

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

Chris Bazar
Agency Director

AGENDA ITEM NO. _____ November 20, 2012

November 6, 2012

Honorable Board of Supervisors, acting as the
Governing Board of the Successor Agency for the
former Redevelopment Agency of the County of Alameda
Administration Building
Oakland, California 94612

Dear Board Members:

**SUBJECT: AS SUCCESSOR AGENCY TO THE FORMER
REDEVELOPMENT AGENCY, APPROVE THE TRANSFER OF
SPECIFIED PROPERTY FROM THE COUNTY OF ALAMEDA
TO THE SUCCESSOR AGENCY**

RECOMMENDATION:

That the Board of Supervisors, acting as the Governing Board of the Successor Agency for the former Redevelopment Agency of the County of Alameda, adopt a resolution approving the transfer of specified property from the County of Alameda to the Successor Agency for the Redevelopment Agency of the County of Alameda.

DISCUSSION/SUMMARY:

On March 8, 2011 the Alameda County Redevelopment Agency transferred 11 properties owned by the Redevelopment Agency to the County of Alameda in an effort to protect the property investment from the threatened dissolution of redevelopment agencies statewide. The Dissolution Act (AB 26x1) that was subsequently adopted after the property transfer, does not allow for transfer of property from a former redevelopment agency after January 1, 2011.

The passage of AB 1484 in June of this year re-wrote the original Dissolution Act and made significant changes to the property disposition requirements. Previously, successor agencies were charged with disposing of redevelopment agency properties "expeditiously and in a manner aimed at maximizing value". The new law under AB 1484 now allows successor agencies, with the successful completion of two due diligence reviews of housing and non-housing cash assets, to prepare a long range property management plan (the "Plan").

The Plan may be written to enable use of former redevelopment agency properties for projects identified in an approved redevelopment plan (such as the Joint Project Area

224
West Winton Avenue
Room 110

Hayward
California
94544-1215

phone
510.670.5333
fax
510.670.6374

www.acgov.org/cda

Redevelopment Plan and the Eden Area Redevelopment Plan). Once the Plan is approved by the Oversight Board and the California Department of Finance, the properties that are designated for use in connection with redevelopment plan-related projects can be transferred to the County for those redevelopment-related purposes and do not need to simply be liquidated to maximize value, thereby giving the County control to maximize community benefit from the properties.

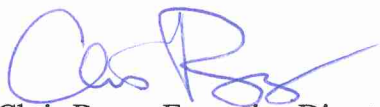
The two key reasons for transferring the 11 properties back to the Successor Agency are as follows: (1) the AB 1484 provisions on the non-housing due diligence review require that the properties be transferred back to the Successor Agency to avoid a requirement that the County compensate the Successor Agency for the transfer; and (2) in order to take advantage of AB 1484's provision on preparing a long-range property management plan, the properties need to be owned temporarily by the Successor Agency rather than the County.

The Successor Agency has already completed its first due diligence review of housing assets and is awaiting approval from the Department of Finance ("DOF"). The second due diligence review of non-housing assets must be completed by December 15, 2012. Once the DOF has approved both due diligence reviews, a Finding of Completion will be requested. Once granted by the DOF, the Finding of Completion will allow the preparation of the long range property management plan. Staff anticipates that the Plan will be ready in the Spring of 2013 for review and approval. No property transfers can occur prior to the approval of the Plan.

FINANCING:

There will be no Net County Cost as a result of this action.

Very truly yours,



Chris Bazar, Executive Director
Alameda County Successor Agency

cc: Susan Muranishi, County Administrator
Donna R. Ziegler, County Counsel
Patrick O'Connell, Auditor-Controller
Richard Conway, County Administrator's Office
Brian Washington, Office of the County Counsel
U.B. Singh, CDA
Eileen Dalton, CDA

RESOLUTION NO. 2012-__

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, ACTING AS THE GOVERNING BOARD OF THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE COUNTY OF ALAMEDA, A SEPARATE LEGAL ENTITY, APPROVING THE TRANSFER OF SPECIFIED PROPERTY FROM THE COUNTY OF ALAMEDA TO THE SUCCESSOR AGENCY

WHEREAS, the California state legislature enacted Assembly Bill x1 26 (the "Dissolution Act") to dissolve redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.); and

WHEREAS, in March 8th of 2011, the County of Alameda (the "County") acquired from the Redevelopment Agency of the County of Alameda (the "Dissolved RDA") the properties generally described in Exhibit A to this Resolution, incorporated herein by this reference (the "Properties"); and

WHEREAS, pursuant to Health and Safety Code Section 34173, on January 10, 2012, the Board of Supervisors of the County of Alameda (the "Board of Supervisors") declared that the County would act as successor agency for the Dissolved RDA (the "Successor Agency"), effective February 1, 2012; and

WHEREAS, pursuant to Assembly Bill 1484, enacted June 27, 2012 to amend various provisions of the Dissolution Act, the Successor Agency is now declared to be a separate legal entity from the County; and

WHEREAS, the Board of Supervisors has considered and desires to approve the transfer of the Properties from the County to the Successor Agency in compliance with Health and Safety Code Section 34167.5 (as added by the Dissolution Act) and the direction of the State Controller's Office by letter to the County and the Successor Agency dated April 20, 2012; and

WHEREAS, the accompanying Board Letter provides supporting information upon which the action set forth in this Resolution is based.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Alameda, acting as the governing board of that separate legal entity known as the Successor Agency of the Redevelopment Agency of the County of Alameda, as follows:

Section 1. Recitals Correct. The Board of Supervisors, acting as the governing board of the Successor Agency, hereby finds that the above Recitals are true and correct and have served, together with the accompanying Board Letter, as the basis for the approvals and actions set forth below.

Section 2. Acceptance of the Properties. The Board of Supervisors, acting as governing board of the Successor Agency, hereby approves the acceptance of the Properties by the Successor Agency, and declares that this Resolution constitutes the resolution of acceptance by the Successor Agency of the conveyance of the Properties for the purposes of Government Code Section 27281.

Section 3. Authorized Actions. The Board of Supervisors, acting as the governing board of the Successor Agency, hereby authorizes and directs the Successor Agency Executive Director, with the concurrence of the County Counsel acting on behalf of the Successor Agency, to accept the conveyance of the Properties to the Successor Agency by acceptance of one or more grant deeds for the conveyance of the Properties, and to take any action and execute any document as may be necessary to implement this Resolution.

Section 4. Effectiveness of Resolution. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of Alameda, acting as the governing board of the Successor Agency, at a regular meeting of said Board on the _____th day of _____, 2012, by the following vote of said Board:

AYES:

NOES:

ABSTAIN:

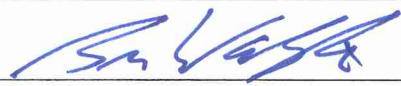
ABSENT:

Nate Miley
President, Board of Supervisors

ATTEST:
Crystal K. Hishida, Clerk
Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:
Donna R. Ziegler, County Counsel

By: 

Brian Washington

EXHIBIT A

DESCRIPTION OF PROPERTIES

FUTURE USE	APN	Situs Address	Situs Street	Community
Shared Parking Lot - County Portion	084A-0040-022-00	20853	Wilbeam	Castro Valley
Community Center	413 -0035-010-00	278	Hampton	Cherryland
Commercial Dev	414 -0021-060-00	20097	Mission Blvd.	Cherryland
Commercial Dev	414 -0021-061-00	20095	Mission Blvd.	Cherryland
Commercial Dev	414 -0021-078-00	20095	Mission Blvd.	Cherryland
Commercial Dev	414 -0021-079-00	20095	Mission Blvd.	Cherryland
Commercial Dev	414 -0021-080-00	20095	Mission Blvd.	Cherryland
Commercial Dev	080-0078-026-14	16640	E. 14th Street	Ashland
Community Use	412-0039-025-00	16080	Hesperian Blvd.	San Lorenzo
Fire Station	429-0005-022-00	19745	Meekland Ave.	Cherryland
Fire Station	429-0005-023-00	19755	Meekland Ave.	Cherryland