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Staff Report

ITEM 10

To: Lemoore City Council and
Lemoore Successor Agency Board

From: Judy Holwell, Project Manager 

Date: December 30, 2013

Subject: Amendment to Agreements between Gary V. Burrows, Inc.,
Burrows & Castadio, Inc., the City of Lemoore and the Lemoore
Successor Agency to the Lemoore Redevelopment Agency
Granting Additional Time to completely Relocate Operations and
Infrastructure from 416 N. Lemoore Avenue to the Lemoore
Industrial Park

Discussion:

On May 3, 2011, the City of Lemoore (City) and the Lemoore Redevelopment Agency (Agency) approved a loan agreement to Gary V. Burrows, Inc. (Burrows) to purchase property at 1600 Enterprise Drive. Also on that date, the City and the Agency entered into an agreement with Burrows pertaining to covenants running with the land at 416 N. Lemoore Avenue. Additionally on that date, the Agency entered into an agreement to sell approximately 4.61 acres of land at 1280 S. Lemoore Avenue to Burrows & Castadio (B&C). Within the terms of the aforementioned agreements, Burrows and B&C agreed to relocate operations and infrastructure from 416 N. Lemoore Avenue to the Lemoore Industrial Park no later than December 31, 2013. Attached is an email from Mr. Brian Castadio, President of Gary V. Burrows, Inc. and Burrows & Castadio, Inc., indicating that he is awaiting approvals from the California Air Resources Board (CARB) and is requesting a six to twelve-month extension on the relocation project.

Burrows has been diligent in relocating its business operations from 416 N. Lemoore Avenue, however, more time is needed in order to completely vacate the premises. It is recommended that the three agreements listed above, and also attached, be amended to allow an additional six months for the relocation. Before this item can be finalized, however, it must be approved by the Lemoore Oversight Board and then sent to the State of California Department of Finance for final approval. The amendments are attached for your review.

Budget Impact:

None.

Recommendation:

It is recommended that the Lemoore City Council, also sitting as the Lemoore Successor Agency Board to the former Lemoore Redevelopment Agency, approve by a single action, the following amendments authorizing the extension of time to June 30, 2014 for the relocation activities at 416 N. Lemoore Avenue to the Lemoore Industrial Park.

- 1) Amendment No. 2 to Loan Agreement for Property Acquisition (1600 Enterprise Drive, City of Lemoore) for extension of time to vacate 416 N. Lemoore Avenue
- 2) Amendment No. 1 to Agreement of Covenants Running with the Land (416 N. Lemoore Avenue) for extension of time to vacate property
- 3) Amendment No. 1 to Disposition and Development Agreement Joint Escrow Instruction and Covenants Running with the Land for extension of time to vacate 416 N. Lemoore Avenue