

MEMORANDUM
PLACER COUNTY
SUCCESSOR AGENCY

TO: Successor Agency Board
FROM: Allison Carlos, Successor Agency Officer, Designee
DATE: December 10, 2013
SUBJECT: Transfer of Governmental Use Properties

ACTION REQUESTED

Adopt a Resolution affirming authorization for the Successor Agency to the former Placer County Redevelopment Agency ("Successor Agency") to transfer four properties of the former Placer County Redevelopment Agency (RDA) to the County of Placer for governmental purposes, and authorizing the Chair to execute Grant Deeds to effectuate such transfer upon approval by the Oversight Board and the Department of Finance.

BACKGROUND

Pursuant to Resolution No. 2012-25, adopted by the Board of Supervisors on January 24, 2012, the County agreed to serve as the Successor Agency to the RDA commencing upon dissolution of the RDA pursuant to Assembly Bill x1 26 (AB 26). Pursuant to AB 26, when the RDA was dissolved on February 1, 2012, all assets of the RDA, including real property, transferred to the Successor Agency by operation of law. Four of the properties, encompassing Placer County Assessor's Parcel Nos. 090-192-058, -059, -060, 090-126-020, 090-122-019, and 090-074-025 (the "Public Parking Properties"), were designated as public parking lots that are required to be constructed as environmental mitigation to compensate for the loss of on-street parking removed in connection with the construction of the Kings Beach Commercial Core Improvement Project (KBCCIP), a project undertaken to provide critical public improvements to Highway 28, the main commercial corridor through Kings Beach in order to improve public safety, vehicular circulation, and pedestrian access. Two of the four properties have been constructed as public parking lots; the other two are planned for construction in Spring 2014 as part of the KBCCIP.

As required by the environmental document for the KBCCIP, the Public Parking Properties will provide a total of 80 parking spaces as follows. Consistent with County-wide practice, no fees will be charged for use of these parking spaces.

<u>Public Parking Properties</u>	<u>Assessor Parcel Number</u>	<u>Number of Parking Spaces</u>
Brook	090-122-019	20
Minnow	090-192-058,-059,-060	20
Salmon	090-126-020	22
Deer/Rainbow	090-074-025	18

Transfer of the Public Parking Properties to the County will enable the County to complete the construction of parking that is a mitigation measure required pursuant to the

Environmental Impact Report (EIR-EIS), CA State Clearinghouse No. 2002112087 for the KBCCIP project. The KBCCIP and the acquisition of the Public Parking Property was funded in part by state and federal grants provided by, among other agencies, U.S. Forest Service, Federal Highway Administration, and Caltrans, and by the proceeds of tax-exempt bonds. Design work on the Project as well as property/right of way acquisition for the Project has been underway since 2006. The remaining work is required pursuant to the mitigation measures in the EIR/EIS and the requirements of the State and federal agencies that provided funding. To implement the KBCCIP project, the RDA entered into agreements with the County Department of Public Works (DPW). DPW is responsible for preparing bids for design/engineering and construction contracts and for general construction management services. Performance under these agreements is already in progress. These agreements were executed in order to fulfill the requirements of the state and federal grant agreements and the mitigation measures required by the EIR/EIS.

The transfer of the Public Parking Properties to the County for these purposes has been described in prior reports to the Successor Agency and the Oversight Board. In June 2012, Assembly Bill 1484 was adopted, and among other provisions, included clarification regarding the asset and property disposal requirements of the Dissolution Act, including provisions that permit a Successor Agency that has obtained a "Finding of Completion" to prepare a Long-Range Property Management Plan (LRPMP) addressing the disposition, transfer, and retention for development of former RDA properties. Your Board and the Oversight Board have approved an LRPMP that provides for the transfer of the Public Parking Properties to the County for the purposes described above. Approval of the LRPMP is currently pending before the Department of Finance (DOF).

Health and Safety Code Sections 34191.3, 34177(e) and 34181(a) allow successor agencies to transfer assets to a public jurisdiction for governmental use pursuant to agreements relating to the construction or use of the assets prior to DOF approval of an LRPMP. Section 34181(f) provides that the transfer of assets for governmental use requires Oversight Board approval by resolution adopted at a public meeting after 10 days notice and is subject to approval by the DOF.

As described above, because the provision of parking is legally required pursuant to the EIR/EIS, the Public Parking Properties are not available for sale or for conveyance for other purposes if loss of parking mitigation is a result. Furthermore, the Public Parking Properties cannot be conveyed for other development because the acquisition of these properties was funded with restricted grants funds and tax-exempt bond proceeds. Moreover, because pursuant to County-wide practice no parking fees will be charged for use of the lots, there will be no revenue generated. However, the County will incur the cost of maintaining the lots, including snow removal, trash collection, striping, and resurfacing. The Successor Agency will be relieved of these obligations and expenses when the properties are conveyed to the County.

In order to provide for the timely construction of the parking lots and transfer of responsibility for operations and maintenance to the County, the Successor Agency seeks

approval of the attached Resolution which would affirm prior approval of the transfers and authorize the Chair to take all actions and execute all documents, including grant deeds, necessary to effectuate the transfer of the Public Parking Properties from the Successor Agency to the County of Placer, subject to Oversight Board and DOF approval.

This action is consistent with the planned disposition of the four properties as contemplated by the LRPMP approved by the Successor Agency on August 20, 2013 and the Placer County Oversight Board on August 27, 2013.

ENVIRONMENTAL CLEARANCE

The project is exempt from CEQA pursuant to Section 15378(b)(5). On April 23, 2013 a Notice of Exemption was filed by DPW on behalf of the Placer County Successor Agency.

FISCAL IMPACT

Transfer of the Public Parking Properties to the County will relieve the Successor Agency of costs associated with management and maintenance of the properties. As has been previously contemplated, Placer County will assume the cost of construction, maintenance, and operation of the properties once they have been transferred with an estimated County cost of \$50,000 annually.

Attachments: Resolution
Location Map

Before the Governing Board of the Successor Agency to the Placer County Redevelopment Agency

In the matter of:

Adopt a Resolution affirming authorization for the Successor Agency to transfer four properties of the former Placer County Redevelopment Agency to the County of Placer for governmental purposes, and authorizing the Chair to execute grant deeds and take all other actions necessary to effectuate such transfers.

Resol. No:.....

The following RESOLUTION was duly passed by the Governing Board of the Successor Agency to the Placer County Redevelopment Agency at a regular meeting held on _____, 2013 by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chair, Successor Agency Governing Board

WHEREAS, all assets, including real property, of the former Placer County Redevelopment Agency (RDA) transferred to the Successor Agency by operation of law on February 1, 2012, when the RDA was dissolved;

WHEREAS, four of the properties encompassing Placer County Assessors Parcel Nos. 090-192-058, -059, -060, 090-126-020, 090-122-019, and 090-074-025 (the "Public Parking Properties") were designated as public parking lots that are required to be constructed as environmental mitigation for loss of on-street parking removed in connection with the construction of the Kings Beach Commercial Core Improvement Project (KBCCIP);

WHEREAS, the Public Parking Properties are not available for sale or conveyance for other purposes because the KBCCIP project, including the acquisition of the Public Parking Properties, has been funded with restricted funds, including state and federal grants and tax-exempt bonds, and because the Public Parking Properties are required to be used for public parking purposes pursuant to mitigation measures required by the EIR/EIS (CA State Clearinghouse No. 2002112087) for the KBCCIP;

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WHEREAS, consistent with the required mitigation measures, the Public Parking Properties will provide a total of 80 parking spaces as follows:

<u>Public Parking Properties</u>	<u>Assessor Parcel Numbers</u>	<u>Number of Parking Spaces</u>
Brook	090-122-019	20
Minnow	090-192-058,-059,-060	20
Salmon	090-126-020	22
Deer/Rainbow	090-074-025	18

WHEREAS, no revenue will be generated by the Public Parking Properties since, consistent with County-wide practice, no fees will be charged for use of the parking spaces to be developed;

WHEREAS, the Successor Agency and the Oversight Board to the Successor Agency (Oversight Board) have approved the transfer of the Public Parking Properties to the County for the purposes described above in connection with their respective approvals of the Long-Range Property Management Plan (LRPMP) prepared pursuant to Health and Safety Code Section 34191.5;

WHEREAS, Health and Safety Code Sections 34191.3, 34177 (e) and 34181(a) allow a Successor Agency to transfer assets to a public jurisdiction for governmental use pursuant to agreements relating to the construction or use of the assets prior to Department of Finance approval of an LRPMP;

WHEREAS, the timely transfer of the Public Parking Properties to the County is in the best interests of the health, safety and general welfare of the community; and

WHEREAS, commencing upon the transfer of the Public Parking Properties to the County, the County will assume responsibility for construction, operation and maintenance of the Public Parking Properties and the Successor Agency will be relieved of such burdens and expenses,

NOW, THEREFORE, BE IT RESOLVED by the Successor Agency to the former Placer County Redevelopment Agency, that approval of the transfer of the Public Parking Properties to the County of Placer is hereby affirmed, and the Chair is authorized to take all actions and execute all documents necessary to effectuate such transfer, including the execution of Grant Deeds conveying the Public Parking Properties to the County, upon approval by the Oversight Board and the Department of Finance.

LOCATION MAP

