



OVERSIGHT BOARD TO THE CITY OF WINTERS SUCCESSOR AGENCY TO
THE WINTERS COMMUNITY DEVELOPMENT AGENCY

City Council Chambers
318 First Street
Monday, May 18, 2015

2:00 p.m. – Regular Meeting

AGENDA

Members of the Oversight Board

Harold Anderson- City of Winters
Sarah Chapman- Solano College District
Diane Cirolini- Yolo County Office of Education
Larry Justus- Winters Cemetery District
Nanci Mills- City of Winters CDA Employees
Jiley Romney- Yolo County Public Appointee
Don Saylor- Yolo County

Staff to Oversight Board

John W. Donlevy, Jr., City Manager
Shelly Gunby, Director of Financial Management
Dan Maguire, Housing Programs Manager
Tracy Jensen, Management Analyst

PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Chairman of other Board Members. Public comments time may be limited and speakers will be asked to state their name.

Roll Call

Pledge of Allegiance

Approval of Agenda

BOARD COMMENTS

PUBLIC COMMENTS

At this time, any member of the public may address the Oversight Board on matters, which are not listed on this agenda. Citizens should reserve their comments for matter listed on this agenda at the time the item is considered by the Board. An exception is made for members of the public for whom it would

create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

CONSENT CALENDAR

All matters listed under the consent calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Board support and may be enacted by the Oversight Board in one motion in the form listed below. There will be no separate discussion of these items. However, before the Oversight Board votes on the motion to adopt, members of the Oversight Board, staff, or the public may request that specific items be removed from the Consent Calendar for separate discussion and action. Items(s) removed will be discussed later in the meeting as time permits.

- A. Minutes of the March 23, 2015 meeting of the Oversight Board to the City of Winters Successor Agency to the Winters Community Development Agency (pp. 4-7)

PRESENTATIONS

None at this meeting.

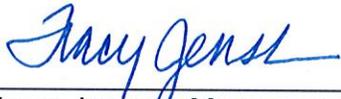
DISCUSSION ITEMS

1. Resolution OB-2015-05, Transfer of Former Community Development Agency Property from the Successor Agency to the Community Development Agency of the City of Winters to the City of Winters as the Successor Housing Entity (pp. 8-14)
2. Resolution OB-2015-06, Transfer of Former Community Development Agency Property from the Successor Agency to the Community Development Agency of the City of Winters to the City of Winters for Governmental Use (pp. 15-42)
3. Resolution OB-2015-07, Approving and Adopting a Revised Long Range Property Management Plan (pp. 43-49)

STAFF REPORT

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the May 18, 2015 meeting of the Winters Oversight Board was delivered to each Board member by electronic mail and posted on the outside public bulletin board at City Hall, 318 First Street on May 11, 2015, and made available to the public during normal business hours.



Tracy Jensen, Management Analyst

Questions about this agenda – Please call the City Manager’s office at (530) 795-4910 ext. 110. Agendas and staff reports are available on the city web page www.cityofwinters.org

General Notes: Meeting facilities are accessible to persons with disabilities. To arrange aid or services to modify or accommodate persons with disability to participate in a public meeting, contact the City Clerk.

Staff recommendations are guidelines to the Oversight Board. On any item, the Board may take action, which varies from that recommended by staff.

The city does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.

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Winters Library – 708 Railroad Avenue

City Clerk’s Office – City Hall – 318 First Street

During Board meetings – Right side as you enter the Council Chambers



Minutes of the Meeting of the Oversight Board
to the City of Winters Successor Agency to the Winters Community Development
Monday, March 23, 2015

Board Chairman Larry Justus called the meeting to order at 1:33 p.m.

Present: Board members Harold Anderson (arrived at 1:47 p.m.),
Diane Cirolini, Nanci Mills, Jiley Romney, Don Saylor and Board
Chairman Larry Justus.

Absent: Board member Sarah Chapman.

Staff: City Manager John Donlevy, Director of Financial Management
Shelly Gunby, Housing Programs Manager Dan Maguire and
Management Analyst Tracy Jensen.

Board Chairman Larry Justus led the Pledge of Allegiance.

Approval of Agenda: Motion by Board Member Romney, second by Board
Member Mills to approve the agenda. Motion carried with the following vote:

AYES: Board Members Cirolini, Mills, Romney, Saylor, Board Chairman
Justus

NOES: None

ABSENT: Board Members Anderson and Chapman

ABSTAIN: None

BOARD COMMENTS: None

PUBLIC COMMENTS: None

CONSENT CALENDAR

- A. Minutes of the February 23, 2015 meeting of the Oversight Board to the City of Winters Successor Agency to the Winters Community Development Agency

Board Member Larry Justus gave an overview. Motion by Board Member Mills, second by Board Member Romney to approve the Consent Calendar. Motion carried with the following vote:

AYES: Board Members Cirolini, Mills, Romney, Saylor, Board Chairman Justus
NOES: None
ABSENT: Board Members Anderson and Chapman
ABSTAIN: None

PRESENTATIONS

None at this meeting.

DISCUSSION ITEMS

1. Resolutions OB-2015-01(General Plan Amendment), OB-2015-02(Water Distribution Facility Improvement) and OB-2015-03 (SERAF Loan) and Ratification and Amendment to Loan and Repayment Agreement between the City of Winters and the Former Community Development Agency of the City of Winters

Board Chairman Justus introduced Director of Financial Management Shelly Gunby, who gave an overview of the resolutions and the ratification and amendment to loan and repayment agreements between the City of Winters and the former Community Development Agency, which were entered into prior to the dissolution of the Community Development Agency.

The first two SERAF loans were approved, but the subsequent loans were not. Once two due diligence reports were completed and found to be complete (housing and non-housing), the loan between the Redevelopment Agency and the City was for legitimate redevelopment purposes.

Chairman Justus asked if the Loan and Repayment Agreement was required in order to begin the redevelopment process. City Manager Donlevy said the General Plan update was required as part of the redevelopment process at a cost of approximately \$2 million dollars and established the Redevelopment Agency, which was critical. The City fronted the money to get the redevelopment projects going. This General Plan loan was done to create a redevelopment agency and this is a repayment of costs associated with establishing the agency.

Board Member Cirolini asked for confirmation regarding the formation of the Redevelopment Agency, which was formed in 1992. Ms. Gunby said as per AB1484, the City was forced to pay for the entire cost of the General Plan Amendment and then broke out portions, including \$1,075,510, the amount responsible by the agency.

Based on the approval of the Department of Finance, Board Member Cirolini asked if there were formal agreements and special revenues pledged for repayment and asked why payments weren't audited and recognized. Ms. Gunby said the loan has showed up on the statement of indebtedness since 2002 and the Yolo County auditor/controller received those annually. Board Member Cirolini asked if the City auditors saw this and Ms. Gunby said the City used different auditors as required, who see only a sampling of documents. Board Member Saylor asked Board Member Cirolini whether she thought the loan was legitimate. Board Chairman Justus said all of the general plan specific questions have been answered and it has been determined that costs went to implement the plan. Ms. Gunby said for the earlier ROPS, the County team reviewed them at that time and didn't see a problem.

Motion by Board Member Mills, second by Board Member Romney to approve staff recommendation and adopt resolutions approving (a) a Ratification and Amendment to the Loan and Repayment Agreement (SERAF Loan Agreement, OB-2015-03), (b) a Ratification and Amendment to the Loan Agreement (General Plan Amendment Loan, OB-2015-01), and (c) a Ratification and Amendment to the Loan Agreement (Water Facility Loan, OB-2015-02), and make the required finding that the loans of funds under the SERAF Loan, the General Plan Amendment Loan, and the Water Facility Loan, respectively, were for legitimate redevelopment purposes. Motion carried with the following vote:

AYES: Board Members Anderson, Mills, Romney, Saylor, Board Chairman Justus
NOES: Board Member Cirolini
ABSENT: Board Member Chapman
ABSTAIN: None

1. Consideration of Setting a New Future Meeting Time

Following a brief discussion, Board Members Anderson, Cirolini, Mills, Romney, Saylor and Board Chairman Justus agreed to move the meeting start times for all future meetings to 2:00 p.m., beginning at the April 27, 2015 meeting. Board Member Chapman was absent.

STAFF REPORT: Director of Financial Management Shelly Gunby said an Oversight Board meeting in April will be necessary and will involve property

transfers to the City. City Manager Donlevy said 2016 is when one oversight board will oversee the entire County. City staff is trying to wrap up all outstanding issues and dispose of property. City Managers throughout Yolo County are working with the Yolo County Director of Finance to figure out how to structure everything moving toward 2016, when all of the cities will fall under one ROPS effective July 2016.

ADJOURNMENT: Board Chairman Justus adjourned the meeting at 2:08 p.m.

Larry Justus, Board Chairman

ATTEST:

John W. Donlevy, Jr., Board Secretary



**OVERSIGHT BOARD
STAFF REPORT**

TO: Honorable Chair and Board Members
DATE: May 18, 2015
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management
SUBJECT: Resolution OB-2015-05 Authorizing and Directing the Transfer of Former Community Development Agency Property from the Successor Agency to the Community Development Agency of the City of Winters, to the City of Winters, as the Successor Housing Entity.

RECOMMENDATION

It is recommended that the Oversight Board adopt Resolution OB-2015-05, authorizing and directing the transfer of the Property, including all rights, title, interest and obligations under the Lease and other related documents, to the City of Winters, as the housing successor entity, pursuant to Health and Safety Code Sections 34177 and 34181.

BACKGROUND

Pursuant to Health and Safety Code Section 34172, the Community Development Agency of the City of Winters ("Redevelopment Agency") was dissolved as of February 1, 2012. Pursuant to Health and Safety Code Section 34173(d), the City of Winters became the successor agency to the former Redevelopment Agency ("Successor Agency"), as confirmed by the adoption by the City Council of Resolution No. 2012-02 on January 17, 2012. Pursuant to Health and Safety Code Section 34173(g), the Successor Agency is a separate public entity from the City.

Pursuant to Health and Safety Code Section 34176, the City Council, by Resolution No. 2012-03 adopted on January 17, 2012, also elected to retain the housing assets and functions previously performed by the Redevelopment Agency. Upon dissolution of the Redevelopment Agency, the City became the successor housing entity ("Successor Housing Entity") to the Redevelopment Agency.

Pursuant to Health and Safety Code Section 34176(a) (2), the City submitted to the State Department of Finance ("DOF") a list of all housing assets ("Housing Asset Transfer List") of the former Redevelopment Agency. By letter dated August 30, 2012, DOF approved of the

items listed on the Housing Asset Transfer List, with the exception of one item relating to certain bond funds.

Pursuant to Health and Safety Code Section 34181(c), the Oversight Board for the Successor Agency ("Oversight Board") is to direct the Successor Agency to transfer housing assets to the Successor Housing Entity. By Resolution No. OB-2013-02, adopted on February 4, 2013, the Oversight Board validated the transfer of the housing assets as identified on the Housing Asset Transfer List approved by DOF, to the City, as the Successor Housing Entity.

In preparing its Long Range Property Management Plan, as required under Health and Safety Code Section 34191.4, the Successor Agency discovered that one of the properties owned by the former Redevelopment Agency should have been designated as a housing asset, but was inadvertently not included on the Housing Asset Transfer List approved by DOF in August 2012.

The Redevelopment Agency entered into a Ground Lease with Bruhn Orchards Housing Associates, L.P. ("Bruhn"), dated as of August 1, 2006, and evidenced by a Memorandum of Ground Lease recorded October 19, 2006 in the official records of Yolo County, as document No. 2006-0041360, as amended by that certain Amended and Restated Memorandum of Lease recorded October 1, 2008, as document No. 2008-0030034, and a Lease Rider and Estoppel Agreement with Bruhn and the State Department of Housing and Community Development, dated as of December 9, 2008, and recorded as Document No. 2008-0036974 (all, collectively, the "Lease"). The Lease provides for the long-term lease (until August 30, 2081) by the Redevelopment Agency to Bruhn of that certain property located generally at **110 E. Baker Street**, in the City of Winters (**APN 003-370-038**) (the "Property"). Pursuant to the Lease, Bruhn has developed, and currently owns, operates and manages a rental housing development, consisting of approximately 34 residential units, on the Property.

Although the Property was originally acquired by the Redevelopment Agency using non-housing funds, the Property is subject to an affordable housing covenant and a regulatory agreement containing certain covenants ensuring, among other things, the affordability of the residential units on the Property. The Property, therefore, qualifies as a housing asset of the former Redevelopment Agency and should be transferred to the City, as the Successor Housing Entity.

In addition to the affordable housing covenant referenced above, the Property is subject to a Lease Rider and Estoppel Agreement between the Redevelopment Agency, Bruhn and the State of California Department of Housing and Community Development ("HCD"), which requires that HCD approve any transfer or conveyance of the Property. Staff has been working with HCD to obtain HCD's approval for conveyance of the Property and assignment of the Lease to the City, as the Successor Housing Entity.

Pursuant to Health and Safety Code Section 34181(c), the Oversight Board is to direct the Successor Agency to transfer housing assets to the Successor Housing Entity. Health and Safety Code Section 34181(f) provides, among other things, that all actions taken by the Oversight Board pursuant to Section 34181(c) must be approved by resolution, at a public meeting after at least 10 days' notice to the public of the proposed action. The Oversight Board's action is also subject to review by DOF.

Staff prepared a Notice of Public Meeting, which was posted on the City Bulletin Board and the City Website starting on April 14, 2015, at least 10 days before this public meeting of the Oversight Board.

Staff recommends that the Oversight Board adopt a resolution authorizing and directing the transfer of the Property, including without limitation all rights, title, interest and obligations under the Lease and other related documents, to the Successor Housing Entity.

Pursuant to Health and Safety Code Section 34179(h), because DOF may review Oversight Board actions, the Oversight Board's action to approve the transfer of the Property to the Successor Housing Entity is not effective for five (5) business days, pending a request for review by DOF.

FISCAL IMPACT

No new funds are involved with the transfer of the Property to the Successor Housing Entity, but the City, as the Successor Housing Entity, will be responsible for any costs that may be incurred to administer the Lease on behalf of the Successor Housing Entity.

ATTACHMENT

1.Oversight Board Resolution OB-2015-05 authorizing and directing the transfer to the Successor Housing Entity of the Property, including all rights, title, interest and obligations under the Lease and other related documents, pursuant to Health and Safety Code Sections 34177 and 34181.

RESOLUTION NO. OB-2015-05

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS DIRECTING AND AUTHORIZING THE TRANSFER OF A HOUSING ASSET OWNED BY THE FORMER COMMUNITY DEVELOPMENT AGENCY TO THE CITY OF WINTERS AS THE SUCCESSOR HOUSING ENTITY, PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 34177 AND 34181

WHEREAS, pursuant to Health and Safety Code Section 34173(d), following dissolution of the Community Development Agency of the City of Winters (“Redevelopment Agency”), the City became the successor agency to the former Redevelopment Agency (“Successor Agency”), and pursuant to Health and Safety Code Section 34173(g), the Successor Agency is a separate public entity from the City; and

WHEREAS, pursuant to Health and Safety Code Section 34179(a), the Oversight Board is the Successor Agency’s oversight board; and

WHEREAS, pursuant to Health and Safety Code Section 34176, the City of Winters adopted Resolution No. 2012-03, on January 17, 2012, electing to retain the housing assets and functions previously performed by the Redevelopment Agency, and upon dissolution of the Redevelopment Agency, the City became the successor housing entity (“Successor Housing Entity”) to the Redevelopment Agency; and

WHEREAS, pursuant to Health and Safety Code Section 34176(a)(2), a list of all Redevelopment Agency housing assets (“Housing Asset Transfer List”) was submitted to the State Department of Finance (“DOF”), and by letter dated August 30, 2012, DOF approved of the items listed on the Housing Asset Transfer List, with the exception of one item relating to certain bond funds; and

WHEREAS, pursuant to Health and Safety Code Section 34181(c), the Oversight Board is to direct the Successor Agency to transfer housing assets to the Successor Housing Entity pursuant to Health and Safety Code Section 34176; and

WHEREAS, by Resolution No. OB-2013-12, adopted on February 4, 2013, the Oversight Board validated the transfer of the housing assets as identified on the Housing Asset Transfer List approved by DOF, to the City, as the Successor Housing Entity; and

WHEREAS, in preparing the Long Range Property Management Plan, as required under Health and Safety Code Section 34191.5, the Successor Agency discovered that one of the properties owned by the former Redevelopment Agency should have been designated as a housing asset, but was inadvertently not included on the Housing Asset Transfer List approved by DOF in August 2012; and

WHEREAS, that certain property located at 110 E. Baker Street, in the City of Winters (the "Property"), was leased by the Redevelopment Agency to Bruhn Orchards Housing Associates, L.P. ("Bruhn") pursuant to a Ground Lease, dated August 1, 2006, and a subsequent Lease Rider and Estoppel Agreement between the Redevelopment Agency, Bruhn and the State Department of Housing and Community Development, dated as of December 9, 2008 (all collectively, the "Lease"); and

WHEREAS, pursuant to the Lease, Bruhn has constructed, and currently, owns, operates and manages a rental housing development, consisting of approximately 34 residential units, on the Property, which development is subject to an affordable housing covenant and a regulatory agreement containing certain covenants ensuring, among other things, the affordability of the residential units on the Property; and

WHEREAS, in addition to the affordable housing covenant, the Property is subject to a Lease Rider and Estoppel Agreement between the Redevelopment Agency, Bruhn and the State of California Department of Housing and Community Development ("HCD"), which requires that HCD approve any transfer or conveyance of the Property; and

WHEREAS, staff has been working with HCD to obtain HCD's approval for conveyance of the Property and assignment of the Lease to the City, as the Successor Housing Entity; and

WHEREAS, the Property qualifies as a housing asset of the former Redevelopment Agency and should be transferred to the City, as the Successor Housing Entity; and

WHEREAS, pursuant to Health and Safety Code Section 34181(f), before housing assets can be transferred to the successor housing entity, the transfer must be approved by the Oversight Board, by resolution adopted at a public meeting after at least 10 days notice to the public of the specific proposed actions, and the actions of the Oversight Board are also subject to review by DOF pursuant to Health and Safety Code Section 34179; and

WHEREAS, staff prepared a Notice of Public Meeting, which was posted April 14, 2015;

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY DEVELOPMENT AGENCY FOR THE CITY OF WINTERS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The transfer of housing assets as authorized and directed through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The City Clerk of the City of Winters, acting ex officio on behalf of the Oversight Board, is authorized and directed to

file a Notice of Exemption with the appropriate official of the County of Yolo, California, within five (5) days following the date of adoption of this Resolution.

Section 3. Designation and Direction to Transfer Housing Asset. The Oversight Board hereby designates the Property, located at 110 E. Baker St, in the City of Winters, as a housing asset of the former Redevelopment Agency to be transferred to the Successor Housing Entity and directs the Successor Agency to transfer such housing asset to the Housing Successor Entity, pursuant to Health and Safety Code Sections 34176, 34177 and 34181. The Oversight Board further authorizes and directs the Successor Agency to take such actions and execute such documents as may be necessary to effectuate the purposes of this Resolution, including without limitation a quitclaim deed or other document satisfactory to the Successor Agency Counsel and City Attorney transferring fee interest in the Property to the City, as the Successor Housing Entity, and an assignment agreement or other such documentation as deemed appropriate to transfer and assign all of the former Redevelopment Agency's rights, title, interest and obligations under the Lease and other related documents to the Successor Housing Entity.

Section 4. Conditions of Approvals. The approvals and directives set forth in Section 3 of this Resolution are subject to and conditioned upon (a) review and approval of the transfer of the Property and assignment of the Lease and other related documents to the City, as the Successor Housing Entity; and (b) the Successor Agency and City, as the Successor Housing Entity, obtaining HCD's approval for the transfer and conveyance of the Property and assignment of the Lease and other related documents to the Successor Housing Entity.

Section 5. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 6. Effective Date. Pursuant to Health and Safety Code Section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for five (5) business days, pending a request for review by the State of California Department of Finance.

APPROVED AND ADOPTED THIS 27th day of April, 2015.

Chairperson
Oversight Board of the Successor Agency to
the former Community Development
Agency of the City of Winters

ATTEST:

Secretary
Oversight Board of the Successor Agency
to the former Community Development Agency of the City of Winters



**OVERSIGHT BOARD
STAFF REPORT**

TO: Honorable Chair and Board Members
DATE: May 18, 2015
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management
SUBJECT: Resolution OB-2015-06 Authorizing and Directing the Conveyance of former Community Development Agency Property from the Successor Agency to the Community Development Agency of the City of Winters to the City of Winters for Governmental Use

RECOMMENDATION

That the Oversight Board adopt Resolution OB-2015-06 authorizing and directing conveyance of the Governmental Use Property (23 Main Street, APN 003-204-012) to the City for continued use as a mini park

BACKGROUND

Pursuant to the Health and Safety Code Section 34172, the Community Development Agency of the City of Winters (“Redevelopment Agency”) was dissolved as of February 1, 2012. Pursuant to Health and Safety Code Section 34173(d), the City of Winters became the successor agency to the former Redevelopment Agency (the “Successor Agency”), as confirmed by adoption by the City Council of Resolution No. 2012-02 on January 17, 2012. Pursuant to Health and Safety Code Section 34173(g), the Successor Agency is a separate public entity from the City. The Successor Agency is responsible for the wind-down of the former Redevelopment Agency, including without limitation the disposition of assets and properties of the former Redevelopment Agency.

Health and Safety Code Section 34179.7 provides that upon completion of certain requirements and payment of certain amounts as required by Sections 34179.6 and 34183.5, the Department of Finance (“DOF”) shall issue, within five business days, a finding of completion of the requirements of Section 34179.6 to the successor agency. Pursuant to Health and Safety Code Section 34191.5, after the Successor Agency receives a finding of completion (“FOC”) from DOF, the Successor Agency must prepare a Long Range Property Management Plan (“LRPMP”). The Successor Agency was granted a FOC on June 12, 2013, and prepared an

LRPMP, which has been approved by the Oversight Board and DOF (by letter dated December 2, 2014).

In accordance with the LRPMP, there is one (1) property to be transferred to the City for continued governmental use as a mini park within the downtown, in accordance with Health and Safety Code Sections 34191.5(c)(2) and 34181(a): 23 Main Street (APN 003-204-012) (the "Governmental Use Property"). This property was originally acquired by the former Redevelopment Agency as a vacant lot, located in the middle of the first block of Main Street and over run by weeds. Following the purchase of the property by the former Redevelopment Agency, the City created a mini park with landscaping and park benches for seating.

Pursuant to Health and Safety Code Section 34181(f), before properties can be transferred in accordance with an approved LRPMP, the transfer must be approved by the Oversight Board, by resolution adopted at a public meeting after at least 10 days notice to the public of the specific proposed actions. The actions of the Oversight Board are also subject to review by DOF pursuant to Health and Safety Code Section 34179.

Staff prepared a Notice of Public Meeting, which was posted on the City Bulletin Board and the City website starting on April 14, 2015, at least 10 days before this public meeting of the Oversight Board.

Staff recommends that the Oversight Board adopt a resolution approving the transfer of the Governmental Use Property to the City for continued use as a mini park within the downtown area.

Pursuant to Health and Safety Code Section 34179(h), because DOF may review Oversight Board actions, the Oversight Board's action to approve the transfer of the Governmental Use Property to the City is not effective for five (5) business days, pending a request for review by DOF.

FISCAL IMPACT:

No new funds are involved with the transfer of the Governmental Use Property to the City as proposed. The City will continue to be responsible for the ongoing operation and maintenance of the Governmental Use Property following conveyance.

ATTACHMENTS

1. Approved Long Range Property Management Plan
2. Oversight Board Resolution OB-2015-06 Authorizing and Directing the Transfer of the Governmental Use Property to the City of Winters

RESOLUTION NO. OB-2015-06

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS DIRECTING AND AUTHORIZING THE TRANSFER OF A GOVERNMENTAL USE PROPERTY TO THE CITY OF WINTERS, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34181

WHEREAS, pursuant to Health and Safety Code Section 34173(d), following dissolution of the Community Development Agency of the City of Winters (“Redevelopment Agency”), the City became the successor agency to the former Redevelopment Agency (“Successor Agency”), and pursuant to Health and Safety Code Section 34173(g), the Successor Agency is a separate public entity from the City; and

WHEREAS, pursuant to Health and Safety Code Section 34179(a), the Oversight Board is the Successor Agency’s oversight board; and

WHEREAS, pursuant to Health and Safety Code Section 34191.4, after the Successor Agency receives a finding of completion (“FOC”) from the State Department of Finance (“DOF”) pursuant to Health and Safety Code Section 34179.7, the Successor Agency must prepare a Long Range Property Management Plan (“LRPMP”); and

WHEREAS, the Successor Agency was granted a FOC on June 12, 2013, and prepared an LRPMP, which has been approved by the Oversight Board and DOF (by letter dated December 2, 2014; and

WHEREAS, in accordance with the LRPMP, there is one (1) property to be transferred to the City for continued governmental use as a mini park within the downtown, in accordance with Health and Safety Code Sections 34191.4(c)(2) and 34181(a): 23 Main Street (APN 003-204-012) (the “Governmental Use Property”); and

WHEREAS, the Governmental Use Property was originally acquired by the former Redevelopment Agency as a vacant lot, located in the middle of the first block of Main Street and over run by weeds, and following the purchase of the property by the former Redevelopment Agency, the City created a mini park with landscaping and park benches for seating; and

WHEREAS, pursuant to Health and Safety Code Section 34181(f), before properties can be transferred in accordance with an approved LRPMP, the transfer must be approved by the Oversight Board, by resolution adopted at a public meeting after at least 10 days notice to the public of the specific proposed actions, and the actions of the Oversight Board are also subject to review by DOF pursuant to Health and Safety Code Section 34179; and

WHEREAS, staff prepared a Notice of Public Meeting, which was posted April 14, 2015;

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY DEVELOPMENT AGENCY FOR THE CITY OF WINTERS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The transfer of the Governmental Use Property as authorized and directed through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The City Clerk of the City of Winters, acting ex officio on behalf of the Oversight Board, is authorized and directed to file a Notice of Exemption with the appropriate official of the County of Yolo, California, within five (5) days following the date of adoption of this Resolution.

Section 3. Authorization and Direction to Transfer Governmental Use Property. The Oversight Board hereby authorizes and directs the Successor Agency to transfer the Governmental Use Property to the City, pursuant to Health and Safety Code Sections 34177(e) and 34181. The Oversight Board further authorizes and directs the Successor Agency to take such actions and execute such documents as may be necessary to effectuate the purposes of this Resolution, including without limitation a quitclaim deed or other document satisfactory to the Successor Agency Counsel and City Attorney transferring fee interest in the Governmental Use Property to the City for continued use as a mini park in the downtown area.

Section 4. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 5. Effective Date. Pursuant to Health and Safety Code Section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for five (5) business days, pending a request for review by the State of California Department of Finance.

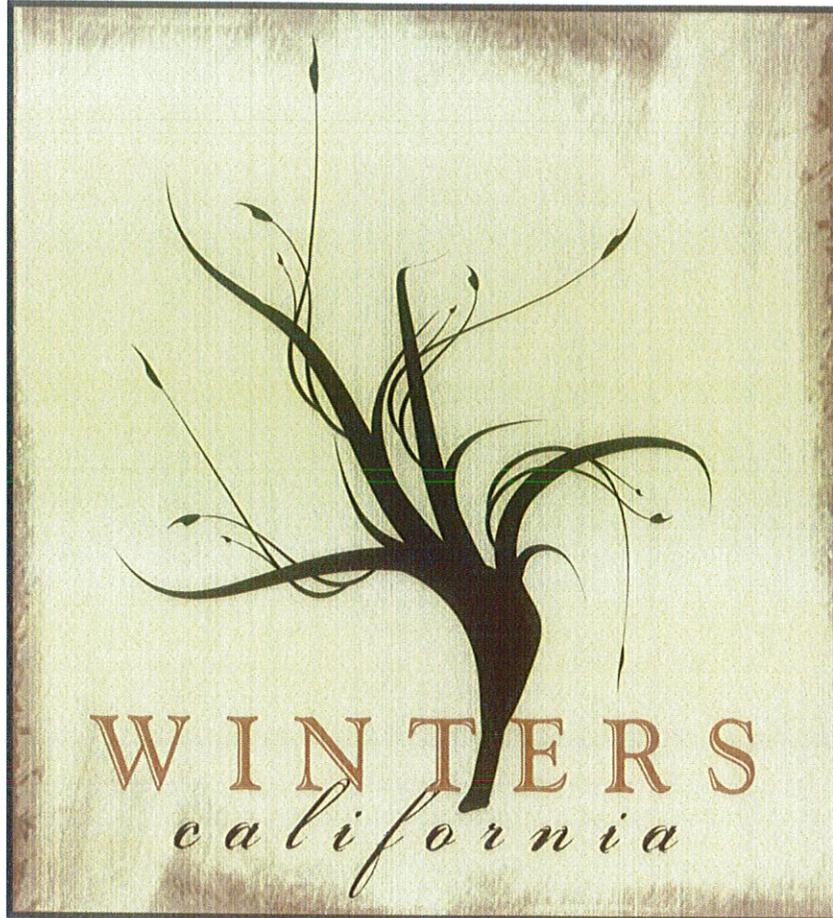
APPROVED AND ADOPTED THIS 27th day of April, 2015.

Chairperson
Oversight Board of the Successor Agency to
the former Community Development
Agency of the City of Winters

ATTEST:

Secretary
Oversight Board of the Successor Agency
to the former Community Development Agency of the City of Winters

Long Range Property Management Plan



Successor Agency to the Winters Community
Development Agency

Long Range Property Management Plan

City of Winters as Successor Agency to the Dissolved Winters Community Development Agency

Introduction

On June 1, 2012 Assembly Bill 1484 (AB1484) was signed into law that required the Successor Agency to the Dissolved Winters Community Development Agency (CDA) to prepare a Long Range Property Management Plan (PMP) that addresses the disposition and use of the dissolved Winters Community Development Agency (CDA) real property. The PMP must be submitted to the governing board of the Successor Agency (the City of Winters City Council also serves as the governing board of the Successor Agency) and the Oversight Board for approval before being submitted to the Department of Finance (DOF). This document is the Long Range Property Management Plan (PMP) of the Successor Agency to the dissolved Winters Community Development Agency.

Upon approval by the Successor Agency, the Oversight Board and the DOF, the properties will be transferred to the Property Trust Fund until all the approvals for further disposition and use have been obtained. After all required approvals have been obtained, the properties to be retained for governmental use will be transferred to the City of Winters. Properties to be retained for future disposition and implementation of a redevelopment plan will remain in the Property Trust Fund until all applicable procedures have been followed and all approvals have been obtained, at which time they will be transferred to the City for disposition or use pursuant to this PMP, the Redevelopment Plan and the Winters Community Development Project Implementation Plan. The Successor Agency must receive prior approval by the Oversight Board for each property transfer or disposition, and the City must reach a compensation agreement with the affected taxing agencies pursuant to applicable law with respect to those properties to be retained by the City for future disposition and implementation of a redevelopment plan. Oversight Board approval is subject to review by DOF.

The PMP addresses the disposition and use of the real properties of the dissolved CDA and must do all of the following:

Include an inventory of all properties in the Property Trust Fund and this inventory will include all of the following information:

- The date of the acquisition of the property and the value of the property at that time.
- The purpose for which the property was acquired.
- Parcel data, including address, lot size and current zoning in the former CDA redevelopment plan or specific, community or general plan.
- An estimate of the current value of the parcel including, if available, any appraisal information.

- 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.
- The history of environmental contamination, including designation as a Brownfield site, any related environmental studies and history of any remediation efforts.
- A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the Successor Agency.
- A brief history of previous development proposals and activity, including the rental or lease of the property.
- Address the use or disposition of all the properties in the Property Trust Fund. Permissible uses include retention of the property for governmental uses, 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 PMP shall separately identify and list all properties in the Property Trust Fund dedicated to governmental uses purposes and properties retained for purposes of fulfilling an enforceable obligation. With respect to the use or disposition of all other properties 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. The City will comply with all applicable procedures and obtain all necessary approvals prior to any such transfer.
 - 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 and enforceable obligation or other than specified immediately above, the proceeds from the sale shall be distributed as property tax to the taxing entities.

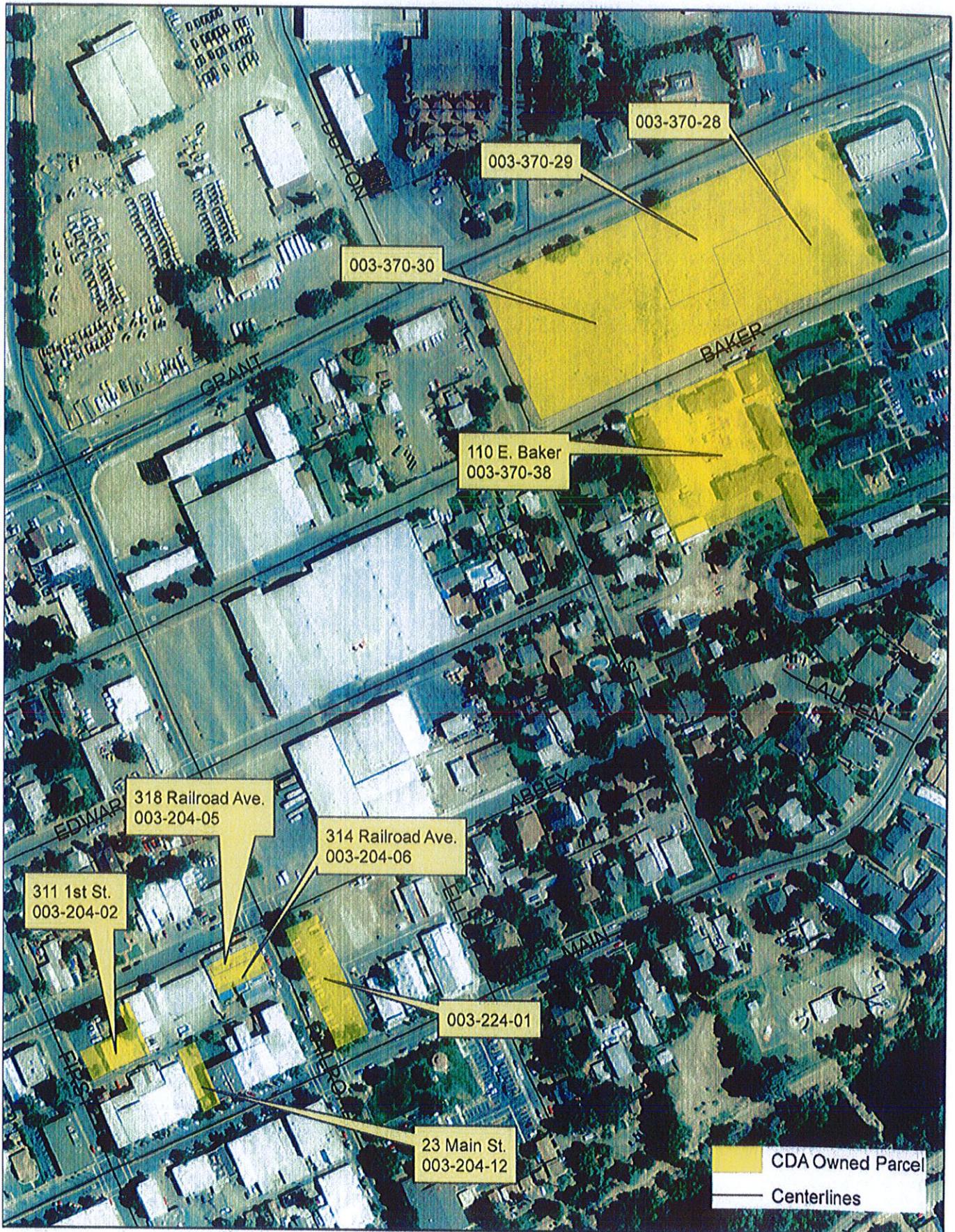
Summary of Properties Owned by the Successor Agency

1. Removed from Plan per DOF recommendation.
- 2 23 Main Street. This site is a 3,049.20 square foot parcel that was purchased by the Winters Community Development Agency as a vacant lot. The lot is located in the middle of the first block of main street and was vacant and over run by weeds when purchased. Subsequent to the purchase of the property, the City of Winters has created a Mini Park in the area with landscaping and park benches for seating.
- 3-5. The Grant Avenue Commercial Property- This site is 3 parcels along the Grant Avenue Corridor, located on Grant Avenue between East Street and Morgan. Grant Avenue is the main entrance from the East into the City of Winters. These parcels were purchased in a foreclosure sale by the Community Development Agency and are vacant at this time. These 3 parcels are anticipated to be reconfigured into 3 or more legal parcels suitable for development, as more fully discussed below.

6. 311 First Street. This is a 9,016.92 square foot parcel located on First Street adjacent the Newt's Expressway, the alley that runs directly behind the Downtown Businesses, and directly across the street from City Hall. This is a vacant site that is used for parking by City Staff and visitors to City Hall and other surrounding uses
7. 314 Railroad Avenue. A 3,920.40 square foot parcel that includes a vacant building that formerly housed a Cafe.
8. 318 Railroad Avenue. A 2,613.6 square foot parcel that includes a vacant building that formerly housed a Bar.
9. Removed from Plan
- 10-23. Assets identified as Successor Agency assets that are not real property. All these assets are used for governmental uses and will be transferred to the City of Winters. See Appendix A for a detailed list.

These properties are described in greater detail in the Inventory section of this report. Also attached to this report is a map with the properties indicated in yellow.

Community Development Agency Owned Parcels



Property Inventory

Site 1

REMOVED FROM PLAN PER DOF RECOMMENDATION-SUCCESSOR AGENCY WILL TRANSFER TO THE HOUSING SUCCESSOR AGENCY FOLLOWING APPROVAL AND DIRECTION FROM THE OVERSIGHT BOARD, SEPARATE FROM THE LONG RANGE PROPERTY MANAGEMENT PLAN.

Site 2

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency

Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- 23 Main Street
- 003-204-012

Current Use/Description

- Mini Park
- Site is located at the middle of the first block of Main Street, and is the location of a mini park with landscaping and benches for individuals to sit and enjoy the landscaping and the ambiance of the downtown area.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- February 1, 2007
- \$173,691
- Implementation of Redevelopment Plan

Parcel Size

- 3,049.2 square feet
- .07 acres

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised on March 15, 2011 at \$118,000
- No revenue is expected

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- Not Applicable
- Transfer to the City for continued Governmental use as a mini park within the downtown
- This site advances the planning objective of the successor agency by the continued elimination of blight within the downtown and providing park space in the city as indicated in the 2009-2013 implementation plan .

Previous Development Proposals and Activity

- There is no record of other development proposals or activity for this site.

Site 3

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
- Successor to the Dissolved Winters Community Development Agency

Address/Parcel Number

- No address assigned
- 003-370-028 (New Lot 2 after Lot line Adjustment)

Current Use/Description

- Vacant Land
- The Site is currently vacant located on Grant Avenue, between East Street and Morgan. Grant Avenue is the main entrance to the City of Winters from the East.
- The Grant Avenue Corridor is currently the only viable area for new commercial development.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/30/09
- \$192,093
- Implementation of Redevelopment Plan

Parcel Size

- 41,854 square feet after lot line adjustment
- .96 acres after lot line adjustment
- A Resolution approving a lot line adjustment in accordance with the conditionally approved purchase and sale agreement is currently being reviewed by the Department of Finance for final approval.

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$275,611
- N/A

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- This property is directly adjacent to public transit stop,

- The Successor Agency intends to dispose of the Property pursuant to a purchase and sale agreement, as more fully described below.
- Advance the Economic Development objective of the Successor Agency
- This site is a portion of a larger area consisting of three parcels along Grant Avenue acquired by the Community Development Agency. The successor agency anticipates that the three parcels constituting the overall property will be reconfigured via one or more lot line adjustments to create three or more legal parcels suitable for development. The City has entered into negotiations and has a purchase and sale agreement with a developer to develop a retail establishment on approximately 44,431 (the square footage of this lot will change based upon the lot line adjustment currently under review by the Department of Finance, estimated to be 41,854 after the lot line adjustment) square feet of land area along the eastern-most boundary of the overall property, which will ultimately be a reconfiguration of the parcel referred to in this Plan as Site 3, which purchase and sale agreement will be assigned to the Successor Agency for purposes of sale of the site to the developer. The development of this site for a retail use will further the program goals and activities included in the Redevelopment Plan and the 2009-2013 Implementation Plan, by providing in-fill mixed-use development, bringing new business to the City, adding new jobs, strengthening the existing commercial businesses and contributing to the City's ability to attract new businesses and visitors. This project would also increase the assessed value of property within the City and provide additional tax revenue to all affected taxing entities.
- Upon Sale of Site, the funds received will be used for payment of enforceable obligations.

Previous Development Proposals and Activity

- Granite Bay Holdings proposed a commercial development on this parcel along with two others in 2007-2008. The company subsequently went through bankruptcy proceedings and the parcel was foreclosed on and sold.
- Winters Community Development Agency purchased the site, along with two others in a foreclosure sale on April 30, 2009 in order to be able to work with developers to create a retail center on the Grant Avenue Corridor, a main artery through the City. An RFP was issued in 2009 for a proposal to develop the Site. An Exclusive Negotiating Rights Agreement was entered into with Yackzan Group, Inc. The agreement expired without any action by developer Yackzan Group, Inc.

Site 4

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
- Successor Agency to the dissolved Winters Community Development Agency.

Address/Parcel Number

- No address assigned
- 003-370-030 (New Lot 4 after lot line adjustment)

Current Use/Description

- Vacant Land
- The Site is currently vacant located on Grant Avenue, between East Street and Morgan. Grant Avenue is the main entrance to the City of Winters from the East.
- The Grant Avenue Corridor is currently the only viable area for new commercial development.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/30/09
- \$152,286

Parcel Size

- 26,831 square fee
- .62 after lot line adjustment acres

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$220,230
- n/a

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- This property is directly adjacent to public transit stop
- The Successor Agency intends to dispose of the Property pursuant to a purchase and sale agreement, as more fully described below.
- Advance the Economic Development objective of the Successor Agency

- This site is a portion of a larger area consisting of three parcels along Grant Avenue acquired by the Community Development Agency. The successor agency anticipates that the three parcels constituting the overall property will be reconfigured via one or more lot line adjustments to create three or more legal parcels suitable for development. The City has entered into negotiations and has a purchase and sale agreement with a developer to develop a retail establishment on approximately 29,192 square feet of land area located on the north-western most portion of the overall property (the square footage of this lot will change based upon the lot line adjustment currently under review by the Department of Finance, estimated to be 26,831 after lot line adjustment), which will ultimately be a reconfiguration of the parcel referred to in this Plan as Site 4, which purchase and sale agreement will be assigned to the Successor Agency for purposes of sale of the site to the developer. The development of this site for a retail use will further the program goals and activities included in Table II-4 of the Redevelopment Plan and the 2009-2013 Implementation Plan, by providing in-fill mixed-use development, bringing new business to the City, adding new jobs, strengthening the existing commercial businesses and contributing to the City's ability to attract new businesses and visitors. This development would increase the assessed value of property within the City and provide additional tax revenues to all the affected taxing entities.
- Upon Sale of Site, the funds received will be used for partial repayment of a loan of pass through amount from Yolo County under the subordination clause of the pass through agreement, to be included on the 14-15A ROPs and the balance, if any, will be submitted to the Yolo Auditor Controller for distribution to the affected taxing agencies.
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Previous Development Proposals and Activity

- Granite Bay Holdings proposed a commercial development on this parcel along with two others in 2007-2008. The company subsequently went through bankruptcy proceedings and the parcel was foreclosed on and sold.
- Winters Community Development Agency purchased the site, along with two others in a foreclosure sale on April 30, 2009 in order to be able to work with developers to create a retail center on the Grant Avenue Corridor, a main artery through the City.
- An RFP was issued in 2009 for a proposal to develop the Site. An Exclusive Negotiating Rights Agreement was entered into with Yackzan Group, Inc. The agreement expired without any action by developer Yackzan Group, Inc.

Site 5

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency

Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- No address assigned
- 003-370-029 (new lot 3 after lot line adjustment)

Current Use/Description

- Vacant Land
- The Site is currently vacant located on Grant Avenue, between East Street and Morgan. Grant Avenue is the main entrance to the City of Winters from the East.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/30/09
- \$337,444

Parcel Size

- 128,318 square feet after lot line adjustment
- 2.95 acres after lot line adjustment

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$484,159
- n/a

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- This property is directly adjacent to public transit stop
- Transfer to City of Winters for implementation of Redevelopment Plan.
- Advance the Economic Development objective of the Successor Agency
- This site is a portion of a larger area consisting of three parcels along Grant Avenue acquired by the Community Development Agency. The Successor Agency anticipates that the three parcels constituting the overall property will be reconfigured via one or more lot line adjustments to create three or more legal parcels suitable for development. The site referred to in this Plan as Site 5 is intended to refer to the

remainder of the overall property following the lot line adjustments to create Sites 3 and 4, (the square footage of this lot will change based upon the lot line adjustment currently under review by the Department of Finance, estimated to be 128,318 after lot line adjustment), discussed previously in this Plan, and may consist of one or more legal parcels. The City has entered into discussions with a developer to develop an affordably restricted Senior Housing Project on all or a portion of the reconfigured Site 5, which is intended to further the goals and objectives of the Redevelopment Plan and the 209-2013 Implementation Plan to improve and increase the community's supply of housing affordable to low and moderate income households in a manner consistent with the Housing Element of the City's General Plan and the policies of the Community Redevelopment Law.

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- **The Successor Agency will sell the site to a Developer for the development of a Senior Affordable Housing Project. Upon Sale of Site, the funds received will be used for remitted to the Yolo County Auditor Controller for Distribution to the affected taxing entities.**

Previous Development Proposals and Activity

- Granite Bay Holdings proposed a commercial development on this parcel along with two others in 2007-2008. The company subsequently went through bankruptcy proceedings and the parcel was foreclosed on and sold.
- Winters Community Development Agency purchased the site, along with two others in a foreclosure sale on April 30, 2009 in order to be able to work with developers to create a retail center on the Grant Avenue Corridor, a main artery through the City.
- An RFP was issued in 2009 for a proposal to develop the Site. An Exclusive Negotiating Rights Agreement was entered into with Yackzan Group, Inc. The agreement expired without any action by developer Yackzan Group, Inc.

Site 6

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency

Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- 311 First Street
- 003-204-002

Current Use/Description

- Public Parking
- The Site is located directly behind Main Street Businesses and directly across from City Hall. City Hall staff utilize the parking lot during the day as well as other visitors to City Hall and customers visiting the businesses downtown. In the evening, this lot provides parking to patrons of the restaurants and the Palms Playhouse located in the downtown core. Without this parking lot, staff and visitors to City Hall would have to park on the street, which is insufficient as there are only 4 off street parking spaces nearby available for staff and visitors to City Hall.
- The site formerly included a dilapidated building, that has since been removed

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 5/19/09
- \$458,141 [Implementation of Redevelopment Plan

Parcel Size

- 9016.92 square feet
- .207 acres

Current Zoning

- D-A Downtown-A, part of the form based code for the Downtown to establish unique use and development standards within the Downtown Master Plan area.

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$220,000
- none

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- None

- Transfer to City of Winters for implementation of Redevelopment Plan, including continued use as a parking lot until such time as development of the property is undertaken.
 - The City has had preliminary discussions with a developer for possible development of commercial uses on property located along Abbey Street, between Railroad and First Streets, which may include Site 6. The City will look to further the goals and objectives of the Redevelopment Plan and the Implementation Plan, including helping to provide a stable, diversified and stronger economic base for the Project Area and the community, and maximizing opportunities for the expansion and development of commercial uses within the Project Area. Development of Site 6 would further these goals and objectives by providing in-fill development, bringing new business to the City, adding new jobs, helping to strengthen the existing commercial business district and contributing to the City's ability to attract new businesses and visitors.
 - Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
 - The City shall follow all applicable procedures and reach a compensation agreement with the affected taxing entities in accordance with all applicable laws prior to development of the property. The City acknowledges that all costs incurred to develop and/or monitor any development will be solely the responsibility of the City of Winters.
- The site provides parking for city staff on a daily basis and keeps staff and visitors from having to park on the street while doing business at City Hall.

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Previous Development Proposals and Activity

- No record of previous development proposals or activity,

Site 7

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
- Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- 314 Railroad Avenue
- 003-204-006

Current Use/Description

- This site includes a vacant building that formerly housed a Cafe
- Site is located on Railroad Avenue between Main Street and Abby Street
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Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/1/10
- \$351,399
- Implementation of Redevelopment Plan

Parcel Size

- 3, 920.40 square feet
- .09 acres

Current Zoning

- D-A A Downtown-A, part of the form based code for the Downtown to establish unique use and development standards within the Downtown Master Plan area

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$350,000
- none

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- None
- Transfer to City of Winters for implementation of Redevelopment Plan.
- Staff is currently in negotiations with a developer to build an infill project utilizing this site along with another Successor Agency parcel and two City owned parcels in the downtown area. This project would significantly increase the assessed value of property within the City and provide additional revenue to all the affected taxing entities. The

development of this property is included in the 2009-2013 Implementation Plan, and would further the goals and objectives of the Redevelopment Plan and the Implementation Plan by providing in-fill development, bringing new business to the City, adding new jobs, helping to strengthen the existing commercial business district and contributing to the City's ability to attract new businesses and visitors.

- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- The City shall follow all applicable procedures and reach a compensation agreement with the affected taxing entities in accordance with all applicable laws prior to development of the property. The City acknowledges that all costs incurred to develop and/or monitor any development will be solely the responsibility of the City of Winters.

Previous Development Proposals and Activity

- This site previously was the location of a Cafe and T-shirt printing business, the owners of which moved out of state. The building is now vacant, and no other development proposals beyond that mentioned above have been received.

Site 8

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
- Successor Agency to the Dissolved Winters Community Development Agency.

Address/Parcel Number

- 318 Railroad Ave
- 003-204-005

Current Use/Description

- Site is currently a vacant building on that was formerly a bar
- Site is located at the corner of Abbey Street and Railroad Avenue.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/1/10
- \$289,479
- Implementation of Redevelopment Plan

Parcel Size

- 2,613.50 square feet
- .06 acres

Current Zoning

- D-A A Downtown-A, part of the form based code for the Downtown to establish unique use and development standards within the Downtown Master Plan area

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$240,000
- None

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- None
- Transfer to City of Winters for implementation of Redevelopment Plan.
- Staff is currently in negotiations with a developer to build an infill project utilizing this site along with another Successor Agency parcel and two City owned parcels in the downtown area. This project would significantly increase the assessed value of property within the City and provide additional revenue to all the affected taxing entities. The

development of this property is included in the 2009-2013 Implementation Plan, and would further the goals and objectives of the Redevelopment Plan and the Implementation Plan by providing in-fill development, bringing new business to the City, adding new jobs, helping to strengthen the existing commercial business district and contributing to the City's ability to attract new businesses and visitors.

- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- The City shall follow all applicable procedures and reach a compensation agreement with the affected taxing entities in accordance with all applicable laws prior to development of the property. The City acknowledges that all costs incurred to develop and/or monitor any development will be solely the responsibility of the City of Winters.
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Previous Development Proposals and Activity

- This site previously was the location of a Bar, the owner of which has subsequently passed away and the building remains vacant at this time.

Site 9

Owner/Title

- Property removed from Plan.

Appendix A

The following are infrastructure, buildings and other improvements that were constructed on City-owned property, paid for, in whole or in part, by the dissolved CDA, and have been identified as assets of the dissolved CDA. These assets will be transferred to the City for appropriate distribution for continued governmental use.

Property 10: Lights installed at the City Park Baseball field to provide the ability for evening baseball and softball games in the park.

Property 11: Linoleum installed in City owned building currently used for early childhood education programs.

Property 12: Tennis Courts rehabilitated on the property of the Winters Joint Unified School District with a joint use agreement in place for City programs and the public to use.

Property 13: Amphitheatre constructed at the City owned Winters Community Center.

Property 14: Shade Structure constructed at the City owned Winters Community Center.

Property 15: Community Swimming Pool constructed on the property owned by the Winters Joint Unified School District. The City and School District have a joint use agreement for the use of the swimming pool.

Property 16: Restroom facility constructed at City owned Rotary Park.

Property 17: Joint Police and Fire Station constructed on City owned land. Currently in use and occupied as a Police and Fire Station.

Property 18: Reconstruction of streets within the City of Winters.

Property 19: Rehabilitate and pave the City owned Railroad Trestle Bridge, resulting in the creation of a bike and pedestrian path over Putah Creek instead of an abandoned and dangerous deteriorated and unusable bridge.

Property 20: Parking lot constructed between the City owned Winters Community Center and the City owned Rotary Park.

Property 21: Improvements reconstructed at the intersection of Jackson and McArthur Streets in the City of Winters

Property 22: Roadway and Sidewalk enhancements constructed at the intersection of Main and Railroad and Railroad and Abbey Streets in Downtown Winters.

Property 23: Roadway and Sidewalk enhancements constructed at the intersection of Main and First Street and at the mid block between Railroad and First Street in Downtown Winters.



OVERSIGHT BOARD FOR THE CITY OF WINTERS AS SUCCESSOR TO THE
DISSOLBED WINTERS COMMUNITY DEVELOPMENT AGENCY
STAFF REPORT

TO: Honorable Chair and Members of the Successor Agency to the Dissolved Winters
Community Development Agency

DATE: May 18, 2015

THROUGH: John W. Donlevy, Jr., City Manager

FROM: Shelly A. Gunby, Director of Financial Management *Shelly*

SUBJECT: Consideration of Resolution OB-2015-07 approving and adopting a Revised Long-
Range Property Management Plan pursuant to Health and Safety Code Section
34191.5

RECOMMENDATION:

It is recommended that the Oversight Board adopt Resolution No OB-2015-07 approving and adopting a Revised Property Management Plan.

BACKGROUND:

Following dissolution of the Winters Community Development Agency ("Agency"), the City elected to become the successor agency to the Agency by Resolution No.2012-02 dated January 17, 2012 (the "Successor Agency"). Pursuant to Health and Safety Code Section 34173(b), the Successor Agency is now a separate legal entity from the City.

Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan ("Property Management Plan") that addresses the disposition and use of the real properties of the former Agency. The Property Management Plan must be submitted to the Oversight Board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion.

Health and Safety Code Section 34191.5(a) established a Community Redevelopment Property Trust Fund (the "Trust"), administered by the successor agency, to serve as the repository of the former redevelopment agency's real properties. Health and Safety Code Section 34191.4(a) requires that all real property and interests in real property of the former Agency (unless the property is subject to the requirements of any existing enforceable obligation) shall be transferred to the Property Trust Fund upon approval by the Department of Finance of the Property Management Plan.

DISCUSSION/ANALYSIS

The Property Management Plan required under Health and Safety Code Section 34191.5(b) must include an inventory of all properties of the former Agency in the Trust. The inventory must include the date of the acquisition of the property and the value at the time of acquisition, and an estimate of the current value of the property; the purpose for which the property was acquired; parcel data, including address, lot size and current zoning; an estimate of the current value of the parcel, including any appraisal information, if available; an estimate of any lease, rental or any other revenues generated by the property, and a description of the contractual requirement for the disposition of those funds; the history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts; a description of the property's potential for transit-oriented development and the advancement of the planning objectives of the Successor Agency, and a brief history of previous development proposals and activity, including the rental or lease of property.

The Property Management Plan must also address the use or disposition of all the properties in the Trust, including retention of the property for governmental use, 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 Property Management Plan must separately identify and list properties in the Trust dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.

Health and Safety Code Section 34191.5(c)(2) provides that (a) if the Property Management 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; and (b) if the Property Management 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 for use for a project identified in an approved redevelopment plan, the proceeds from the sale shall be distributed as property tax to the taxing entities.

The Property Management Plan must be submitted to the Oversight Board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion, The Agency received the finding of completion on June 12, 2013. The Property Management Plan is not effective until it has been approved by the Department of Finance. Health and Safety Code Section 34191.5(2)(C) provides that property shall not be transferred to a successor agency, city, county or city and county, unless the Property Management Plan has been approved by the Oversight Board and the Department of Finance.

The Property Management Plan was approved on July 2, 2013 by the Successor Agency with Resolution SA-2013-01 and by the Oversight Board on July 8, 2013 with Resolution OB-2013-06. The Property Management Plan was submitted to the Department of Finance on July 8, 2013 immediately after the Oversight Board Meeting. Staff brought a revised Property Management Plan to the Successor Agency on August 20, 2013 and the Successor Agency approved Resolution SA-2013-04 on that date. The Oversight Board to the Successor Agency approved Resolution OB-2013-09 on August 26, 2013 and staff submitted the revision to the Department of Finance on August 28, 2013. The property management plan was further revised on December 3, 2013 and approved by the Department

of Finance on December 20, 2013.

After utilizing the Property Management Plan this past several months, it has come to our attention that one property, the remaining Grant Avenue parcel, Site 5, had a disposition in the Property Management Plan that made it difficult to move forward the Domus Affordable Senior Housing Project. In the approved Property Management Plan, we stated that the property would be transferred to the City in furtherance of redevelopment activities. We requested that the disposition be changed from Transfer to the City to sell the site to a Developer for the development of a Senior Affordable Housing Project, which was approved by the Oversight Board on October 27, 2014 and approved by the Department of Finance on December 2, 2014. Additional information has become available, and the Domus Affordable Senior Project will only need to purchase approximately 1.594 acres for the project, the remaining 1.217 acres will then be available for other developers to purchase. We are requesting that the long range property management plan be revised to allow the purchase of the remaining portion of the property by other developers. The changes are reflected in the attached page 13 and 14 of the approved Long Range Property Management Plan, with changes tracked for ease of seeing the revisions.

Changing the disposition allows the following:

1. Sale to take place between Domus and the Successor Agency Upon Oversight Board Approval for approximately 1.594 acres, this transaction has been approved by both the Oversight Board and the Department of Finance.
2. Allows for the sale of the remaining portion of the property to other interested developers. When appropriate, a purchase and sale agreement will be submitted to the Oversight Board for approval.

FISCAL IMPACT:

No City of Successor Agency funds are involved with the adoption of the Property Management Plan.

ATTACHMENTS:

1. Successor Agency Resolution OB-2015-07 approving and adopting the Property Management Plan.
2. Revised Property Management Plan pages 13-14

RESOLUTION NO. OB-2015-07

A RESOLUTION OF THE OVERSIGHT BOARD TO THE DISSOLVED WINTERS COMMUNITY DEVELOPMENT AGENCY APPROVING AND ADOPTING A REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Winters elected to become the successor agency to the Winters Community Development Agency (“Successor Agency”) by Resolution No. 2012-02 on January 17, 2012; and

WHEREAS, pursuant to Health and Safety Code Section 34173(g), the Successor Agency is now a separate legal entity from the City; and

WHEREAS, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan (“Property Management Plan”) that addresses the disposition and use of the real properties of the former redevelopment agency; and

WHEREAS, Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the Property Management Plan to the Successor Agency’s oversight board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion pursuant to Health and Safety Code Section 34179.7; and

WHEREAS, the Successor Agency has prepared a Revised Long-range Property Management Plan that contains all the information required under Health and Safety Code Section 34191.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE FORMER WINTERS COMMUNITY DEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the Property Management Plan through this Resolution does not commit the Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The City Clerk is authorized and directed to file a Notice of Exemption with the appropriate official of the County of Yolo, California, within five (5) days following the date of adoption of this Resolution.

Section 3. Approval of Property Management Plan. The Oversight Board hereby approves the Revised Property Management Plan, in substantially the form currently on file with the City Clerk.

Section 4. Transmittal of Property Management Plan. The Director of Financial Management is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the Revised Property Management Plan, including submitting the Revised Property Management Plan to the Successor Agency's oversight board for approval, and to the State of California Department of Finance, and posting the approved Property Management Plan on the Successor Agency's website.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Successor Agency to the dissolved Winters Community Development Agency on the 18th day of May, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

/

ABSENT:

Larry Justus, Chair

ATTEST:

Secretary

Site 5

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- No address assigned
- 003-370-029 (new lot 3 after lot line adjustment)

Current Use/Description

- Vacant Land
- The Site is currently vacant located on Grant Avenue, between East Street and Morgan. Grant Avenue is the main entrance to the City of Winters from the East.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/30/09
- \$337,444

Parcel Size

- 128,318 square feet after lot line adjustment
- 2.95 acres after lot line adjustment

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$484,159
- n/a

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- This property is directly adjacent to public transit stop
- Transfer to City of Winters for implementation of Redevelopment Plan.
- Advance the Economic Development objective of the Successor Agency
- This site is a portion of a larger area consisting of three parcels along Grant Avenue acquired by the Community Development Agency. The Successor Agency anticipates that the three parcels constituting the overall property will be reconfigured via one or more lot line adjustments to create three or more legal parcels suitable for development. The site referred to in this Plan as Site 5 is intended to refer to the

remainder of the overall property following the lot line adjustments to create Sites 3 and 4, (the square footage of this lot will change based upon the lot line adjustment currently under review by the Department of Finance, estimated to be 128,318 after lot line adjustment), discussed previously in this Plan, and may consist of one or more legal parcels. The City has entered into discussions with a developer to develop an affordably restricted Senior Housing Project on all or a portion of the reconfigured Site 5, which is intended to further the goals and objectives of the Redevelopment Plan and the 209-2013 Implementation Plan to improve and increase the community's supply of housing affordable to low and moderate income households in a manner consistent with the Housing Element of the City's General Plan and the policies of the Community Redevelopment Law.

- **The Successor Agency will sell a portion of the the site (approximately 1.594 +/- 1.72 acres) to a Developer for the development of a Senior Affordable Housing Project. The balance of the site (approximately 1.217 +/- acres) will be sold to a developer or developers for future development. Upon development, upon completion of each sale, the funds received will be remitted to the Yolo County Auditor Controller for distribution distribution to the affected taxing entities. Upon Sale of Site, the funds received will be used for remitted to the Yolo County Auditor Controller for Distribution to the affected taxing entities.**

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Previous Development Proposals and Activity

- Granite Bay Holdings proposed a commercial development on this parcel along with two others in 2007-2008. The company subsequently went through bankruptcy proceedings and the parcel was foreclosed on and sold.
- Winters Community Development Agency purchased the site, along with two others in a foreclosure sale on April 30, 2009 in order to be able to work with developers to create a retail center on the Grant Avenue Corridor, a main artery through the City.
- An RFP was issued in 2009 for a proposal to develop the Site. An Exclusive Negotiating Rights Agreement was entered into with Yackzan Group, Inc. The agreement expired without any action by developer Yackzan Group, Inc.