



Agenda Item No: 5
Oversight Board Meeting Date: October 8, 2013
Prepared By: David Mickaelian
David Mickaelian, Assistant City Manager
Approved By: Marjie Pettus
Marjie Pettus, City Manager

REQUEST FOR OVERSIGHT BOARD ACTION

Subject: Resolution approving Long Range Property Management Plan

Recommendation:

Adopt a resolution of the Oversight Board approving the Long Range Property Management Plan pursuant to Health and Safety Code §34191.5.

Background:

The purpose of the Successor Agency is to wind down the operation of the former City of Healdsburg Redevelopment Agency (“Former RDA”) in accordance with Assembly Bill x1 26 (“AB 26”), enacted on June 28, 2011, and Assembly Bill 1484 (“AB 1484”), enacted on June 27, 2012 (collectively, the “Dissolution Laws”). On January 10, 2012, the City Council designated the City of Healdsburg (“City”) to serve as the Successor Agency to the Former RDA for the purposes of winding down the Former RDA’s operations and to retain the Former RDA’s housing assets and assume the Former RDA’s housing responsibilities. This report constitutes the Long-Range Property Management Plan (LRPMP) of the Successor Agency (Successor Agency) of the former Redevelopment Agency of the City of Healdsburg (Former RDA) prepared in accordance with Health and Safety Code Section 34191.5. The Successor Agency owns 2 properties.

The Properties are located within the boundaries of the Healdsburg Redevelopment Project Area (Project Area) and are subject to the provisions of the Redevelopment Plan for the Sotyome Redevelopment Area. The properties are governed by the Redevelopment Plan, the City of Healdsburg’s General Plan, and the City’s zoning and land use regulations, as set forth in the City codes and ordinances. The Successor Agency is now responsible for disposition of the Properties in accordance with the procedures and requirements of the Redevelopment Dissolution Statutes, with particular reference to the Health and Safety Code Section 34191.1, 34191.3, 34191.4(a), and 34191.5.

The Successor Agency obtained a “finding of completion” from the California Department of Finance (DOF) on April 17, 2013 pursuant to Health and Safety Code Section 34179.7 that entitles the Successor Agency to submit this LRPMP for approval by the Oversight Board and DOF. In accordance with Health and Safety Code Section 34191.5(c), this LRPMP contains an inventory of specified information related to each of the Properties and structures.

Analysis/Discussion:

On March 14, 2011 the City of Healdsburg adopted Resolution No. 38-2011 and Redevelopment Agency of the City of Healdsburg adopted Resolution No. RDA6-2011 which transferred certain developed properties to the City which are as follows; 331 Healdsburg Avenue (APN002-182-034), 375 Healdsburg

Avenue (APN002-182-035), 1381 University Avenue (APN002-502-044), 401 Grove Street (088-230-082), and 17 Matheson Street (APN002-182-033). Also on March 14, 2011 the City of Healdsburg adopted Resolution NO.39-2011 and Redevelopment Agency of the City of Healdsburg adopted Resolution NO.RDA7-2011 which transferred certain undeveloped properties to the City which are as follows; 434 Healdsburg Avenue (APN002-171-041), 9 North Street (APN002-171-002), 15 North Street (APN002-171-003), 3 North Street (APN002-171-021), 228 Healdsburg Avenue (APN002-242-038), 225 Center Street (APN002-071-002), 155 Dry Creek (APN089-071-002), and 1201 Grove Street (089-081-020).

On April 1, 2011 the City filed a Complaint in Validation in the Superior Court of California approximately three months prior to the Governor signing the Dissolution Act into law. The City of Healdsburg and the Dissolved RDA obtained a Judgment of Validation from the Superior Court. The Judgment of Validation found that the actions taken in the Resolutions by the City and RDA were as follows, “... *each and every provision therein constitutes a lawful, valid, and binding obligation under the law of California and the United States, subsisting in full force and effect and enforceable according to its terms*”. The Judgment of Validation also acknowledges, “*Each and every recital, finding, determination or legal conclusion stated in City Resolution No.38-2011 & No. 39-2011 and Agency Resolution No. RDA6-2011 & RDA7-2011 is true and correct in all respects*”. The properties that were previously transferred to the City per City Resolution Nos. 38-2011 & 39-2011 and RDA Resolution Nos. RDA6-2011 & 7-2011 and are subject of the confirming Judgment of Validation are not required to be disposed of through the LRPMP.

The Oversight Board took further action to identify the types of use as “government use” for the following properties that are part of the Judgment of Validation at their August 6, 2013 meeting: City Hall, 401 Grove Street (APN 088-230-082); Giorgi Park 536 University St., (APN: 002-071-001), 540 University St. – (APN 002-071-019); West Plaza, 17 Matheson, (APN002-182-033); Purity Property, 9 North Street, (APN: 002-173-002), 15 North Street (APN: 002-173-003), 3 North Street (APN: 002-173-021); Mitchell Center Parking Lot, 434 Healdsburg Ave., (APN 002-171-041); Center St. Parking Lot, 228 Healdsburg Ave., (APN: 002-242-038), and 225 Center St. (APN: 002-242-049).

The properties that are currently owned by the Successor Agency and subject to the LRPMP are as follows:

- 555 Piper Street (APN: 002-131-008) – Exhibit A of Resolution
- 627 Healdsburg Ave. (APN002-093-007) - Exhibit B of Resolution

Details of the property and structure as pursuant to Health and Safety Code §334191.5 are reflected in Exhibits “A” and “B”.

Attachments

1. Resolution
2. Judgment of Validation
3. Resolution Nos. RDA6 – 2011, RDA7 – 2011
4. Resolution Nos. 38 – 2011, 39 – 2011

RESOLUTION NO.

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE CITY OF HEALDSBURG REDEVELOPMENT AGENCY APPROVING THE LONG-RANGE PROPERTY MANAGEMENT PLAN PREPARED BY THE SUCCESSOR AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5, DETERMINING THAT APPROVAL OF THE LONG-RANGE PROPERTY MANAGEMENT PLAN IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, pursuant to Health and Safety Code Section 34175(b) and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.* (53 Cal.4th 231(2011)), all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Community Redevelopment Agency (the "Agency") transferred to the control of the Successor Agency to the former Redevelopment Agency (the "Successor Agency") by operation of law; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency is required to prepare a long-range property management plan which addresses the disposition and use of the real properties of the former Agency, and which must be submitted to the Oversight Board of the Successor Agency (the "Oversight Board") and the Department of Finance (the "DOF") for approval no later than six months following the issuance by DOF to the Successor Agency of a finding of completion pursuant to Health and Safety Code Section 34179.7; and

WHEREAS, pursuant to Health and Safety Code Section 34179.7, DOF issued a Finding of Completion (FOC) to the Successor Agency on April 17, 2013; and

WHEREAS, the Successor Agency has prepared and submitted to the Oversight Board the long-range property management plan attached hereto as Exhibit A (the "LRPMP"), which LRPMP addresses the disposition and use of the real properties of the former Agency and includes the information required pursuant to Health and Safety Code Section 34191.5(c); and

WHEREAS, on March 14, 2011 the City of Healdsburg adopted Resolution No. 38-2011 and Redevelopment Agency of the City of Healdsburg adopted Resolution No. RDA6-2011 which transferred certain developed properties to the City which are as follows; 331 Healdsburg Avenue (APN002-182-034), 375 Healdsburg Avenue (APN002-182-035), 1381 University Avenue (APN002-502-044), 401 Grove Street (088-230-082), and 17 Matheson Street (APN002-182-033); and

WHEREAS, on March 14, 2011 the City of Healdsburg adopted Resolution No. 39-2011 and Redevelopment Agency of the City of Healdsburg adopted Resolution No. RDA7-2011 which transferred certain undeveloped properties to the City which are as follows; 434 Healdsburg Avenue (APN002-171-041), 9 North Street (APN002-171-002), 15 North Street (APN002-171-003), 3 North Street (APN002-171-021), 228 Healdsburg Avenue (APN002-242-038), 225 Center Street (APN002-071-002), 155 Dry Creek (APN089-071-002), and 1201 Grove Street (089-081-020); and

WHEREAS, a Complaint in Validation was filed on April 1, 2011 in the Superior Court of California County of Sonoma by the City approximately three months prior to the Governor signing the Dissolution Act into law; and

WHEREAS, the City of Healdsburg and the Dissolved RDA obtained a Judgment of Validation; and

WHEREAS, the Judgment of Validation found “... *each and every provision therein constitutes a lawful, valid, and binding obligation under the law of California and the United States, subsisting in full force and effect and enforceable according to its terms*”; and

WHEREAS, the Judgment of Validation also acknowledges, “*Each and every recital, finding, determination or legal conclusion stated in City Resolution No.38-2011 & No. 39-2011 and Agency Resolution No. RDA6-2011 & RDA7-2011 is true and correct in all respects*”; and

WHEREAS, properties that were previously transferred to the City per City Resolution Nos. 38-2011 & 39-2011 and RDA Resolution Nos. RDA6-2011 & 7-2011 and are subjects of the confirming Judgment of Validation are not required to be disposed of through the LRPMP; and

WHEREAS, on August 6, 2013 the Oversight Board of the Redevelopment Successor Agency of the City of Healdsburg Directed the Successor Agency to transfer ownership of Governmental purpose properties formerly owned by the Redevelopment Agency to the City of Healdsburg by resolution; and

WHEREAS, the Oversight Board found that all of the Governmental Purpose Assets were owned by the RDA and were constructed and used for a governmental purpose; and

WHEREAS, the following government purpose properties were transferred: City Hall,401 Grove Street (APN 088-230-082); Giorgi Park 536 University St., (APN: 002-071-001), (540 University St. - APN 002-071-019); West Plaza, 17 Matheson ,(APN002-182-033); Purity Property, 9 North Street, (APN: 002-173-002), 15 North Street (APN: 002-173-003),3 North Street (APN: 002-173-021); Mitchel Center Parking Lot, 434 Healdsburg Ave., (APN 002-171-041); Center St. Parking Lot, 228 Healdsburg Ave., (APN: 002-242-038), 225 Center St. (APN: 002-242-049); and

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. The above recitals are true and correct and are adopted by reference as substantive findings in this Resolution.

Section 2. This Resolution was adopted pursuant to Health and Safety Code Section 34191.5.

Section 3. The Oversight Board hereby approves the LRPMP as presented by the Successor Agency and attached hereto as Exhibits A and B. The proceeds from the sale of each property in the LRPMP will be submitted to the Sonoma County Auditor Controller's office for distribution to the taxing entities.

Section 4. The staff of the Successor Agency is hereby directed to transmit to DOF this Resolution together with written notice and information regarding the action taken by this Resolution. Such notice to DOF shall be provided by electronic means and in a manner of DOF's choosing.

Section 5. The staff and the Board of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution and any such actions previously taken are hereby ratified.

Section 6. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA"). Pursuant to the State CEQA Guidelines (14 Cal Code Regs 15000 *et seq.*) (the "Guidelines"), the Oversight Board has determined that the approval of the LRPMP is not a project pursuant to CEQA and is exempt therefrom because it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment (Guidelines Section 15378(b)(5)). Further, it can be seen with certainty that there is no possibility that approval of the LRPMP may have a significant effect on the environment, and thus the action is exempt from CEQA (Guidelines Section 15061(b)(3)). Staff of the Successor Agency is hereby directed to prepare and post a notice of exemption pursuant to Guidelines Section 15062.

Section 7. Effectiveness. This Resolution shall take effect immediately upon its adoption.

Dated: October 8, 2013

VOTE upon the foregoing resolution was as follows:

AYES: Board Members: ()

NOES: Board Members: ()

ABSENT: Board Members: ()

ABSTAINING: Board Members: ()

SO ORDERED:

ATTEST:

Gary Plass, Chair

Maria Curiel, City Clerk

Exhibit A

Property Description – 555 Piper Street was purchased from the Boys and Girls Club in order to help that organization pay for certain long term operational costs. The Boys and Girls Club provides an important service to the youth of the community.

Address: 555 Piper Street

APN: 002-131-008

Acquisition Date: September 25, 2003

Purchase Price: \$610,000

Lot Size: 1.35 acres or 58,806 square feet

Zoning: Public (PU)

Purpose of Purchase: The purpose of the acquisition was to provide the Boys and Girls Club a long term solution to meet their operational needs and eliminate a blighted area. The Boys and Girls club provides an essential service to their participants.

Estimated Current Value: N/A

Lease Value: The lease that was in place is for \$1 per year

Environmental Studies: No studies were done at time of purchase.

Potential for transit-oriented development: The property is not uniquely suited to transit oriented development.

Previous Development Proposals: There is no record of any formal development proposals.

Intended disposition of property: Boys and Girls Club would like to re-acquire the property. The non-profit organization provides a critical service to an underserved community in the region.

Exhibit B

Property Description The property was acquired on December 17, 1993. It appears the property was acquired to develop housing for families of moderate income. The proposal that went to the Planning Commission included a project that consisted of six condominium units. The project was never built. The property currently consists of vacant land.

Address: 627 Healdsburg Ave.

APN: 002-093-007

Acquisition Date: December 17, 1993

Purchase Price: \$159,000

Lot Size: .53 acres

Zoning: Office, Residential, Multi-Family (ORM)

Purpose of Purchase: Housing

Estimated Current Value: Unknown

Lease Value: The property is currently a vacant lot with no structures. There are no lease or rental agreements in place.

Environmental Studies: A soils analysis was completed in September of 1992.

Potential for transit-oriented development: The property is not suited for transit oriented development.

Previous Development Proposals: In 1993 there was a proposal to develop 6 condominiums at 627 Healdsburg Ave. The City Council approved the project with a number of conditions. There was a condition that the tentative map would expire after 24 months of Council Action. The development never occurred and the map expired. In 1998 the City considered a proposal from Burbank Housing for the development of 6 units of affordable “for sale” housing. There was a development agreement that was entered into with Burbank Housing. The Development Agreement with Burbank housing was terminated in June of 2000. There are no other formal proposals staff is aware of.

Intended disposition of property: Government Purpose - The property abuts up against the City of Healdsburg’s fire station. There have been discussions to incorporate the property into the fire station for training purposes. The development potential is limited due to the odd lot configuration. If the Fire Department cannot utilize the property, the property would be sold.

ENDORSED
FILED

JUN 28 2011

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

EXEMPT FROM FILING FEE
PURSUANT TO GOVT. CODE § 6103

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CITY OF HEALDSBURG and REDEVELOPMENT
7 AGENCY OF THE CITY OF HEALDSBURG

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF SONOMA

10
11 CITY OF HEALDSBURG, a municipal corporation;
12 and REDEVELOPMENT AGENCY OF THE CITY
OF HEALDSBURG, a public body corporate and
13 politic,

14 Plaintiffs,

15 v.

16 ALL PERSONS INTERESTED IN THE
17 FOLLOWING MATTERS: (1) Resolution
No. 38-2011 of the City of Healdsburg, a municipal
18 corporation; (2) Resolution No. RDA6-2011 of the
19 Redevelopment Agency of the City of Healdsburg,
a public body corporate and politic; (3) the contract
20 dated March 15, 2011, entitled "Disposition
21 Agreement," by and between the Redevelopment
Agency of the City of Healdsburg, a public body
22 corporate and politic and the City of Healdsburg, a
municipal corporation; (4) the action taken by the
23 City Council of the City of Healdsburg approving
and adopting Resolution No. 38-2011 and the
24 Disposition Agreement between the
25 Redevelopment Agency of the City of Healdsburg
and the City of Healdsburg; (5) the action taken by
26 the Board of Directors of the Redevelopment
Agency of the City of Healdsburg approving and
27 adopting Resolution No. RDA6-2011 and the
28 Disposition Agreement between the
Redevelopment Agency of the City of Healdsburg
and the City of Healdsburg; (6) Resolution
No. 39-2011 of the City of Healdsburg, a municipal
corporation; (7) Resolution No. RDA7-2011 of the
Redevelopment Agency of the City of Healdsburg,
a public body corporate and politic; (8) the contract
dated March 15, 2011, entitled "Disposition and
Development Agreement," by and between the

Case No: SCV249426
[Assigned to Department 18
Judge Mark Tansil]


~~PROPOSED~~ JUDGMENT OF
VALIDATION (CCP 585(c) and
860 et seq.)

Date: 6/28/11
Time: 4:00 pm
Dept. 18
Assigned Judge: Hon. Mark Tansil

Complaint Filed: April 1, 2011

1 Redevelopment Agency of the City of Healdsburg,
2 a public body corporate and politic and the City of
3 Healdsburg, a municipal corporation; (9) the action
4 taken by the City Council of the City of Healdsburg
5 approving and adopting Resolution No. 39-2011
6 and the Disposition and Development Agreement
7 between the Redevelopment Agency of the City of
8 Healdsburg and the City of Healdsburg; and (10)
9 the action taken by the Board of Directors of the
10 Redevelopment Agency of the City of Healdsburg
11 approving and adopting Resolution No. RDA7-
12 2011 and the Disposition and Development
13 Agreement between the Redevelopment Agency of
14 the City of Healdsburg and the City of Healdsburg,

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Defendants.

1 The City of Healdsburg, a municipal corporation ("City") and the Redevelopment Agency of
2 the City of Healdsburg, a public body corporate and politic ("Agency"), appearing before this Court in
3 Department 18, the Honorable Mark Tansil presiding, by and through their counsel, presented evidence
4 in support of their request for entry of default judgment in their favor. This Court, having considered
5 the Complaint for Judgment of Validation ("Complaint") pursuant to Code of Civil Procedure Sections
6 585(c) and 860 et seq., and other applicable law, and good cause appearing therefor,

7 IT IS ORDERED, ADJUDGED AND DECREED as follows:

8 1. Jurisdiction over all interested persons has been established (a) by publication of the
9 Summons pursuant to Code of Civil Procedure Section 861 and Government Code Section 6063 in an
10 appropriate newspaper of general circulation, (b) by posting a copy of the Summons in three public
11 places within the boundaries of the City and Agency and (c) by such other action taken in compliance
12 with the Court's previous order in this matter;

13 2. This action was properly brought as an *in rem* proceeding under Code of Civil
14 Procedure Sections 860 through 870, and Government Code Sections 53510 and 53511, and Health
15 and Safety Code Section 33501;

16 3. Each and every recital, finding, determination or legal conclusion stated in City
17 Resolution Nos. 38-2011 and 39-2011 and Agency Resolution Nos. RDA6-2011 and RDA7-2011 is
18 deemed to be true and correct in every respect and such resolutions were duly adopted, are valid,
19 lawful and proper and not subject to further legal challenge;

20 4. City Resolution No. 38-2011 and Agency Resolution No. RDA6-2011, attached to the
21 Complaint as Exhibits 1 and 2 respectively, authorized Plaintiffs to enter into a Disposition Agreement
22 between the Redevelopment Agency of the City of Healdsburg and the City of Healdsburg
23 ("Disposition Agreement") with each other. The purpose of the Disposition Agreement (Exhibit 4 to
24 the Complaint) and City Resolution No. 38-2011 and Agency Resolution No. RDA6-2011 was to enter
25 into a form of disposition agreement between the City and the Agency regarding the transfer of certain
26 Agency-owned property;

27 5. The City is a municipal corporation, which has been duly formed and organized and is
28 validity existing and in good standing under the laws of the State of California;

1 6. The Agency is a body corporate and politic organized and existing under the laws of the
2 State of California and is located within the boundaries of Sonoma County, California;

3 7. The City had the authority to approve and enter into the Disposition Agreement and
4 perform according to its terms, which authority includes but is not limited to acquiring land from the
5 Agency, becoming obligated to use the acquired property for the purposes specified in the
6 Redevelopment Plan, and comply with the covenants, conditions and restrictions imposed by the
7 Agency in conjunction with the transfer in order to prevent speculation and carry out the purposes of
8 the CRL and the Redevelopment Plan;

9 8. The Agency had the authority to approve and enter into the Disposition Agreement and
10 perform according to its terms, which authority includes but is not limited to granting land to the City,
11 obligating the City to use the property for the purposes specified in the Redevelopment Plan, and
12 comply with the covenants, conditions and restrictions imposed by the Agency in conjunction with the
13 transfer in order to prevent speculation and carry out the purposes of the CRL and the Redevelopment
14 Plan;

15 9. Approval of the Disposition Agreement is exempt from environmental review under the
16 California Environmental Quality Act Guidelines section 15061(b)(3), as determined by the City and
17 Agency;

18 10. The Disposition Agreement and each and every provision therein constitutes a lawful,
19 valid, and binding obligation under the law of California and the United States, subsisting in full force
20 and effect and enforceable according to its terms;

21 11. Each and every recital, finding, determination or legal conclusion stated in City
22 Resolution No. 38-2011 and Agency Resolution No. RDA6-2011 and the Disposition Agreement is
23 true and correct in all respects;

24 12. That the Court find that all persons and entities are hereby permanently enjoined and
25 restrained from the institution of any action or proceeding challenging, *inter alia*, the validity of City
26 Resolution No. 38-2011 and Agency Resolution No. RDA6-2011 or the Disposition Agreement, or any
27 matters herein adjudicated or which at this time could have been adjudicated against the City or
28 Agency and against all other persons, and this judgment shall be forever binding and conclusive as to

1 all such matters;

2 13. City Resolution No. 39-2011 and Agency Resolution No. RDA7-2011, attached to the
3 Complaint as Exhibits 5 and 6 respectively, authorized Plaintiffs to enter into a Disposition and
4 Development Agreement between the Redevelopment Agency of the City of Healdsburg and the City
5 of Healdsburg ("Disposition and Development Agreement") with each other. The purpose of the
6 Disposition and Development Agreement (Exhibit 7 to the Complaint) and City Resolution No. 39-
7 2011 and Agency Resolution No. RDA7-2011 was to enter into a form of disposition and development
8 agreement between the City and the Agency regarding the transfer of certain undeveloped and
9 underdeveloped Agency-owned property;

10 14. The City had the authority to approve and enter into the Disposition and Development
11 Agreement and perform according to its terms, which authority includes but is not limited to acquiring
12 land from the Agency, becoming obligated to use the acquired property for the purposes specified in
13 the Redevelopment Plan, and comply with the covenants, conditions and restrictions imposed by the
14 Agency in conjunction with the transfer in order to prevent speculation and carry out the purposes of
15 the CRL and the Redevelopment Plan;

16 15. The Agency had the authority to approve and enter into the Disposition and
17 Development Agreement and perform according to its terms, which authority includes but is not
18 limited to granting land to the City, obligating the City to use the property for the purposes specified in
19 the Redevelopment Plan, and comply with the covenants, conditions and restrictions imposed by the
20 Agency in conjunction with the transfer in order to prevent speculation and carry out the purposes of
21 the CRL and the Redevelopment Plan;

22 16. Approval of the Disposition and Development Agreement is exempt from
23 environmental review under the California Environmental Quality Act Guidelines section 15061(b)(3),
24 as determined by the City and Agency;

25 17. The Disposition and Development Agreement and each and every provision therein
26 constitutes a lawful, valid, and binding obligation under the law of California and the United States,
27 subsisting in full force and effect and enforceable according to its terms;

28 18. Each and every recital, finding, determination or legal conclusion stated in City

1 Resolution No. 39-2011 and Agency Resolution No. RDA7-2011 and the Disposition and
2 Development Agreement is true and correct in all respects;

3 19. That the Court find that all persons and entities are hereby permanently enjoined and
4 restrained from the institution of any action or proceeding challenging, *inter alia*, the validity of City
5 Resolution No. 39-2011 and Agency Resolution No. RDA7-2011 or the Disposition and Development
6 Agreement, or any matters herein adjudicated or which at this time could have been adjudicated
7 against the City or Agency and against all other persons, and this judgment shall be forever binding
8 and conclusive as to all such matters; and

9 20. Clerk is ordered to enter this judgment forthwith.

10 **JUN 28 2011**
11 DATED: _____

12 **MARK TANSIL**

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14 _____
15 THE HONORABLE MARK TANSIL
16 JUDGE OF THE SUPERIOR COURT
17 OF THE STATE OF CALIFORNIA
18 COUNTY OF SONOMA

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REDEVELOPMENT AGENCY OF THE CITY OF HEALDSBURG

RESOLUTION NO. RDA6-2011

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF HEALDSBURG APPROVING THE TRANSFER OF CERTAIN DEVELOPED PROPERTIES, AUTHORIZING THE EXECUTION OF A DISPOSITION AGREEMENT WITH THE CITY OF HEALDSBURG AND APPROVING AND AUTHORIZING RELATED ACTIONS

WHEREAS, the Redevelopment Agency of the City of Healdsburg (“Agency”) is a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.* (“CRL”); and

WHEREAS, the City Council (“City Council”) of the City of Healdsburg (“City”) has adopted and amended the Sotoyome Community Development Plan (“Redevelopment Plan”) for the Sotoyome Community Development Project Area (“Project Area”); and

WHEREAS, to further the goals of the Agency to eliminate blight in the Project Area in accordance with the Sotoyome Community Development Plan (“Redevelopment Plan”) and the Agency’s current Five-Year Implementation Plan (“Implementation Plan”), the City and Agency have been working cooperatively regarding the development of certain properties in the Project Area; and

WHEREAS, the City and Agency have determined that it would be mutually beneficial to enter into a Disposition Agreement (“Agreement”) a copy of which is on file with the City Clerk and Agency Secretary, pursuant to which the Agency would agree to transfer certain developed properties, as more specifically identified herein, (all of which are hereinafter referred to as “the Properties”) to the City in exchange for promises and commitments by the City to use, and continue to use, the Properties for the purposes identified in the RDA Plan and the Implementation Plan in furtherance of the redevelopment of the Project Area; and

WHEREAS, the Properties that are the subject of the Agreement are improved real properties located in the Project Area and one improved real property which is not located in the Project Area, are identified, commonly known and referred to as follows:

<u>Sonoma County APN</u>	<u>Street Address</u>
002-182-034	331 Healdsburg Ave.
002-182-035	375 Healdsburg Ave.
002-502-044	1381 University Ave.
088-230-082	401 Grove Street
002-182-033	17 Matheson

WHEREAS, the Agency seeks to ensure the continued use of the Properties for the purposes described in, and consistent with, the Redevelopment Plan; and

WHEREAS, pursuant to CRL Section 33205, the Agency is authorized to delegate to the City any of the powers or functions of the Agency with respect to the undertaking of a redevelopment project, and the City is authorized to carry out and perform such powers and functions; and

WHEREAS, CRL Section 33430 permits the Agency to transfer or otherwise pledge property to the City for redevelopment purposes; and

WHEREAS, pursuant to CRL Sections 33220 and 33437, the City is authorized to: (i) acquire land from the Agency; (ii) become obligated to use the acquired property for the purposes specified in the Redevelopment Plan; and (iii) comply with the covenants, conditions and restrictions imposed by the Agency in conjunction with the transfer in order to prevent speculation and carry out the purposes of the CRL and the Redevelopment Plan; and

WHEREAS, to facilitate the continued use of the Properties for the purposes described in, and consistent with, the Redevelopment Plan, the Agency desires to convey the Properties to City, and City desires to acquire the Properties from Agency, subject to the terms and conditions set forth in the Agreement, which are designed to ensure that the continued uses of the Properties are used and maintained in accordance with the Redevelopment Plan; and

WHEREAS, the Agency has determined that continued uses of the Properties pursuant to the Agreement will: (i) be consistent with the Redevelopment Plan and the Implementation Plan for the Project Area; (ii) be of benefit to the Project Area; and (iii) further the goals of the Redevelopment Plan by furthering appropriate residential, retail and/or commercial uses in the Project Area; and

WHEREAS, the consideration for the transfer of the Properties will be the City's promise to use the Properties consistent with and subject to the covenants and conditions, as more particularly set forth in the Agreement, and to restrict the proceeds of any sale or lease thereof for redevelopment purposes; and

WHEREAS, the City has determined that the land transfer which is the subject of the Agreement has no potential for physical effects on the environment because it involves only the transfer of ownership of the Properties between the Agency and the City and is therefore exempt from environmental review.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency Board of Directors that it hereby:

1. Adopts the finding of the City Council that the land transfer described herein is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3).

2. Finds that the transfer of the Properties in accordance with the Agreement will assist in the elimination of blight in the Project Area and will further the goals of the Redevelopment Plan, and will be consistent with the Implementation Plan adopted in connection therewith.
3. Approves the transfer of the Properties to the City pursuant to the terms and conditions of the Agreement.
4. Authorizes the Executive Director, on behalf of the Agency, to execute the Agreement and the Grant Deeds for conveyance of the Properties, substantially in the forms on file with the Agency Secretary.
5. Authorizes the Executive Director to execute such other instruments and to take such other actions as necessary to carry out the intent of this Resolution.

The foregoing Resolution was adopted by the Board of Directors of the Redevelopment Agency of the City of Healdsburg at a special meeting held on the 14th day of March, 2011 by the following vote:

AYES: Directors: (5) Babb, Jones, Plass, Wood and Mayor Chambers

NOES: Directors: (0) None

ABSENT: Directors: (0) None

ABSTAINING: Directors: (0) None

SO ORDERED:

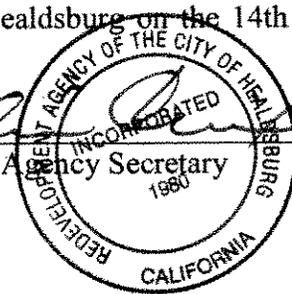
ATTEST:


Thomas L. Chambers, Chairperson


Maria Curiel, Agency Secretary

I, MARIA CURIEL, Agency Secretary of the Redevelopment Agency of the City of Healdsburg, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Redevelopment Agency of the City of Healdsburg on the 14th day of March, 2011.


Maria Curiel, Agency Secretary



REDEVELOPEMNT AGENCY OF THE CITY OF HEALDSBURG

RESOLUTION NO. RDA7-2011

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF HEALDSBURG APPROVING TRANSFER OF CERTAIN UNDEVELOPED OR UNDER-DEVELOPED PROPERTIES, AUTHORIZING THE EXECUTION OF A DISPOSITION AND DEVELOPMENT AGREEMENT WITH THE CITY OF HEALDSBURG AND APPROVING AND AUTHORIZING RELATED ACTIONS

WHEREAS, the Redevelopment Agency of the City of Healdsburg (“Agency”) is a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.* (“CRL”);

WHEREAS, the City Council (“City Council”) of the City of Healdsburg (“City”) has adopted and amended the Sotoyome Community Development Plan (“RDA Plan”) for the Sotoyome Community Development Project Area (“Project Area”); and

WHEREAS, to further the goals of the Agency to eliminate blight in the Project Area in accordance with the RDA Plan and the Agency’s current Five-Year Implementation Plan (“Implementation Plan”), City and Agency have been working cooperatively regarding the development of certain properties in the Project Area; and

WHEREAS, City and Agency have determined that it would be mutually beneficial to enter into a Disposition and Development Agreement (“DDA”) a copy of which is on file with the City Clerk and Agency Secretary, pursuant to which Agency would agree to transfer certain Agency-owned properties, as more specifically identified herein, (all of which are hereinafter referred to as “the Properties”) to City in exchange for promises and commitments by City to develop or further develop the Properties for the purposes identified in the RDA Plan and Implementation Plan in furtherance of the redevelopment of the Project Area; and

WHEREAS, the Properties that are the subject of the DDA are commonly known as:

<u>Sonoma County APN</u>	<u>Street Address</u>
002-171-041	434 Healdsburg Ave.
002-171-002	9 North Street
002-171-003	15 North Street
002-171-021	3 North Street
002-242-038	228 Healdsburg Ave.
002-242-049	225 Center Street
089-071-002	155 Dry Creek Road
089-081-020	1201 Grove Street

WHEREAS, the Agency seeks to ensure the continued use of the Properties for the purposes described in, and consistent with, the RDA Plan; and

WHEREAS, pursuant to CRL Section 33205, the Agency is authorized to delegate to the City any of the powers or functions of the Agency with respect to the undertaking of a redevelopment project, and the City is authorized to carry out and perform such powers and functions; and

WHEREAS, CRL Section 33430 permits the Agency to transfer or otherwise pledge property to the City for redevelopment purposes; and

WHEREAS, pursuant to CRL Sections 33220 and 33437, the City is authorized to: (i) acquire land from the Agency; (ii) become obligated to use the acquired property for the purposes specified in the RDA Plan; and (iii) comply with the covenants, conditions and restrictions imposed by the Agency in conjunction with the transfer in order to prevent speculation and carry out the purposes of the CRL and the RDA Plan; and

WHEREAS, to facilitate the development and/or further development of the Properties for the purposes described in, and consistent with, the RDA Plan, the Agency desires to convey the Properties to City, and City desires to acquire the Properties from Agency, subject to the terms and conditions set forth in the DDA, which are designed to ensure that the development of the Properties is undertaken in accordance with the RDA Plan and the Implementation Plan; and

WHEREAS, the Agency has determined that development and/or further development of the Properties pursuant to the DDA will: (i) be consistent with the RDA Plan and the Implementation Plan for the Project Area; (ii) be of benefit to the Project Area; and (iii) further the goals of the RDA Plan by furthering appropriate residential, retail and/or commercial uses in the Project Area; and

WHEREAS, the consideration for the transfer of the Properties will be the City's promise to develop and/or further develop the Properties consistent with and subject to the covenants and conditions, as more particularly set forth in the DDA, and to restrict the proceeds of any sale or lease thereof for redevelopment purposes; and

WHEREAS, the City Council has determined that the land transfer which is the subject of the DDA has no potential for physical effects on the environment because it involves only the transfer of ownership of the Properties between the Agency and the City is exempt from environmental review;

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency Board of Directors that it hereby:

1. Adopts the finding of the City Council that the land transfer described herein is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3).
2. Finds that the transfer of the Properties in accordance with the DDA will assist in the elimination of blight in the Project Area and will further the goals of the RDA Plan, and will be consistent with the Implementation Plan adopted in connection therewith.
3. Approves the transfer of the Properties to the City pursuant to the terms and conditions of the DDA.
4. Authorizes the Executive Director, on behalf of the Agency, to execute the DDA and the Grant Deeds for conveyance of the Properties, substantially in the forms on file with the Agency Secretary.
5. Authorizes the Executive Director to execute such other instruments and to take such other actions as necessary to carry out the intent of this Resolution.

The foregoing Resolution was adopted by the Board of Directors of the Redevelopment Agency at a special meeting held on the 14th day of March, 2011 by the following vote:

AYES: Directors: (5) Babb, Jones, Plass, Wood and Mayor Chambers

NOES: Directors: (0) None

ABSENT: Directors: (0) None

ABSTAINING: Directors: (0) None

SO ORDERED:

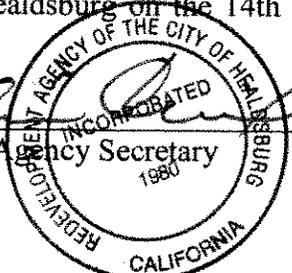
ATTEST:


Thomas L. Chambers, Chairperson


Maria Curiel, Agency Secretary

I, MARIA CURIEL, Agency Secretary of the Redevelopment Agency of the City of Healdsburg, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Redevelopment Agency of the City of Healdsburg on the 14th day of March, 2011.


Maria Curiel, Agency Secretary



CITY OF HEALDSBURG

RESOLUTION NO. 38-2011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEALDSBURG APPROVING THE TRANSFER OF CERTAIN DEVELOPED PROPERTIES, AUTHORIZING THE EXECUTION OF A DISPOSITION AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF HEALDSBURG AND APPROVING AND AUTHORIZING RELATED ACTIONS

WHEREAS, the Redevelopment Agency of the City of Healdsburg ("Agency") is a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.* ("CRL"); and

WHEREAS, the City Council ("City Council") of the City of Healdsburg ("City") has adopted and amended the Sotoyome Community Development Plan ("Redevelopment Plan") for the Sotoyome Community Development Project Area ("Project Area"); and

WHEREAS, to further the goals of the Agency to eliminate blight in the Project Area in accordance with the Sotoyome Community Development Plan ("Redevelopment Plan") and the Agency's current Five-Year Implementation Plan ("Implementation Plan"), the City and Agency have been working cooperatively regarding the development of certain properties in the Project Area; and

WHEREAS, the City and Agency have determined that it would be mutually beneficial to enter into a Disposition Agreement ("Agreement") a copy of which is on file with the City Clerk and Agency Secretary, pursuant to which the Agency would agree to transfer certain developed properties, as more specifically identified herein, (all of which are hereinafter referred to as "the Properties") to the City in exchange for promises and commitments by the City to use, and continue to use, the Properties for the purposes identified in the RDA Plan and the Implementation Plan in furtherance of the redevelopment of the Project Area; and

WHEREAS, the Properties that are the subject of the Agreement are improved real properties located in the Project Area and one improved real property which is not located in the Project Area, are identified, commonly known and referred to as follows:

<u>Sonoma County APN</u>	<u>Street Address</u>
002-182-034	331 Healdsburg Ave.
002-182-035	375 Healdsburg Ave.
002-502-044	1381 University Ave.
088-230-082	401 Grove Street
002-182-033	17 Matheson

WHEREAS, the Agency seeks to ensure the continued use of the Properties for the purposes described in, and consistent with, the Redevelopment Plan; and

WHEREAS, pursuant to CRL Section 33205, the Agency is authorized to delegate to the City any of the powers or functions of the Agency with respect to the undertaking of a redevelopment project, and the City is authorized to carry out and perform such powers and functions; and

WHEREAS, CRL Section 33430 permits the Agency to transfer or otherwise pledge property to the City for redevelopment purposes; and

WHEREAS, pursuant to CRL Sections 33220 and 33437, the City is authorized to: (i) acquire land from the Agency; (ii) become obligated to use the acquired property for the purposes specified in the Redevelopment Plan; and (iii) comply with the covenants, conditions and restrictions imposed by the Agency in conjunction with the transfer in order to prevent speculation and carry out the purposes of the CRL and the Redevelopment Plan; and

WHEREAS, to facilitate the continued use of the Properties for the purposes described in, and consistent with, the Redevelopment Plan, the Agency desires to convey the Properties to City, and City desires to acquire the Properties from Agency, subject to the terms and conditions set forth in the Agreement, which are designed to ensure that the continued uses of the Properties are used and maintained in accordance with the Redevelopment Plan; and

WHEREAS, the Agency has determined that continued uses of the Properties pursuant to the Agreement will: (i) be consistent with the Redevelopment Plan and the Implementation Plan for the Project Area; (ii) be of benefit to the Project Area; and (iii) further the goals of the Redevelopment Plan by furthering appropriate residential, retail and/or commercial uses in the Project Area; and

WHEREAS, the consideration for the transfer of the Properties will be the City's promise to use the Properties consistent with and subject to the covenants and conditions, as more particularly set forth in the Agreement, and to restrict the proceeds of any sale or lease thereof for redevelopment purposes; and

WHEREAS, the land transfer which is the subject of the Agreement has no potential for physical effects on the environment because it involves only the transfer of ownership of the Properties between the Agency and the City, and any future use of the Properties will be fully evaluated at a project level in full compliance with the California Environmental Quality Act ("CEQA") and the National Environmental Protection Act, as applicable, when sufficient physical details regarding site and proposed design and construction of any future project are available to permit meaningful CEQA review (see California Code of Regulations, Title 14 ("CEQA Guidelines"), Section 15004(b)(1)). Therefore, approval of the Agreement is exempt from review pursuant to CEQA Guidelines Section 15061(b)(3);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Healdsburg that it hereby:

1. Finds that the land transfer described herein is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the land transfer may have a significant impact on the environment. The City has discretionary authority whether any project affecting or making use of the Properties will go forward and will not exercise its discretion regarding any future project until such time as all appropriate CEQA review has been completed.
2. Finds that the transfer of the Properties in accordance with the Agreement will assist in the elimination of blight in the Project Area and will further the goals of the Redevelopment Plan, and will be consistent with the Implementation Plan adopted in connection therewith.
3. Approves the Agency's transfer of the Properties to the City and the City's acquisition of the Properties from the Agency pursuant to the terms and conditions of the Agreement.
4. Authorizes the Mayor, on behalf of the City, to execute the Agreement, the Grant Deeds for conveyance of the Properties and the certificates of acceptance of said Grant Deeds, substantially in the forms on file with the City Clerk.
5. Authorizes the City Manager to execute such other instruments and to take such other actions as necessary to carry out the intent of this Resolution.
6. Acting as lead agency, as determined in accordance with CEQA Guidelines section 15051, authorizes the City Clerk to file a Notice of Exemption, pursuant to CEQA Guidelines section 15062.

The foregoing Resolution was adopted by the City Council of the City of Healdsburg at a special meeting held on the 14th day of March, 2011 by the following vote:

AYES: Councilmembers: (5) Babb, Jones, Plass, Wood and Mayor Chambers

NOES: Councilmembers: (0) None

ABSENT: Councilmembers: (0) None

ABSTAINING: Councilmembers: (0) None

SO ORDERED:

ATTEST:

Thomas L. Chambers, Mayor

Maria Curiel, City Clerk

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Healdsburg that it hereby:

1. Finds that the land transfer described herein is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the land transfer may have a significant impact on the environment. The City has discretionary authority whether any project affecting or making use of the Properties will go forward and will not exercise its discretion regarding any future project until such time as all appropriate CEQA review has been completed.
2. Finds that the transfer of the Properties in accordance with the Agreement will assist in the elimination of blight in the Project Area and will further the goals of the Redevelopment Plan, and will be consistent with the Implementation Plan adopted in connection therewith.
3. Approves the Agency's transfer of the Properties to the City and the City's acquisition of the Properties from the Agency pursuant to the terms and conditions of the Agreement.
4. Authorizes the Mayor, on behalf of the City, to execute the Agreement, the Grant Deeds for conveyance of the Properties and the certificates of acceptance of said Grant Deeds, substantially in the forms on file with the City Clerk.
5. Authorizes the City Manager to execute such other instruments and to take such other actions as necessary to carry out the intent of this Resolution.
6. Acting as lead agency, as determined in accordance with CEQA Guidelines section 15051, authorizes the City Clerk to file a Notice of Exemption, pursuant to CEQA Guidelines section 15062.

The foregoing Resolution was adopted by the City Council of the City of Healdsburg at a special meeting held on the 14th day of March, 2011 by the following vote:

AYES: Councilmembers: (5) Babb, Jones, Plass, Wood and Mayor Chambers

NOES: Councilmembers: (0) None

ABSENT: Councilmembers: (0) None

ABSTAINING: Councilmembers: (0) None

SO ORDERED:

ATTEST:


Thomas L. Chambers, Mayor


Maria Curiel, City Clerk

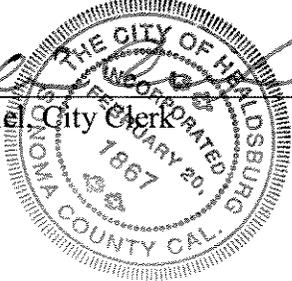
Resolution No. 38-2011

Page 4

I, MARIA CURIEL, City Clerk of the City of Healdsburg, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the City Council of the City of Healdsburg on the 14th day of March, 2011.



Maria Curiel, City Clerk



CITY OF HEALDSBURG

RESOLUTION NO. 39-2011

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEALDSBURG APPROVING THE TRANSFER OF CERTAIN UNDEVELOPED OR UNDER-DEVELOPED PROPERTIES, AUTHORIZING THE EXECUTION OF A DISPOSITION AND DEVELOPMENT AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF HEALDSBURG AND APPROVING AND AUTHORIZING RELATED ACTIONS

WHEREAS, the Redevelopment Agency of the City of Healdsburg (“Agency”) is a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.* (“CRL”); and

WHEREAS, the City Council (“City Council”) of the City of Healdsburg (“City”) has adopted and amended the Sotoyome Community Development Plan (“RDA Plan”) for the Sotoyome Community Development Project Area (“Project Area”); and

WHEREAS, to further the goals of the Agency to eliminate blight in the Project Area in accordance with the RDA Plan and the Agency’s current Five-Year Implementation Plan (“Implementation Plan”), City and Agency have been working cooperatively regarding the development of certain properties in the Project Area; and

WHEREAS, City and Agency have determined that it would be mutually beneficial to enter into a Disposition and Development Agreement (“DDA”) a copy of which is on file with the City Clerk and Agency Secretary, pursuant to which Agency would agree to transfer certain Agency-owned properties, as more specifically identified herein, (all of which are hereinafter referred to as “the Properties”) to City in exchange for promises and commitments by City to develop or further develop the Properties for the purposes identified in the RDA Plan and Implementation Plan in furtherance of the redevelopment of the Project Area; and

WHEREAS, the Properties that are the subject of the DDA are commonly known as:

<u>Sonoma County APN</u>	<u>Street Address</u>
002-171-041	434 Healdsburg Ave.
002-171-002	9 North Street
002-171-003	15 North Street
002-171-021	3 North Street
002-242-038	228 Healdsburg Ave.
002-242-049	225 Center Street
089-071-002	155 Dry Creek Road
089-081-020	1201 Grove Street

WHEREAS, the Agency seeks to ensure the continued use of the Properties for the purposes described in, and consistent with, the RDA Plan; and

WHEREAS, pursuant to CRL Section 33205, the Agency is authorized to delegate to the City any of the powers or functions of the Agency with respect to the undertaking of a redevelopment project, and the City is authorized to carry out and perform such powers and functions; and

WHEREAS, CRL Section 33430 permits the Agency to transfer or otherwise pledge property to the City for redevelopment purposes; and

WHEREAS, pursuant to CRL Sections 33220 and 33437, the City is authorized to: (i) acquire land from the Agency; (ii) become obligated to use the acquired property for the purposes specified in the RDA Plan; and (iii) comply with the covenants, conditions and restrictions imposed by the Agency in conjunction with the transfer in order to prevent speculation and carry out the purposes of the CRL and the RDA Plan; and

WHEREAS, to facilitate the development and/or further development of the Properties for the purposes described in, and consistent with, the RDA Plan, the Agency desires to convey the Properties to City, and City desires to acquire the Properties from Agency, subject to the terms and conditions set forth in the DDA, which are designed to ensure that the development of the Properties is undertaken in accordance with the RDA Plan and the Implementation Plan; and

WHEREAS, the Agency has determined that development and/or further development of the Properties pursuant to the DDA will: (i) be consistent with the RDA Plan and the Implementation Plan for the Project Area; (ii) be of benefit to the Project Area; and (iii) further the goals of the RDA Plan by furthering appropriate residential, retail and/or commercial uses in the Project Area; and

WHEREAS, the consideration for the transfer of the Properties will be the City's promise to develop and/or further develop the Properties consistent with and subject to the covenants and conditions, as more particularly set forth in the DDA, and to restrict the proceeds of any sale or lease thereof for redevelopment purposes; and

WHEREAS, the land transfer which is the subject of the DDA has no potential for physical effects on the environment because it involves only the transfer of ownership of the Properties between the Agency and the City, and any future development of the Properties will be fully evaluated at a project level in full compliance with the California Environmental Quality Act ("CEQA") and the National Environmental Protection Act, as applicable, when sufficient physical details regarding site and proposed design and construction of any future project are available to permit meaningful CEQA review (see California Code of Regulations, Title 14 ("CEQA Guidelines"), Section 15004(b)(1)). Therefore, approval of the DDA is exempt from review pursuant to CEQA Guidelines Section 15061(b)(3);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Healdsburg that it hereby:

1. Finds that the land transfer described herein is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the land transfer may have a significant impact on the environment. The City has discretionary authority whether any project affecting or making use of the Properties will go forward and will not exercise its discretion regarding any future project until such time as all appropriate CEQA review has been completed.
2. Finds that the transfer of the Properties in accordance with the DDA will assist in the elimination of blight in the Project Area and will further the goals of the RDA Plan, and will be consistent with the Implementation Plan adopted in connection therewith.
3. Approves the Agency's transfer of the Properties to the City and the City's acquisition of the Properties from the Agency pursuant to the terms and conditions of the DDA.
4. Authorizes the Mayor, on behalf of the City, to execute the DDA, the Grant Deeds for conveyance of the Properties and the certificates of acceptance of said Grant Deeds, substantially in the forms on file with the City Clerk.
5. Authorizes the City Manager to execute such other instruments and to take such other actions as necessary to carry out the intent of this Resolution.
6. Acting as lead agency, as determined in accordance with CEQA Guidelines section 15051, authorizes the City Clerk to file a Notice of Exemption, pursuant to CEQA Guidelines section 15062.

The foregoing Resolution was adopted by the City Council of the City of Healdsburg at a special meeting held on the 14th day of March, 2011 by the following vote:

AYES: Councilmembers: (5) Babb, Jones, Plass, Wood and Mayor Chambers

NOES: Councilmembers: (0) None

ABSENT: Councilmembers: (0) None

ABSTAINING: Councilmembers: (0) None

SO ORDERED:

ATTEST:


Thomas L. Chambers, Mayor


Maria Curiel, City Clerk

Resolution No. 39-2011

Page 4

I, MARIA CURIEL, City Clerk of the City of Healdsburg, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the City Council of the City of Healdsburg on the 14th day of March, 2011.



Maria Curiel, City Clerk

