

**RESOLUTION NO. 2014-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE TO ACCEPT TITLE OF SIX GOVERNMENTAL USE PROPERTIES (APN 023-450-015, 023-290-031, 023-400-001, 023-400-002, 023-400-003, 023-430-010) FROM THE LEMOORE REDEVELOPMENT AGENCY THROUGH ITS SUCCESSOR AGENCY TO BE USED FOR PUBLIC PURPOSES FOR THE FORESEEABLE FUTURE PURSUANT TO HEALTH AND SAFETY CODES SECTION 34181(a)**

**WHEREAS**, by implementation of AB X1 26 (“AB 26”), which amended provisions of the California Redevelopment Law (Health & Safety Code (“HSC”) § 33000 *et seq.*) (“CRL”), and the California Supreme Court’s decision in California Redevelopment Association v. Matosantos, as of February 1, 2012, the Lemoore Redevelopment Agency (“Redevelopment Agency”) was dissolved, the Successor Agency to the Lemoore Redevelopment Agency (“Successor Agency”) came into existence, and the requirement for the appointment of an Oversight Board to the Successor Agency to the Lemoore Redevelopment Agency (“Oversight Board”) became effective; and

**WHEREAS**, on February 1, 2012, all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Redevelopment Agency transferred to the control of the Successor Agency by operation of law; and

**WHEREAS**, AB 1484 was passed by the California State Legislature and was signed into law by the Governor on June 27, 2012, modifying the provisions of AB 26; and

**WHEREAS**, HSC Section 34177(e) requires successor agencies to dispose of assets and properties of the former redevelopment agency as directed by the oversight board; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of certain assets pursuant to Section 34181(a); and

**WHEREAS**, HSC Section 34181(a) states that the oversight board shall direct the successor agency to transfer ownership of those assets of the former redevelopment agency that were constructed and used for governmental purposes such as roads, school buildings, parks and fire stations, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction of such assets; and

**WHEREAS**, the Successor Agency has identified six Redevelopment Agency properties, shown in Exhibit A, that are being used for or intended for governmental purposes; and

**WHEREAS**, on May 9, 2013, the Oversight Board resolved to transfer the governmental use properties listed in Exhibit A to the City of Lemoore provided that the properties achieve their intended public purpose for the foreseeable future; and

**WHEREAS**, the California Department of Finance, by letter dated August 22, 2013 (Exhibit B), approved the transfer of title of the six governmental purpose properties identified in Exhibit A to the City of Lemoore; and

**WHEREAS**, the City of Lemoore desires to accept the transfer of the six properties identified in Exhibit A and use them for their intended public purposes.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemoore hereby accepts the transfer of title of the six properties listed in Exhibit A and resolves to use the properties for their intended public purposes for the foreseeable future.

**BE IT FURTHER RESOLVED** that the City Manager of the City of Lemoore, or designee, is hereby authorized to take such actions as are necessary and appropriate to implement this Resolution.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon its adoption.

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Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 18<sup>th</sup> day of March, 2014 by the following vote:

Ayes:  
Noes:  
Absent:  
Abstaining:

Approved:

\_\_\_\_\_  
William M. Siegel Jr., Mayor

Attest:

\_\_\_\_\_  
Mary J. Venegas, City Clerk

CERTIFICATE

STATE OF CALIFORNIA    )  
COUNTY OF KINGS       ) ss.  
CITY OF LEMOORE        )

I, **MARY J. VENEGAS**, City Clerk of the City of Lemoore do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on the 18<sup>th</sup> day of March, 2014

Dated: March 18, 2014

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Mary J. Venegas  
City Clerk