

RESOLUTION NO. OB-2013-04

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF GONZALES APPROVING A LONG-RANGE PROPERTY MANAGEMENT PLAN PREPARED PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5 FOR THE DISPOSITION OF REAL PROPERTY ASSETS OF THE FORMER CITY OF GONZALES REDEVELOPMENT AGENCY, AND AUTHORIZING AND DIRECTING THE SUCCESSOR AGENCY TO IMPLEMENT SAID PLAN UPON ITS APPROVAL BY THE CALIFORNIA DEPARTMENT OF FINANCE

WHEREAS, the Community Redevelopment Agency of the City of Gonzales was dissolved February 1, 2012; and

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

WHEREAS, on June 4, 2013, the Successor Agency received its Finding of Completion (the "FOC") from the California Department of Finance (the "DOF") pursuant to HSC §34179.7; and

WHEREAS, within six (6) months of the date of the FOC, HSC §34191.5(b) requires the Successor Agency to prepare a Long-Range Property Management Plan ("LRPMP") to address the disposition and use of the real property assets held by the Successor Agency; and

WHEREAS, in accordance with HSC §34191.5, the Successor Agency has prepared and, by adoption of Resolution No. SA-2013-05 on July 15, 2013, has approved and submitted the LRPMP to the Oversight Board for its review and approval; and

WHEREAS, the Oversight Board has received, reviewed and considered the LRPMP, along with all written and oral staff reports regarding the LRPMP and any written and oral public comments, during a duly noticed public meeting held on July 22, 2013.

NOW, THEREFORE, BE IT RESOLVED that the that the Oversight Board to the Successor Agency to the former Redevelopment Agency of the City of Gonzales hereby finds, resolves, approves, determines, and directs as follows:

Section 1. The Oversight Board finds and determines that the foregoing recitals are true and correct.


Section 2. The Gonzales Successor Agency LRPMP prepared pursuant to HSC §34191.5 is hereby approved in the form set forth in Attachment '1' attached hereto and incorporated herein by reference.

Section 3. The Successor Agency is hereby authorized and directed to transmit the approved LRPMP and this Resolution to the DOF for review and approval in accordance with the requirements of HSC §34191.5.

Section 4. Upon the Successor Agency's receipt of the DOF's approval of the LRPMP, the Oversight Board authorizes and directs the Successor Agency to take any action required to implement LRPMP in accordance with the terms and procedures as approved in the LRPMP and this Resolution.

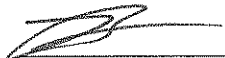
PASSED AND ADOPTED by the Oversight Board at a special meeting held on the 22nd day of July 2013 by the following vote to wit:

AYES:	BOARD MEMBERS:	Chair Simon Salinas, Vice Chair Matt Gourley, Rene Mendez, Jayanti Addleman, and Alfred Munoz
NOES:	BOARD MEMBERS:	None
ABSENT:	BOARD MEMBERS:	Scott Funk, and Sara Perez
ABSTAIN:	BOARD MEMBERS:	None



Simon Salinas, The Honorable Chair

ATTEST:



René L. Mendez, Secretary



2013 LONG RANGE PROPERTY MANAGEMENT PLAN

Prepared for the:

**Successor Agency to the Gonzales
Redevelopment Agency
147 Fourth Street
Gonzales, California 93926
www.ci.gonzales.ca.us**

July 2013

Prepared by:

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2013 LONG RANGE PROPERTY MANAGEMENT PLAN

CITY COUNCIL/ SUCCESSOR AGENCY BOARD

Maria Orozco, *Chair*

Scott Funk, *Vice-Chair*

Liz Silva, *Board Member*

Jose G. Lopez, *Board Member*

Robert Bonincontri, *Board member*

CITY STAFF

Rene L. Mendez, *City Manager/Executive Director/City
Clerk/Agency Secretary*

Thomas Truskowski, *Community Development Director*



2013 LONG RANGE PROPERTY MANAGEMENT PLAN

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I. INTRODUCTION

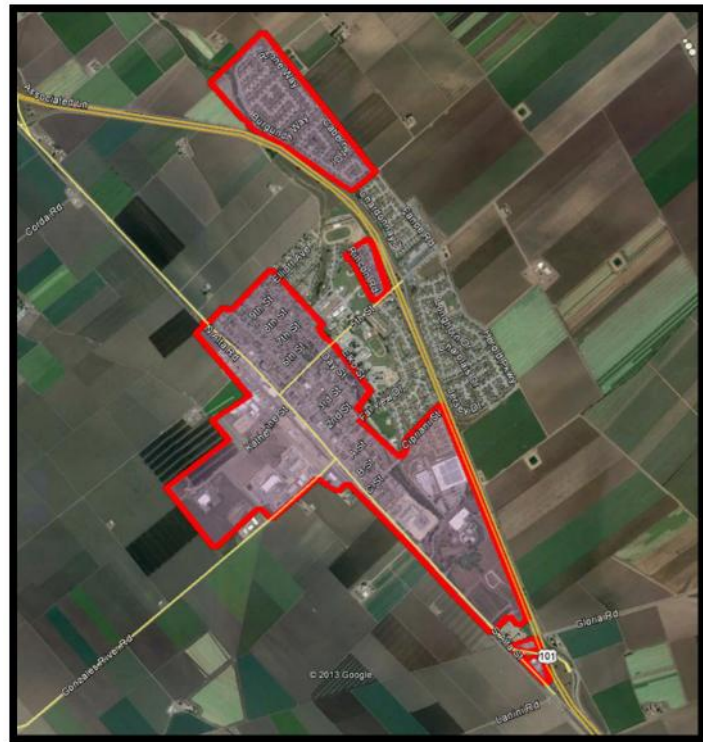
The City of Gonzales (the “City”) is located in Monterey County along US Route 101, 16 miles southeast of the City of Salinas, the County seat. The City is the 9th largest in population of the County’s 12 cities. The California Department of Finance (the “DOF”) reports the City’s population to be 8,296 as of January 1, 2013.

The Gonzales townsite was part of the "Rincon de la Punta del Monte" 1836 Mexican land grant given to Teodoro Gonzalez. The grant encompassed 15,128 acres of the Salinas Valley. Teodoro Gonzalez' two sons, Alfredo and Mariano, eventually inherited the rancho and laid out the town of Gonzales in 1874. The City incorporated January 10, 1947.

Former Redevelopment Agency

The former Redevelopment Agency of the City of Gonzales (the “Agency”) was organized on January 7, 1974 and existing pursuant to the § 33000 *et seq.* of the California Health and Safety Code (the “HSC”), was responsible for the administration of redevelopment activities within the City. The City Council adopted its Original Project Area containing 327 acres on July 6, 2000 by Ordinance No. 2000-01. On July 7, 2003, the City Council adopted Amendment No. 1 which added 219 acres to the Project Area by Ordinance No. 2003-24 creating the Amended Redevelopment Plan.

Currently, the Project Area contains 546 acres, is zoned for mixed land uses, and is composed of land and improvements, including, but not limited to shopping areas, commercial developments, public parking lots, public buildings, and housing.





The Redevelopment Plans are summarized as follows:

<i>Plan Chronology and Time Limits</i>		
Plan	2000 Plan	2003 Plan
Plan Adoption		
Date of Adoption	7/6/2000	7/7/2003
Ordinance Number	2000-01	2003-24
Number of Years Plan is Effective	30 years	30 years
Base Year of Plan	1999-00	2002-03
Project Area Size by Plan	327 acres	219 acres
Total Project Area Size	546 acres	
Time Limits		
For Commencement of Eminent Domain	July 6, 2012	July 7, 2015
For Establishment of Indebtedness	July 6, 2020	July 7, 2023
For Effectiveness of Plan	July 6, 2030	July 7, 2033
For Repayment of Indebtedness	July 6, 2045	July 7, 2048
Implementation Plans Adoption Dates:		
1 st Plan 2000 Redevelopment Plan adopted July 2000	Resolution No. 2000-15	
2 nd Plan 2005-2009 adopted December 2004	Resolution No. 2004-03	
Amended & Restated Implementation Plan adopted December 3, 2007	Resolution No. 2007-08	
Mid-Year Review adopted December 3, 2007	Resolution No. 2007-07	

Dissolution of Redevelopment Agencies

Budget trailer bills ABx1 26 and ABx1 27 were signed by the Governor of California on June 29, 2011, making certain changes to the HSC, including adding Part 1.8 (commencing with § 34161) (“Part 1.8”) and Part 1.85 (commencing with § 34170) (“Part 1.85”) to Division 24 of the HSC. The California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)) alleging that ABx1 26 and ABx1 27 were unconstitutional. On December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding ABx1 26, invalidating ABx1 27, and holding that ABx1 26 may be severed from ABx1 27 and enforced independently. The Supreme Court generally revised the effective dates and deadlines for performance of obligations under HSC Part 1.85 arising before May 1, 2012 to take effect four months later while leaving the effective dates or deadline for performance of obligations under HSC Part 1.8 unchanged. Consistent with the applicable provisions of the HSC, the City Council elected to serve in the capacity of the Successor Agency of the Gonzales Redevelopment Agency, (the “Successor Agency”).

Further, on June 27, 2012, the Governor signed budget trailer bill AB 1484 into law, resulting in further procedural and substantive changes to the duties of and procedures to be followed by successor agencies, oversight boards, county auditor-controllers, and the California Department of Finance (the “DOF”). This includes, but is not limited to, the manner in which the Successor Agency disposes of real property assets. Specifically, AB 1484 added HSC § 34191.5 that requires the Successor Agency to prepare a Long Range Property Management Plan (the “LRPMP”) as a prerequisite to the disposition of real property assets.



Long Range Property Management Plan

Per the applicable provisions of the HSC, no later than six (6) months after a successor agency receives its Finding of Completion from the DOF (per HSC § 34179.7), the Successor Agency must submit its LRPMP to the Oversight Board and the DOF for approval. The LRPMP must include an inventory (with specified information) about each property, and address the use or disposition of each property. Permitted uses for the property pursuant to AB 1484 include:

1. Retention of the property for governmental use;
2. Retention of the property for future development;
3. Sale of the property; and
4. Use of the property to fulfill an enforceable obligation.

Upon DOF's approval of the LRPMP, the properties are to be placed in a Community Redevelopment Property Trust Fund administered by the Successor Agency in accordance with the approved LRPMP. If the LRPMP plan calls for use or liquidation (sale to obtain revenues) of a property for a project identified in an approved redevelopment plan, that property is to be transferred to the sponsoring community for that purpose. If the LRPMP calls for the liquidation of the property or use of revenues from the property for purposes other than a project identified in a redevelopment plan or other than to fulfill an enforceable obligation, the proceeds from the sale are to be distributed as property taxes to the taxing entities. A general outline of real property disposition procedures is included as Exhibit "A."

This LRPMP was prepared in compliance with those pertinent sections of the HSC that govern the LRPMP's prerequisites, content, and approval process. For ease of review, the pertinent sections of the HSC are included in Exhibit "B."

The Successor Agency received its Finding of Completion from the DOF on June 4, 2013 (Exhibit "C"). The LRPMP was approved by Resolution of the Oversight Board on _____, 2013 (Exhibit "D") and by Resolution of the Successor Agency on _____, 2013 (Exhibit "E").



II. SUMMARY OF SUCCESSOR AGENCY PROPERTIES

Successor Agency Properties

The Successor Agency has control of four (4) properties which are located within the City of Gonzales and are subject to the provisions of the Agency’s 2000 Redevelopment Plan and subsequent 2003 amendment, the Agency’s Five Year Implementation Plan FY 2009/2010 through FY 2013/2014 (the “Implementation Plan”), and the City’s 2010 General Plan/Zoning Ordinance and land use regulations.

The four (4) properties are summarized in the table below.

Inventory of Successor Agency Properties

The Successor Agency has control over the following real property assets from the former Agency:

<i>Successor Agency Properties</i>							
Site No.	Property Type	Site Reference	Address	Assessor Parcel No. ¹	Zoning ²	Lot Size (acres)	Permissible Use
1	Real Property (Leasehold)	Police Station	100 Fourth Street	020-073-015	PF	0.25	Government Use
2	Real Property (Fee)	Community Center Property	Gabilan Court @ 5 th Street	020-121-005	R-2	3.69	Government Use
3	Real Property (Fee)	Single Family Residence	126 Fifth Street	020-073-013	PF	0.16	Sell
4	Real Property (Fee)	Commercial Building	346 Alta Street	020-067-009	MU-CC	0.06	Sell

¹ See Exhibit “F” for Assessor Parcel Maps

² See Exhibit “G” for Zoning Maps

MU-CC – Downtown Commercial Residential

PF – Public Facility

R-2 – Residential Medium Density

Site Nos. 1 and 2 are proposed to be for governmental purposes. Site Nos. 3 and 4 are proposed to be sold with the net proceeds used for enforceable obligations or distributed as property tax to the taxing entities.



III. PROPERTY TO BE RETAINED FOR GOVERNMENTAL USE





Site Nos. 1 and 2 are proposed to be retained by the City of Gonzales for governmental use pursuant to HSC 34181(a).

Site No. 1
Police Station
100 Fourth Street
APN 020-073-015



On June 1, 2011, the former Gonzales Redevelopment Agency (“RDA”) leased the Police Station site from the City and on the same date sub-leased the site back to the City for the amount of debt service required for the RDA’s 2011 Lease Revenue Bonds (“2011 LRBs”). In this case then, the City is the fee owner, the RDA (now the Successor Agency) is the tenant and the City is the sub-tenant. The term of the former RDA’s lease and the City’s sub-lease was from June 1, 2011 to June 2, 2041, and includes one option for a 10-year extension (i.e., through June 2, 2051). Once the 2011 LRBs are repaid, the lease and sub-lease will expire according to their own terms. The purpose of the 2011 LRBs was to partially assist in refinancing the then maturing former RDA’s \$9,540,000 2006 Tax Allocation Notes (“2006 TANs”). Due to significant drops in assessed value (“AV”) of property within the redevelopment area, the 2006 TANs could not be refinanced with tax allocation bonds. To avoid a default, the following refinancing plan was used to refund the 2006 TANs:

1. Issuance of 2011 Tax Allocation Refunding Bonds, by the RDA – Despite the fact that the project area AV had been declining, the RDA was able to issue a small refunding tax allocation bond issue (the “2011 RDA Bonds”), to help towards refunding the \$9,540,000 outstanding principal amount of the 2006 Notes. The 2011 RDA Bonds provided \$1,667,000 of net proceeds for the refunding effort, leaving a balance of \$7,873,000 to be addressed by other refunding sources.
2. Issuance of 2011 Lease Revenue Bonds, by the RDA – Although not legally obligated to do so, the City “stepped up to the plate” and agreed to secure this debt issuance with the City’s general fund, to help towards the 2006 TANs refunding effort (i.e., with the \$4,440,000 2011 LRBs). The City agreed to do this with the understanding that the RDA would be reimbursing the City (over time) for all debt service costs related to the repayment of the 2011 LRBs, pursuant to the Reimbursement Agreement. The use of the Reimbursement Agreement is described in the Official Statement for the 2011 LRBs, on page 3 under “Financing Plan.” The 2011 LRBs



provided net proceeds of \$3,964,468, resulting in a remaining balance of 2006 Notes to be refunded of \$3,908,532.

3. City Loan to RDA – Again, although not legally obligated to assist the RDA with its repayment effort for the 2006 TANs, the City acted prudently and responsibly to avoid a default, and provided a loan to the RDA (the “City Loan”) for \$1,000,000 towards the refunding effort. The aforementioned section of the Official Statement for the 2011 LRBs (page 3, “Financing Plan”) also describes the City Loan, and the related Loan Agreement.
4. Agency Fund Balances – The amount needed to provide the remaining balance payable (i.e., \$2,908,532) of the total outstanding principal of the 2006 TANs came from existing fund balances of the RDA.

Based on the above, although the Successor Agency holds a lease on the site, the City is the fee owner of the land and is also the sub-tenant of the site. Once the 2011 LRBs are repaid, the lease and sub-lease will terminate pursuant to their own provisions and the site will be retained by the City as fee owner without any lease or sub-lease encumbrances.

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

Site No. 1 is the City of Gonzales Police Station property which will be retained by the City of Gonzales for governmental use pursuant to HSC 34181(a).

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

The land on which the Police Station was constructed was acquired by the City of Gonzales in 1976 for \$33,000 and ownership remains with the City. The construction of the Police Station was funded by the Agency in a 2006 Bond issuance (Police Station Project). The Agency leases the land from the City and then subleases the Police Station back to City for the cost of debt service payments and other expenses incurred as a result of the \$4,440,000 Gonzales Redevelopment Agency Lease Revenue Refunding Bonds (Police Station Project) Issue of 2011. The Agency holds the leasehold interest in the Police Station property, which expires when the 2011 bonds are prepaid.

C. Site Information) & 34191.5(c)(1)(C)):

The Police Station is located on one (1) 0.25-acre parcel (APN 020-073-015) at 100 Fourth Street. In the General Plan/Zoning Ordinance, the land is zoned Public Facility (PF).

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

There is a 2011 30-year lease on the Police Station property, wherein the City is Lessor and the Agency is Lessee. The Lease allows for up to a one-time 10-year extension. The value of the leasehold is \$1.00.

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

The Agency leases the Police Station property from the City for an annual amount of \$1.00. There is no contractual arrangement for the disposition of the revenue.

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

There is no history of environmental contamination.



G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC 34191.5(c)(1)(G)):

There is no potential for a TOD in conjunction with Police Station property.

The continued use of this property as a Police Station advances the Successor Agency's and the City's planning objectives for the continued investment in public infrastructure and community facilities.

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

None

I. Sale of Property:

Site No. 1 is the City of Gonzales Police Station property which will be retained by the City of Gonzales for governmental use pursuant to HSC 34181(a).

The Agency holds a leasehold interest in the Police Station property that will terminate on June 2, 2041 unless the lease is extended at the request of the City to May 15, 2051.

The City holds a sub-lease leasehold interest in the Police Station that has an identical term with the repayment of the \$4,440,000 Gonzales Redevelopment Agency Lease Revenue Refunding Bonds (Police Station Project) Issue of 2011. Once the 2011 bonds are repaid, the lease and the sub-lease will be extinguished according to their own terms and thereafter the City's fee ownership of the property will be held without any leasehold encumbrances.

In the interim, the Successor Agency will assign its rights and duties with respect to the lease and the sub-lease to the Gonzales Financing Authority.

Based on the foregoing, there is no practical value in the Successor Agency's leasehold interest.



Site No. 2
Community Center Property
Gabilan Court @ Fifth Street
APN 020-121-005



- A. **Permissible Use (HSC 34191.5(c)(2)):**
Site No. 2 is the future location of the Gonzales Community Center (the “Community Center Property”) and is proposed to be retained by the City of Gonzales for governmental use pursuant to HSC 34181(a).
- B. **Acquisition of Property (HSC 34191.5(c)(1)(A) and 34191.5(c)(1)(B)):**
The Community Center Property was acquired by the Agency on April 10, 2009 in a property exchange with the Monterey County Housing Authority (the “HAMC”). The purpose for this acquisition was the construction of a community center. The book value is \$0.
- C. **Site Information (HSC 34191.5(c)(1)(C)):**
The Community Center property consists of one (1) 3.69-acre parcel (APN 202-121-005) and is located at Gabilan Court and Fifth Street. In the General Plan/Zoning Ordinance, the Community Center property is zoned Residential Medium Density (R-2) with a land use of Public/Quasi-Public (P/QP). P/QP land use designation accommodates a variety of public, non-profit, and institutional uses which meet health, safety, education, and welfare needs. This General Plan designation has been applied to 751 acres, which specifically includes acreage set aside for the future site of the Community Center Property.
- D. **Estimated Current Value (HSC 34191.5(c)(1)(D)):**
The estimated current value for the Community Center Property is \$0. The property would have little value if an appraised value were determined on an income basis since the objective of the City is to operate a public facility and the operations and maintenance expense is to be borne by the City.
- E. **Site Revenues (HSC 34191.5(c)(1)(E)):**
No revenue is generated from the Community Center Property.
- F. **History of Environmental Contamination ((HSC 34191.5(c)(1)(F)):**
There is no history of environmental contamination.



G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC 34191.5(c)(1)(G)):

There is no potential for a TOD in conjunction with the Community Center Property.

The development of the Community Center Property advances the Successor Agency's and the City's planning objectives for i) the continued investment in public infrastructure and community facilities; and ii) to provide public services facilities such as community centers, parks, libraries, senior centers, and public safety located in areas of the City that serve schools and senior citizens.

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

The HAMC owned the property located at Gabilan Court and Fifth Street where it wanted to construct a multi-family low-income housing project and where the City wanted to construct a community center.

In support of the location for the City's community center, the Agency, using LMIHF, acquired a 3-acre parcel on Fanoie Rd. for the HAMC's multi-family low-income housing project. The Agency then entered into a property exchange agreement with the HAMC for the property at Gabilan Court at Fifth Street in exchange for the Fanoie Rd. property. As a result of the land exchange between the Agency and the HAMC, a 44-unit affordable housing project was constructed by the HAMC on the Fanoie Rd property.



The City is in the initial planning phase for the new Community Center. Preliminary plans propose a facility of approximately 25,000 to 30,000 square feet offering a wide range of recreational opportunities, rooms for special events and meetings and space to relocate the county library. Associated with the Community Center Property, and located immediately adjacent, is a new joint use gymnasium constructed in 2010 by the Gonzales Unified District.

I. Sale of Property:

The Community Center is proposed to be retained by the City of Gonzales for governmental use pursuant to HSC 34181(a), without cost for the reasons stated above.



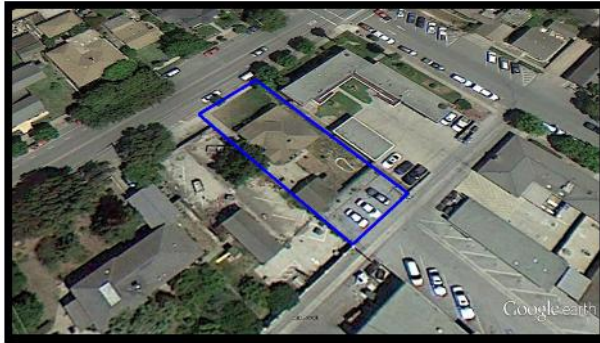
IV. PROPERTY TO BE SOLD





Site Nos. 3 and 4 are proposed to be sold with net proceeds used to fund Enforceable Obligations or be distributed to the taxing agencies per HSC 34191.5(c)(2).

Site No. 3
Single Family Residence
126 Fifth Street
APN 020-073-013



- A. **Permissible Use (HSC 34191.5(c)(2)):**
Site No. 3 is the Single Family Residence property and is proposed to be sold.
- B. **Acquisition of Property (HSC 34191.5(c)(1)(A) and 34191.5(c)(1)(B)):**
The Single Family Residence property was acquired by the Agency on May 4, 2007 for \$485,000 in an effort to bring additional parking for the revitalization of downtown. The Successor Agency's book value is \$485,000. The estimated current value (the "ECV") is \$118,000.
- C. **Site Information (HSC 34191.5(c)(1)(C)):**
The Single Family Residence property consists of one (1) 0.16-acre parcel (APN 020-073-013) located at 126 Fifth St. between Center and Belden Streets. In the General Plan/Zoning Ordinance, the property is zoned Public Facility (PF) with a land use of Public/Quasi-Public (P/QP). P/QP land use designation accommodates a variety of public, non-profit, and institutional uses which meet health, safety, education, and welfare needs.
- D. **Estimated Current Value (HSC 34191.5(c)(1)(D)):**
On August 19, 2011, an appraisal was conducted for the Single Family Residence property and the value was determined at that time to be \$118,000. With little or no movement in property sales since 2011, the 2011 appraised value of \$118,000 is the ECV.
- E. **Site Revenues (HSC 34191.5(c)(1)(E)):**
No revenue is generated from the Single Family Residence property.
- F. **History of Environmental Contamination ((HSC 34191.5(c)(1)(F)):**
There is no history of environmental contamination, however, depending when the existing building was constructed, there may be a need to conduct an environmental assessment for lead based paint and asbestos.



G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC 34191.5(c)(1)(G)):

There is no potential for a TOD in conjunction with the Single Family Residence property.

The development of the Single Family Residence property advances the Successor Agency's and the City's planning objectives to encourage all forms of private development which will provide employment opportunities; encourage development in the downtown area through the rehabilitation and retrofitting of older buildings, and attract new business investment to the downtown.

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

The Single Family Residence property was zoned PF in order to be developed as a parking lot for the Police Station.

Currently, there is a proposal to sell the property to Clinica de Salud, which is dedicated to providing quality comprehensive health care to men, women and families with an emphasis on farm workers and their families.

I. Sale of Property:

Notwithstanding the above, if the property is not sold to the Clinica de Salud, the City proposes to sell the property in accordance with the Successor Agency's policies and procedures for property disposition per Exhibit A, Section I.

The ECV is \$118,000.

The following process was used in determining the ECV of the Single Family Residence property:

Date of estimated current value – August 2011

Value Basis – The ECV was determined based on an appraisal conducted in August 2011. With little or no movement in property sales, the ECV remains at the 2011 level of \$118,000.

Proposed sale date – TBD and subject to the Successor Agency's implementation of its policies and procedures for property disposition as shown in Exhibit "A."

Proposed sale value – TBD and subject to a fair market appraisal conducted by a licensed appraiser. Any net proceeds of the sale would be used for enforceable obligations or distributed as property tax to the taxing entities.



Site No. 4
Commercial Building
346 Alta Street
APN 020-067-009



- A. **Permissible Use (HSC 34191.5(c)(2)):**
Site No. 4 is the Commercial Building property. This property is proposed to be sold.
- B. **Acquisition of Property (HSC 34191.5(c)(1)(A) and 34191.5(c)(1)(B)):**
The Commercial Building property was acquired by the Agency on January 5, 2001 for \$217,750 in an effort to redevelop and revitalize the downtown through the attraction of a retail/commercial development. The Successor Agency's book value is \$217,750.
- C. **Site Information (HSC 34191.5(c)(1)(C)):**
The Commercial Building property consists of one (1) 0.06-acre parcel (APN 020-067-009) located 346 Alta Street abutting Old US Highway 101. In the General Plan/Zoning Ordinance, the property is zoned Mixed Use Commercial Core (MU-CC). The MU-CC designation allows for uses to promote integrated development of retail, service, banks, public, office, and housing in downtown Gonzales. It is specifically intended to foster mixed use projects that maintain downtown as the civic and cultural focal point for the City, as well as an active retail area. Such development should be pedestrian-oriented, compatible with the goal of maintaining downtown's historic character, and oriented towards local residents.
- D. **Estimated Current Value (HSC 34191.5(c)(1)(D)):**
On August 5, 2011, an appraisal was conducted for the Commercial Building property and the value was determined at time to be \$400,000. This appraisal was predicated on the building being vacated by the then existing tenant. With the Commercial Building now vacant and little or no movement in property sales since 2011, the 2011 appraised value of \$400,000 is the ECV.
- E. **Site Revenues (HSC 34191.5(c)(1)(E)):**
No revenue is generated from the vacant Commercial Building property.
- F. **History of Environmental Contamination ((HSC 34191.5(c)(1)(F)):**
There is no history of environmental contamination.



G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC 34191.5(c)(1)(G)):

There is no TOD associated with the Commercial Building property.

The development of the Commercial Building advances the Successor Agency's and the City's planning objective to Preserve existing retail/commercial serving local needs and Encourage all forms of private development which will provide employment opportunities, encourage development in the downtown area through the rehabilitation and retrofitting of older buildings, and attract new business investment to the downtown.

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

The existing building was built in 1931, and is now vacant; its last occupant being the Windmill Restaurant. Between 1997 and 2001, the property changed ownership several times; each time being purchased by a bank until the Agency purchased the property in 2001.¹

On at least two occasions there was interest in leasing the building as a restaurant. Currently, there is an interested party in acquiring the Commercial Building property for a restaurant. Notwithstanding the above, the timeframe in which to sell the Commercial Building could be lengthy. Since the City does not desire to have a vacant building at the gateway into downtown, staff is moving forward with a search for a business to lease the building while searching for a business to move forward with a "lease to purchase" option. Any lease revenues received by the Successor Agency under a "lease" or "lease to purchase" option will be placed in the Successor Agency Trust Fund.

The desire to "lease" or "lease to purchase" the property conforms to the City's community development goals to attract new businesses to the downtown area per the Implementation Plan.

I. Sale of Property:

If the current interested buyer does not acquire the Commercial Building, then the City proposes to sell the property in accordance with the Successor Agency's policies and procedures for property disposition per Exhibit A, Section I.

The ECV is \$400,000.

The following process was used in determining the ECV of the Commercial Building property:

Date of estimated current value – August 2011

Value Basis – The ECV was determined based on an appraisal conducted in August 2011. With little or no movement in property sales, the ECV remains at the 2011 level of \$400,000.

Proposed sale date – TBD and subject to the Successor Agency's implementation of its policies and procedures for property disposition as shown in Exhibit "A."

¹ <https://www.ncdata.com>



Proposed sale value – TDB and subject to a fair market appraisal conducted by a licensed appraiser. Any net proceeds of the sale would be used for enforceable obligations or distributed as property tax to the taxing entities.

V. PROPERTY DETAILS

Site No	Property Type	HSC 34191.5 (c)(1)(A)		Sale of Property		HSC 34191.5 (c)(1)(G)			HSC 34191.5 (c)(1)(D)		HSC 34191.5 (c)(1)(E)		HSC 34191.5 (c)(1)(F)		HSC 34191.5 (c)(1)(G)		HSC 34191.5 (c)(1)(H)					
		Permissible Use	Date Acq'd	Value When Acq'd	Est. Current Value (ECV)	Value Basis	Date of ECV	Sale Value	Sale Date	Purpose Acq'd	Address	APN	Lot Size (ac)	Zoning	ECV	Est. of Income/Revenue (Annual)	Contract req'd for use of income/revenue	History Evm	Contamination	Adv of SA Planning	TOD	Previous Proposals / Activities
1	Real Property (Leasehold)	Government	June 2011	\$1	\$1	Leasehold	June 2013	n/a	n/a	Police Station	100 Fourth Street	020-073-015	PF	\$1	\$1	no	no	no	no	no	no	no
2	Real Property (Fee)	Government	April 2009	\$0	\$0	City Book Value	n/a	n/a	n/a	Community Center	Gablian Court @ Fifth Street	020-121-005	R-2	\$0	none	n/a	no	no	yes	yes	yes	yes
3	Real Property (Fee)	Self	May 2007	\$485,000	\$118,000	Aug 2011 Appraisal	Aug 2011	TBD	TBD	Parking	126 Fifth Street	020-073-013	PF	\$118,000	none	n/a	no	no	yes	yes	yes	yes
4	Real Property (Fee)	Self ²	Jan 2001	\$217,750	\$400,000	Aug 2011 Appraisal	Aug 2011	TBD	TBD	Commercial Development	346 Alta Street	020-067-009	MU-CC	\$400,000	none	n/a	no	no	yes	yes	yes	yes

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

² The Agency desires to sell the property, which includes a restaurant. However, selling the property could be a lengthy process. Therefore, the Agency will consider a "lease" or "lease-to-purchase" as interim options.



EXHIBIT A – Successor Agency/City Property Disposition Procedures

The following is only a general outline for the Purchase & Sale and Request for Proposals procedures of the Successor Agency and the City for the disposition of real property. Property to be sold will be in accordance with Successor Agency Policies and Procedures and property to be retained for future development will be developed in accordance with City Policies and Procedures. It is anticipated that the Successor Agency will adopt policies and procedures that are more specific during the implementation phase of the LRPMP.

I. PURCHASE AND SALE PROCEDURES

These procedures apply only to those properties for which the Successor Agency will sell. These procedures do not apply to those properties that will be retained for future development or to fulfill an enforceable obligation.

1. Post notice on Successor Agency website:

“All persons interested in receiving solicitations for the disposition of Successor Agency property please email xyz@cityofthefuture.org with your contact information and **“Purchase and Sale of Successor Agency Property”** in the Subject line.”

2. Successor Agency will provide written solicitations for the sale of its real estate assets, which may be a single parcel or a grouping of parcels (the “Property”). Such formal solicitations will include, but not be limited to:

- a. APN(s)
- b. Property location
- c. Zoning
- d. Acreage
- e. Offering Price (all cash at close of escrow, no seller financing)
- f. Deadline to receive offers (prior to selection, offers are confidential)
- g. Offer submittal guidelines:
 - i. All offers must be in writing (California Association of Realtor forms are acceptable);
 - ii. Successor Agency will provide courtesy to brokers equal to one-half of the customary commission if the ultimate buyer is represented by said real estate broker as buyer’s broker at the time the original offer is submitted;
 - iii. Type of financing identified (i.e., buyer’s cash, buyer’s loan proceeds, etc.);
 - iv. All buyers are to be listed – no silent partners; and
 - v. Offers will be reviewed for conflict of interest between offeror and Successor Agency/City officials, staff and consultants.
- h. Some properties for sale consist of multiple parcels. Only offers that include all parcels identified by Successor Agency on a particular site may be accepted, i.e., no less than whole purchases.

3. Method of Solicitations:

- a. Property posting
- b. Successor Agency website posting
- c. Local real estate brokers
- d. All persons requesting solicitations
- e. Workshops and/or e-mail notifications

4. All property sales are in an “AS IS, WHERE IS” condition.



5. The Successor Agency will be reimbursed from the sale proceeds of the property for any costs related to the appraisal, escrow and title fees (cost of CLTA policy only) and any other costs associated with the sale.
6. An offer may be rejected if it does not meet the Successor Agency's price threshold. Acceptance of a purchase and sale offer is subject to approval of the Successor Agency's Board of Directors.

II. REQUEST FOR PROPOSAL PROCEDURES

Costs incurred by the City in the implementation of these Disposition Procedures shall be treated as an Enforceable Obligation for purposes of the Recognized Obligation Payments Schedule ("ROPS") of the Successor Agency to be recovered from land sales proceeds. The City shall provide the Successor Agency an estimate of such costs at such times and in a form sufficient for the Successor Agency to include such costs on one or more ROPS, as appropriate. Included in such costs are: staff time in the performance of such duties; costs and fees of consultants, attorneys, appraisers, title insurers and escrow; costs and fees in connection with the disposition of property(ies), such as unpaid and outstanding tax liens or judgments.

A) INTENT AND PURPOSE

A Request for Proposals ("RFP") will be prepared by the City and posted to the City's website, sent to developers or parties that have requested such RFPs, and other developers or parties at the City's discretion. The number of properties as to which an RFP is requested is subject to the discretion of the City. RFPs may include, but are not limited to, the following:

B) PROPOSAL SUBMITTAL

1. Interested parties may submit a development proposal by the deadline specified in the RFP.
2. Proposal requirements may include, but not be limited to, the following:
 - a. The proposed total consideration for the property(ies) and information supporting the offer price;
 - b. Any proposed alterations to the terms and conditions of sale;
 - c. Construction and development pro forma, a detailed site plan, a business/operating plan, developer qualifications, experience and references, a narrative description of the market support for the proposed project, an operating pro forma, as applicable, and an explanation of the economic benefits of the proposed project to the City, other affected taxing agencies and the community;
 - d. The proposed uses are to conform to the requirements, intent, goals, and objectives of the City General Plan/Zoning Ordinance, other applicable development standards, and other applicable federal, state and local laws, codes and regulations.
 - e. A statement that no financial assistance is being requested from any governmental agency in connection with the proposal, or a statement that financial assistance is being requested from a governmental agency in connection with the proposal, indicating the amount that will be requested, the anticipated timing for consideration of such request, and a description of any discretionary process required by the governmental agency from which assistance will be requested, together with an acknowledgment that conditioning a proposal upon receipt of assistance from a governmental agency may result in the rejection of such proposal;
3. Interested parties to provide such additional information as may be reasonably requested by City.
4. Subsequent to review, applicants will be advised regarding the development proposals submitted complying with the requirements of the RFP or whether additional information is required.



C) PROPOSAL REVIEW

1. The City will review all proposals received and determined by City staff to be complete.
2. Among other things, the City's review will consider the value of the asset in question being maximized as well as the proposal furthering the objectives of the City's General Plan.
3. Nothing in these Procedures prohibits the City from requiring information that is in addition to the foregoing or obligate the City in selecting any proposal. The City will not bear any responsibility for the costs associated with preparing and submitting a proposal.

D) NEGOTIATING AGREEMENTS

The City, in good faith, may enter into an Exclusive Right to Negotiate Agreement ("ERNA") with a selected project proponent. The purpose of the ERNA is to establish a time period during which the chosen applicant shall have the right to negotiate with the City the terms and conditions of a sales and development contract. Therefore, a Disposition and Development Agreement may follow the ERNA if applicable.



EXHIBIT B – Health & Safety Code

HSC § 34191.1, reads as follows:

The provisions of this chapter shall apply to a City upon that agency's receipt of a finding of completion by the Department of Finance pursuant to Section 34179.7.

HSC § 34191.3, reads as follows:

Notwithstanding Section 34191.1, the requirements specified in subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be suspended, except as those provisions apply to the transfers for governmental use, until the Department of Finance has approved a long-range property management plan pursuant to subdivision (b) of Section 34191.5, at which point the plan shall govern, and supersede all other provisions relating to, the disposition and use of the real property assets of the former redevelopment agency. If the department has not approved a plan by January 1, 2015, subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be operative with respect to that City.

HSC § 34191.4, reads as follows:

The following provisions shall apply to any City that has been issued a finding of completion by the Department of Finance:

- (a) All real property and interests in real property identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5 shall be transferred to the Community Redevelopment Property Trust Fund of the City upon approval by the Department of Finance of the long-range property management plan submitted by the City pursuant to subdivision (b) of Section 34191.7 unless that property is subject to the requirements of any existing enforceable obligation.
- (b) (1) Notwithstanding subdivision (d) of Section 34171, upon application by the City and approval by the oversight board, loan agreements entered into between the redevelopment agency and the city, county, or city and county that created by the redevelopment agency shall be

deemed to be enforceable obligations provided that the oversight board makes a finding that the loan was for legitimate redevelopment purposes.

(2) If the oversight board finds that the loan is an enforceable obligation, the accumulated interest on the remaining principal amount of the loan shall be recalculated from origination at the interest rate earned by funds deposited into the Local Agency Investment Fund. The loan shall be repaid to the city, county, or city and county in accordance with a defined schedule over a reasonable term of years at an interest rate not to exceed the interest rate earned by funds deposited into the Local Agency Investment Fund. The annual loan repayments provided for in the recognized obligations payment schedules shall be subject to all of the following limitations:

(A) Loan repayments shall not be made prior to the 2013-14 fiscal year. Beginning in the 2013-14 fiscal year, the maximum repayment amount authorized each fiscal year for repayments made pursuant to this subdivision and paragraph (7) of subdivision (e) of Section 34176 combined shall be equal to one-half of the increase between the amount distributed to the taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 in that fiscal year and the amount distributed to taxing entities pursuant to that paragraph in the 2012-13 base year. Loan or deferral repayments made pursuant to this subdivision shall be second in priority to amounts to be repaid pursuant to paragraph (7) of subdivision (e) of Section 34176.

(B) Repayments received by the city, county or city and county that formed the redevelopment agency shall first be used to retire any outstanding amounts borrowed and owed to the Low and Moderate Income Housing Fund of the former redevelopment agency for purposes of the Supplemental Educational Revenue Augmentation Fund and shall be distributed to the Low and



Moderate Income Housing Asset Fund established by subdivision (d) of Section 34176.

(C) Twenty percent of any loan repayment shall be deducted from the loan repayment amount and shall be transferred to the Low and Moderate Income Housing Asset Fund, after all outstanding loans from the Low and Moderate Income Housing Fund for purposes of the Supplemental Educational Revenue Augmentation Fund have been paid.

- (c) (1) Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold.
- (2) (A) Notwithstanding Section 34177.3 or any other conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall thereafter be expended in a manner consistent with the original bond covenants. Enforceable obligations may be satisfied by the creation of reserves for projects that are the subject of the enforceable obligation and that are consistent with the contractual obligations for those projects, or by expending funds to complete the projects. An expenditure made pursuant to this paragraph shall constitute the creation of excess bond proceeds obligations to be paid from the excess proceeds. Excess bond proceeds obligations shall be listed separately on the Recognized Obligation Payment Schedule submitted by the City.

(B) If remaining bond proceeds cannot be spent in a manner consistent with the bond covenants pursuant to subparagraph (A), the proceeds shall be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation

HSC §34191.5, reads as follows:

(a) There is hereby established a Community Redevelopment Property Trust Fund, administered by the City, to serve as the repository of the former redevelopment agency's real properties identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5.

(b) The City shall prepare a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency. The report shall be submitted to the oversight board and the Department of Finance for approval no later than six months following the issuance to the City of the finding of completion.

(c) The long-range property management plan shall do all of the following:

(1) Include an inventory of all properties in the trust. The inventory shall consist of all of the following information:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

(B) The purpose for which the property was acquired.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the City.

(H) A brief history of previous development proposals and activity, including the rental or lease of property.



(2) Address the use or disposition of all of the properties in the trust. Permissible uses include the retention of the property for governmental use pursuant to subdivision (a) of Section 34181, the retention of the property for future development, the sale of the property, or the use of the property to fulfill an enforceable obligation. The plan shall separately identify and list properties in the trust dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation. With respect to the use or disposition of all other properties, all of the following shall apply:

(A) If the plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, the property shall transfer to the city, county, or city and county.

(B) If the plan directs the liquidation of the property or the use of revenues generated from the property, such as lease or parking revenues, for any purpose other than to fulfill an enforceable obligation or other than that specified in subparagraph (A), the proceeds from the sale shall be distributed as property tax to the taxing entities.

(C) Property shall not be transferred to a City, city, county, or city and county, unless the long-range property management plan has been approved by the oversight board and the Department of Finance.

Note: HSC § 34191.2 does not exist and therefore is not included above.



EXHIBIT C – DOF Finding of Completion



June 4, 2013

Mr. Rene Mendez, City Manager
City of Gonzales
PO Box 647
Gonzales, CA 93926

Dear Mr. Mendez:

Subject: Request for a Finding of Completion

The California Department of Finance (Finance) has completed the Finding of Completion for the City of Gonzales Successor Agency.

Finance has completed its review of your documentation, which may have included reviewing supporting documentation submitted to substantiate payment or obtaining confirmation from the county auditor-controller. Pursuant to Health and Safety Code (HSC) section 34179.7, we are pleased to inform you that Finance has verified that the Agency has made full payment of the amounts determined under HSC section 34179.6, subdivisions (d) or (e) and HSC section 34183.5.

This letter serves as notification that a Finding of Completion has been granted. The Agency may now do the following:

- Place loan agreements between the former redevelopment agency and sponsoring entity on the ROPS, as an enforceable obligation, provided the oversight board makes a finding that the loan was for legitimate redevelopment purposes per HSC section 34191.4 (b) (1). Loan repayments will be governed by criteria in HSC section 34191.4 (a) (2).
- Utilize proceeds derived from bonds issued prior to January 1, 2011 in a manner consistent with the original bond covenants per HSC section 34191.4 (c).

Additionally, the Agency is required to submit a Long-Range Property Management Plan to Finance for review and approval, per HSC section 34191.5 (b), within six months from the date of this letter.

Please direct inquiries to Andrea Scharffer, Staff Finance Budget Analyst, or Chris Hill, Principal Program Budget Analyst, at (916) 445-1546.

Sincerely,


STEVE SZALAY
Local Government Consultant

cc: Ms. Mary Villegas, Administrative Specialist/Deputy City Clerk, City of Gonzales
Ms. Julie Aguero, Auditor Controller Analyst II, Monterey County
California State Controller's Office



EXHIBIT D – Resolution of the Oversight Board



*Successor Agency of the Gonzales Redevelopment Agency
Long Range Property Management Plan
July 2013*



*Successor Agency of the Gonzales Redevelopment Agency
Long Range Property Management Plan
July 2013*



EXHIBIT E – Resolution of the Successor Agency



*Successor Agency of the Gonzales Redevelopment Agency
Long Range Property Management Plan
July 2013*



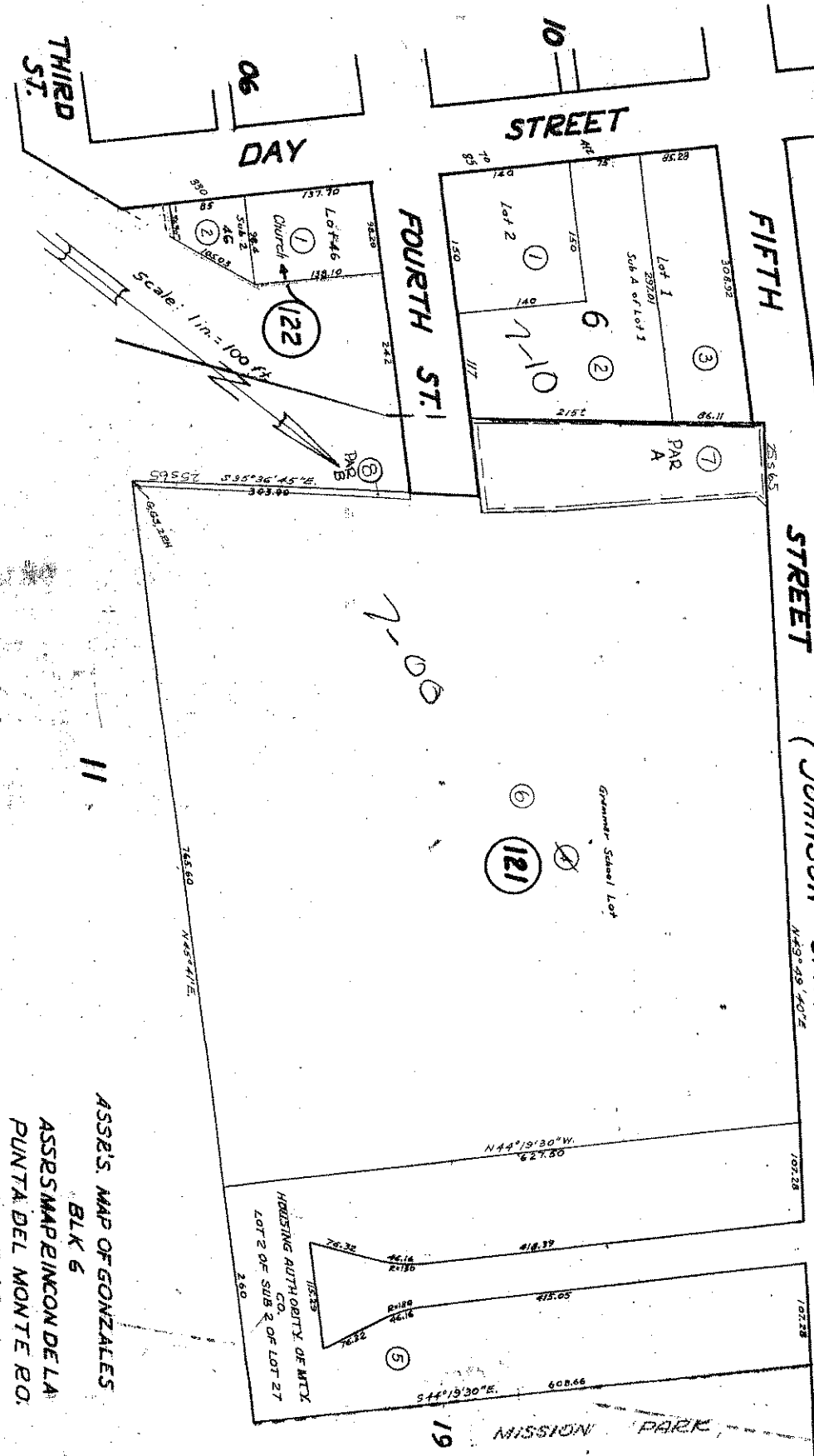
*Successor Agency of the Gonzales Redevelopment Agency
Long Range Property Management Plan
July 2013*



EXHIBIT F – Assessor Parcel Maps

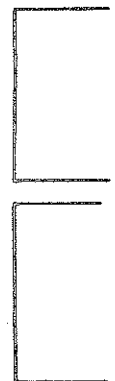
FIFTH STREET (JOHNSON CANYON ROAD)

THIS MAP IS INTENDED TO BE USED FOR
PROPERTY TAX ASSESSMENT PURPOSES ONLY.



ASSR'S. MAP OF GONZALES
BLK 6
ASSR'S MAP PINCON DELA
PUNTA DEL MONTE BO.

09



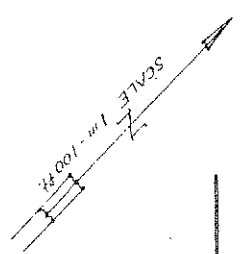
GONZALES SQUARE



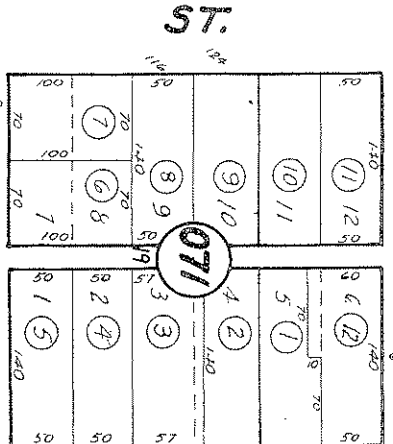
BOOK 20 PAGE 07

TAX CODE AREA 710 COUNTY OF MONTEREY ASSESSOR'S MAP

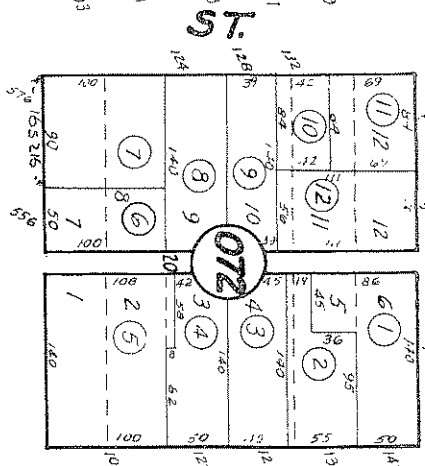
THIS MAP IS INTENDED TO BE USED FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY.



08

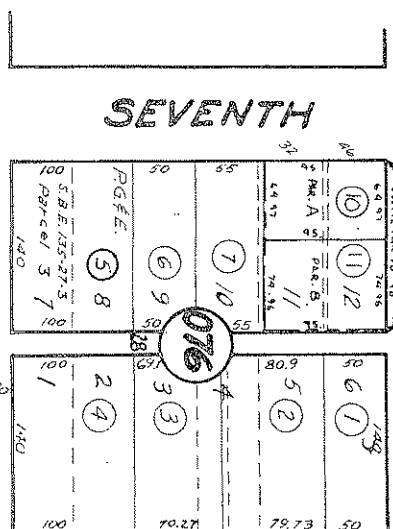


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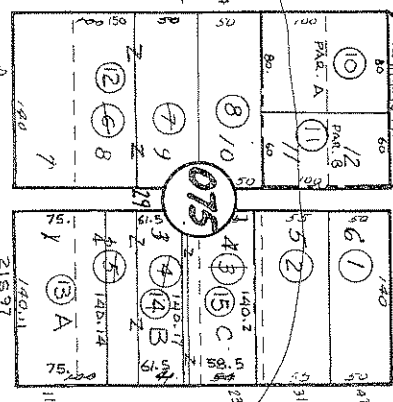


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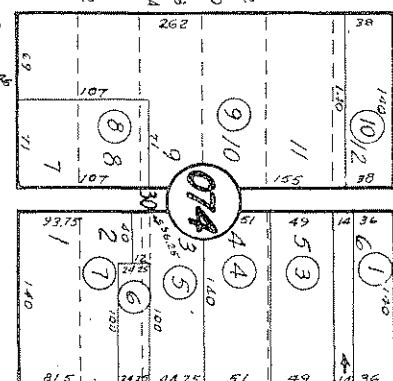
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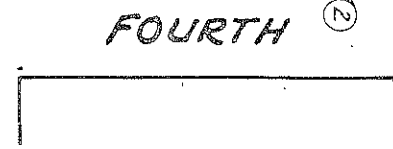
SIXTH



ALTA



ST.



CALIF. STATE HWY. (ALTERNATE) NO. 101

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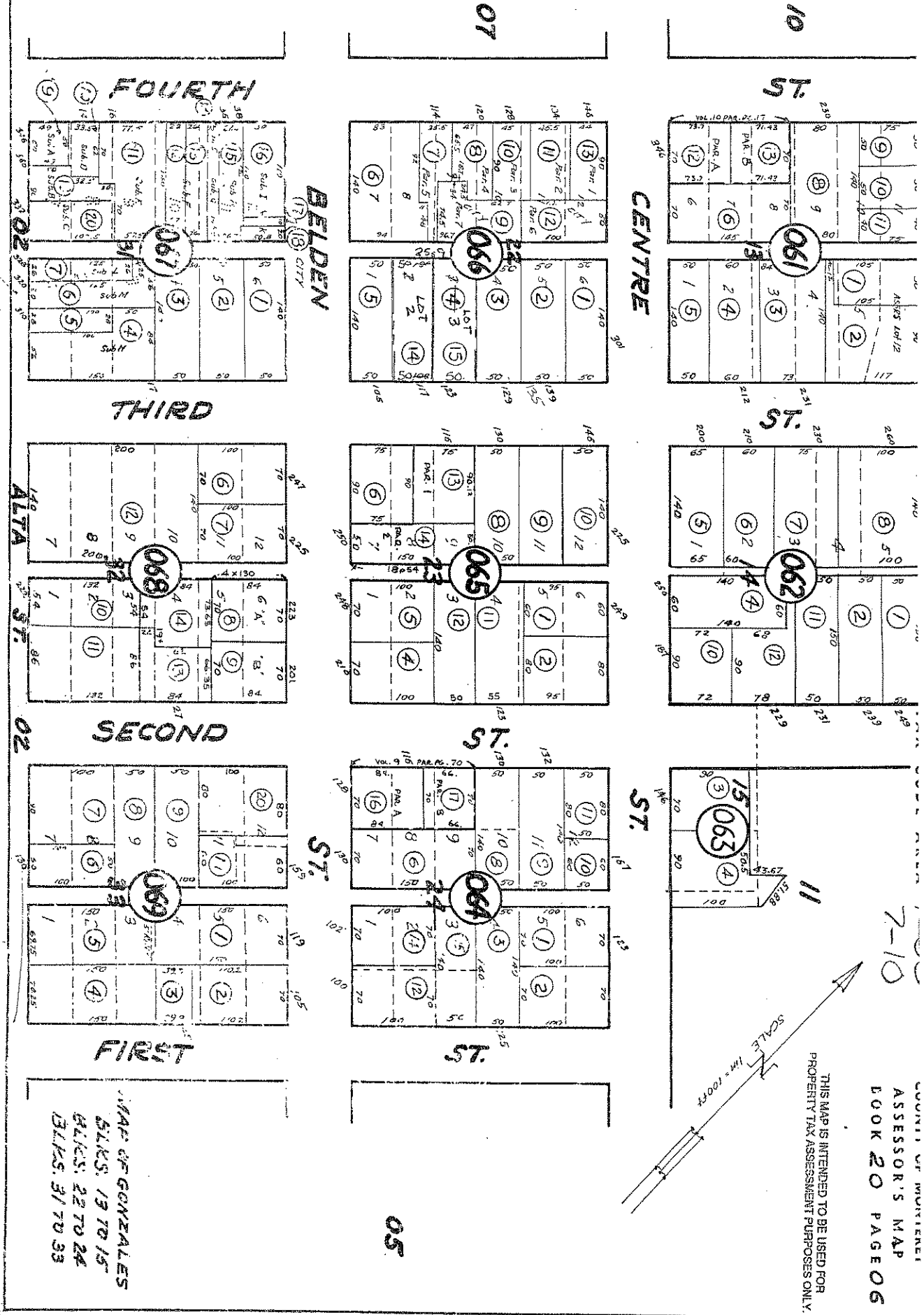
MAP OF GONZALES BLKS 19 TO 21 & 28 TO 30

THIS MAP IS INTENDED TO BE USED FOR
 PROPERTY TAX ASSESSMENT PURPOSES ONLY.

SCALE 1" = 1000 FT

2-10

LEITZ 1103 180 287



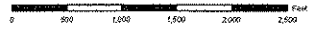
MAP OF GONZALES
 BLKS. 13 TO 15
 BLKS. 22 TO 24
 BLKS. 31 TO 33



EXHIBIT G – Zoning

ZONING

City of Gonzales

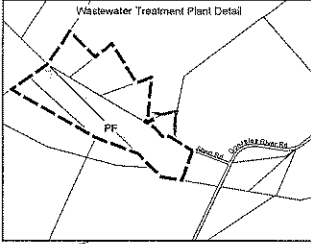


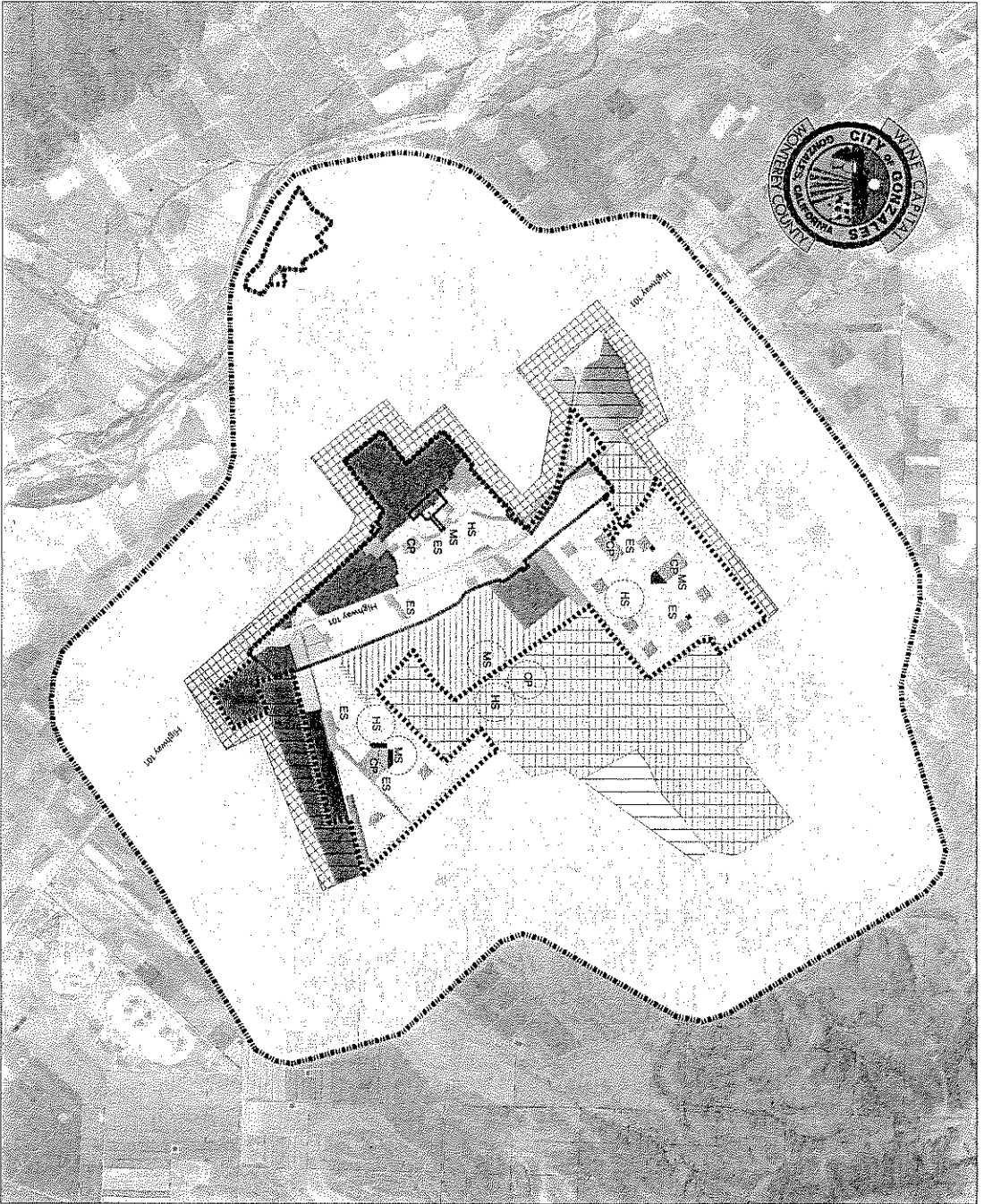
- City Limit
- Sphere of Influence
- Zone District
- Parcels

Zone Districts	
	R-1 RESIDENTIAL-LOW DENSITY
	R-1D RESIDENTIAL-LOW DENSITY-DOWNTOWN
	PUD PLANNED UNIT DEVELOPMENT
	R-2 RESIDENTIAL-MEDIUM DENSITY
	MHP MOBILE HOME PARK
	MU DOWNTOWN MIXED USE
	MUCC MIXED USE COMMERCIAL CORE
	HC HIGHWAY COMMERCIAL
	I INDUSTRIAL
	PF PUBLIC FACILITY
	OS OPEN SPACE
	H HISTORIC DISTRICT

Zoning Map Amendments		
Amendment Number	Date	Ordinance Number
2004-0010	1/26/04	2004-44
2004-0011	07/20/04	2004-48
2004-0012	09/14/04	2004-53
2004-0013	04/27/05	2004-66
2004-0014	04/27/05	2004-66
2004-0015	04/27/05	2004-66

P:\E:\GIS\Zoning_Map_11-17-11.mxd





CITY OF GONZALES

2010 GENERAL PLAN

Land Use Diagram

Legend

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Residential
- Neighborhood Commercial
- Neighborhood
- Community Commercial Mixed Use
- Highway Commercial
- Industrial/Manufacturing
- Light Industrial
- Public/Quasi Public
- Parks and Open Space
- Agriculture
- Historic District
- Urban Reserve Overlay
- Urban Growth Boundary
- Planning Area Boundary
- Agricultural Buffer
- Permanent Agricultural Edge
- Sphere of Influence
- HS High School*
- MS Middle School*
- ES Elementary School*
- CP Community Park*

Note: *The precise location, dimensions, and features of community parks and school sites will be determined during the Specific Plan process. Facilities planned studies to be undertaken by the Gonzales Unified School District, in consultation with the City of Gonzales, will determine the need for all, some, or none of the school sites shown on this map.

0 1,450 2,900 5,800 Feet

HAMILTON SWIFT & ASSOCIATES, INC. COASTPLANS

FAIR CONSERVING LAND MANAGEMENT & DESIGN