revised LRPMP, the City Council directs the City Manager, or the City Manager's designee, acting on behalf of the City, to use the properties and any disposition proceeds in accordance with the Revised LRPMP and to take any action and execute any documents as may be necessary to implement the acceptance and use of the Properties and any disposition proceeds in accordance with the terms approved in the Revised LRPMP and this Resolution, including but not limited to a compensation agreement.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

PASSED AND ADOPTED by the RDA Successor Agency Oversight Board of the City of Chowchilla this 10th day of September 2015 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Board Chair Stell Manfredi

ATTEST:

Joann McClendon
Board Clerk