

BEFORE THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY
FOR THE REDEVELOPMENT AGENCY OF THE CITY OF PITTSBURG

In the Matter of:

Adoption of an Oversight Board Resolution Approving)
The Successor Agency for the Redevelopment Agency) RESOLUTION NO. 14-
Of the City of Pittsburg's Revised Long Range Property)
Management Plan _____)

The Oversight Board to the Successor Agency for the Redevelopment Agency of the City of Pittsburg DOES RESOLVE as follows:

WHEREAS, the California Legislature adopted, the Governor signed, and the California Supreme Court, in *California Redevelopment Association, et al. v. Matosantos*, (2012) 53 Cal.4th 231, upheld ABx1 26 (AB 26); and

WHEREAS, pursuant to AB 26, all California redevelopment agencies were dissolved effective February 1, 2012; and

WHEREAS, on May 24, 2012, staff conducted a presentation to the Oversight Board to the Successor Agency for the Redevelopment Agency of the City of Pittsburg (Oversight Board), whereby Successor Agency for the Redevelopment Agency of the City of Pittsburg (Successor Agency) properties (Properties) were reviewed; and

WHEREAS, on June 27, 2012, the Governor signed into law budget trailer bill AB 1484. Section 34191.1 of AB 1484 requires a successor agency to receive a finding of completion (Finding) by the California State Department of Finance (DOF) pursuant to 34179.7 before a successor agency submits its long range property management plan for consideration; and

WHEREAS, Section 34179.7 of AB 1484 requires a successor agency to make full payment of the amount owed as reported by the county auditor-controller and when the demanded amount is satisfied, the DOF will issue a Finding; and

WHEREAS, Section 34191.5 of AB 1484 requires a successor agency to prepare a long range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency; and

WHEREAS, Section 34191.3 states that if the DOF has not approved the long range property management plan by January 1, 2015, subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be operative with respect to the successor agency. This date was later extended to January 1, 2016, pursuant to AB 1963; and

WHEREAS, on October 15, 2012, the Successor Agency adopted Resolution 12-007, approving the Successor Agency's original long range property management plan (Original LRPMP); and

WHEREAS, on November 8, 2012, the Oversight Board adopted Resolution 12-013OSB, approving the Original LRPMP; and

WHEREAS, Resolution 12-013OSB was submitted to the DOF on November 15, 2012; and

WHEREAS, on December 20, 2012, a judgment was signed and entered by the Court, in the *City of Pittsburg, a municipal corporation; Successor Agency for the Redevelopment Agency of the City of Pittsburg, a public entity vs. Robert R. Campbell, in his official capacity as the Auditor-Controller of the County of Contra Costa; Ana Matosantos, in her official capacity as Director of Finance for the State of California; California State Board of Equalization, an agency of the State of California*; which satisfies the requirement of payment in Section 34179.7; and

WHEREAS, on August 26, 2013, the Successor Agency received its Finding; thereby satisfying the requirements of Section 34191.1; and

WHEREAS, the DOF rejected the Original LRPMP in a letter dated May 14, 2014. The rejection was based on three reasons which are detailed in the accompanying staff report; and

WHEREAS, the Successor Agency responded to the rejection letter on June 23, 2014 and asked the DOF for reconsideration of its decision to reject the Original LRPMP. The Successor Agency's responses are detailed in the accompanying staff report; and

WHEREAS, the DOF reconsidered and responded on July 18, 2014. The DOF is maintaining its stance on the first and third reasons for rejection. After reviewing a copy of a grant deed which shows the property transfer to the State, the DOF agreed with the Successor Agency in that the property no longer belonged to the Successor Agency; and

WHEREAS, in order to comply with DOF's request, the Successor Agency revised the Original LRPMP (Revised LRPMP). In the Revised LRPMP, the matter regarding the properties transferred to the City of Pittsburg was addressed and upon approval by the Successor Agency and the Oversight Board, the Revised LRPMP will be submitted to the DOF.

NOW THEREFORE, the Oversight Board to the Successor Agency for the Redevelopment Agency of the City of Pittsburg does finds and determines as follows:

Section 1.

All the recitals above are true and correct and incorporated herein.

Section 2.

The Oversight Board hereby adopts this Resolution and approves the Revised LRPMP.

Section 3.

The Executive Director or his designee is hereby authorized to contract with a real estate professional to assist with the disposition of the Properties and pay for costs associated with the sale.

Section 4.

The Executive Director is hereby authorized to take such further actions as may be necessary or appropriate to carry out the Oversight Board's obligations pursuant to this Resolution.

Section 5.

The Clerk of the Board shall certify to the adoption of this Resolution.

Section 6.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Oversight Board to the Successor Agency for the Redevelopment Agency of the City of Pittsburg at a regular meeting on the 25th day of September 2014, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Nancy L. Parent, Chair

ATTEST:

Alice E. Evenson, Clerk of the Board