



staff report

TO: Honorable Mayor and Members of the City Council

ATTENTION: Jeffrey L. Stewart, City Manager

FROM: Jim DellaLonga, Director of Economic Development

SUBJECT: Consideration and possible action to adopt Joint Resolution Nos. 16-XX and SA-16-XX – A Joint Resolution authorizing the City Manager to execute a grant deed transferring the property located at 9847 Belmont Street, APN 7109-011-909, from the Successor Agency to the Dissolved Bellflower Redevelopment Agency to the City of Bellflower.

DATE: March 28, 2016

EXECUTIVE SUMMARY

This action would approve of the transfer of real property located at 9847 Belmont Street, APN 7109-011-909, from the Successor Agency to the City for \$0. If approved by the Successor Agency and accepted by the City, this item will be presented to the Oversight Board for its approval. If the Oversight Board approves of the transfer, the grant deed and certificate of acceptance will be executed and subsequently recorded at the County of Los Angeles Recorder's Office, effectuating the transfer of the property.

RECOMMENDATION TO CITY COUNCIL AND SUCCESSOR AGENCY

- 1) Adopt Joint Resolution Nos. 16-XX and SA-16-XX authorizing the City Manager to execute a grant deed transferring the Property located at 9847 Belmont Street, APN 7109-011-909, from the Successor Agency to the Dissolved Bellflower Redevelopment Agency to the City of Bellflower; or
- 2) Alternatively, discuss and take other action related to this item.

FISCAL IMPACT

The estimated current value of the property is \$0. Accordingly, there is no fiscal impact.

CEQA STATUS

Adopting this Resolution is exempt from further environmental review pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Specifically, the proposed conveyance is exempt from CEQA requirements pursuant to CEQA Guidelines § 15312. The Successor Agency proposes to transfer the Property; the Property is not located in an area of concern; the Property does not have significant value for wildlife habitat or other

CEQA STATUS - Continued

environmental purpose; and the use of the Property and adjacent property has not changed since the time the Successor Agency acquired the Property. Accordingly, this action conforms to a Class 12 categorical exemption under CEQA. Moreover, it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment (CEQA Guidelines §15061(b)(3)). This action pertains to approval of a grant deed that pertains to an existing developed property, and there is no possibility that approving that grant deed or the transfer of the property will have a significant impact on the environment.

DISCUSSION

The recently enacted legislation SB 107 allows successor agencies whose Long Range Property Management Plans were approved before January 1, 2016, to amend the LRPMP once, solely to allow for retention of real properties that constitute parking facilities and lots dedicated solely to public parking (H&S Code §34191.3). Because the Successor Agency’s Revised LRPMP qualified under the new law, the Successor Agency prepared Amendment No. 1 to the Revised LRPMP. Amendment No. 1 proposed the transfer of real property located at 9847 Belmont Street for purposes of public parking. Subsequently, Amendment No. 1 to the Revised LRPMP was approved by the Successor Agency on December 14, 2015 (Reso. No. SA-15-05), by the Oversight Board on January 19, 2016 (Reso. No. OB-16-01), and by the Department of Finance (“DOF”) on February 16, 2016. Accordingly, the property may be transferred by the Successor Agency in accordance with the Revised LRPMP and applicable law.

9847 Belmont Street is a 7,260-square foot parcel developed with a public parking lot. The property is adjacent to the Public Plaza, developed as part of the Town Center Specific Plan, and provides parking for public events at the Plaza and for commercial uses in the area. There is no charge by the Successor Agency for parking at the site, so that the property does not generate any excess revenues. The City desires to retain the property for public parking purposes only.

If approved by the Successor Agency and accepted by the City, staff will present this transfer to the Oversight Board for approval. If approved by the Oversight Board, the grant deed and certificate of acceptance will be executed and subsequently recorded at the County of Los Angeles recorder’s office, effectuating the transfer of the property. Because this is an action to implement the disposition of property pursuant to the approved Revised LRPMP and Amendment No. 1, DOF review is not required (H&S Code §34191.5(f)).

ATTACHMENTS

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**CITY OF BELLFLOWER
AND
SUCCESSOR AGENCY TO THE DISSOLVED
BELLFLOWER REDEVELOPMENT AGENCY**

**CITY RESOLUTION NO. 16-XX
SUCCESSOR AGENCY RESOLUTION NO. SA-16-XX**

A JOINT RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT DEED TRANSFERRING THE PROPERTY LOCATED AT 9847 BELMONT STREET, APN 7109-011-909, FROM THE SUCCESSOR AGENCY TO THE DISSOLVED BELLFLOWER REDEVELOPMENT AGENCY TO THE CITY OF BELLFLOWER

THE CITY COUNCIL OF THE CITY OF BELLFLOWER, ACTING ON BEHALF OF BOTH THE CITY OF BELLFLOWER AND THE SUCCESSOR AGENCY TO THE DISSOLVED BELLFLOWER REDEVELOPMENT AGENCY, DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds and declares that:

- A. On or about February 1, 2012, the City of Bellflower opted to act on behalf of the Successor Agency to the former Bellflower Redevelopment Agency (the "Successor Agency");
- B. The Successor Agency is responsible for winding down the affairs of the former Bellflower Redevelopment Agency including, without limitation, disposition of real property. Such real property includes property located at 9847 Belmont Street, a 7,260 square foot parcel used as a public parking lot (APN 7109-011-909) ("Property");
- C. On September 22, 2015, the Governor signed Senate Bill 107 ("SB 107") into law adding Health and Safety Code § 34191.3(b), which allows successor agencies whose Long Range Property Management Plans ("LRPMP") were approved prior to January 1, 2016, to amend their LRPMP once to allow for retention of real properties that constitute parking facilities and lots dedicated solely to public parking;
- D. The Successor Agency does not charge for parking at the 9847 Belmont Street public parking lot and does not receive any lease or rental income for the use of the property, so that the property does not generate revenues in excess of the Successor Agency's reasonable cost to maintain the property;
- E. Pursuant to SB 107, the Successor Agency prepared Amendment No. 1 to the Revised LRPMP to update the recommended disposition of the property located at 9847 Belmont Street from "Sell" to "Transfer to City and Retain" and the estimated current value "\$108,900" to "\$0";

- F. Amendment No. 1 to the Revised LRPMP was approved by the Successor Agency on December 14, 2015 (Reso. No. SA-15-05), approved by the Oversight Board on January 19, 2016 (Reso. No. OB-16-01), and approved by the Department of Finance on February 16, 2016;
- G. Pursuant to Amendment No. 1 to the Revised LRPMP the Successor Agency desires to transfer, and the City desires to accept, the Property, so that the City can retain the property for public parking uses.

SECTION 2. *Environmental Assessment.* Adopting this Resolution is exempt from further environmental review pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Specifically, the proposed conveyance is exempt from CEQA requirements pursuant to CEQA Guidelines § 15312. The Successor Agency proposes to transfer the Property; the Property is not located in an area of concern; the Property does not have significant value for wildlife habitat or other environmental purpose; and the use of the Property and adjacent property has not changed since the time the Successor Agency acquired the Property. Accordingly, this action conforms to a Class 12 categorical exemption under CEQA. Moreover, it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment (CEQA Guidelines §15061(b)(3)). This action pertains to approval of a grant deed that pertains to an existing developed property, and there is no possibility that approving that grant deed or the transfer of the property will have a significant impact on the environment.

SECTION 3. *Authorizations.* The City Council, acting on behalf of both the City of Bellflower and the Successor Agency, authorizes the transfer of the Property from the Successor Agency to the City. In order to effectuate that conveyance, the City Manager is authorized to execute all documents, in a form approved by the Interim City Attorney, needed to implement the conveyance of the Property as contemplated by this Resolution including, without limitation, the grant deed and the certificate of acceptance. The City Manager is further authorized to submit this proposed transfer of the Property to the Oversight Board for its approval and to cause the grant deed to be recorded in the Office of the County Recorder of the County of Los Angeles after it has been approved by the Oversight Board.

SECTION 4. This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

SECTION 5. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Bellflower, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
BELLFLOWER THIS 28th DAY OF MARCH 2016.**

, Mayor

ATTEST:

Mayra Ochiqui, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, Interim City Attorney

Attachment:

Grant Deed – 9847 Belmont Street



AMENDED

February 16, 2016

Mr. Tae Rhee, Finance Director/City Treasurer
City of Bellflower
16600 Civic Center Drive
Bellflower, CA 90706

Dear Mr. Rhee:

Subject: Long-Range Property Management Plan

Pursuant to Health and Safety Code (HSC) section 34191.5 (b), the City of Bellflower Successor Agency (Agency) submitted a Long-Range Property Management Plan (LRPMP) to the California Department of Finance (Finance) on April 15, 2013. The Agency subsequently submitted a revised LRPMP to Finance on December 18, 2013.

The Agency received a Finding of Completion on March 8, 2013. Finance approved the Agency's use or disposition of all the properties listed on the revised LRPMP on November 25, 2014.

With the passage of Senate Bill 107, agencies with an approved LRPMP are allowed one amendment to their LRPMP, solely to allow for the retention of real properties that constitute "parking facilities and lots dedicated solely to public parking" as governmental use, pursuant to HSC section 34181. The Agency submitted an amended LRPMP to Finance on January 19, 2016. Finance has completed its review of the amended LRPMP, which may have included obtaining clarification for various items.

Based on our review and application of the law, Finance is approving the change in the Agency's disposition for the property located at 9847 Belmont Street with Assessor's Parcel Number 7109-011-909. It is our understanding the Agency originally intended to sell this property and now desires to transfer the parking lot to the City of Bellflower for continued governmental use as a public parking lot. All other properties identified in the LRPMP shall be disposed of in a manner consistent with the LRPMP approved on November 25, 2014.

In accordance with HSC section 34191.4 (a), upon receiving a Finding of Completion from Finance and approval of a LRPMP, all real property and interests in real property shall be transferred to the Community Redevelopment Property Trust Fund of the Agency, unless that property is subject to the requirements of an existing enforceable obligation. Pursuant to HSC section 34191.3 (a) the approved LRPMP shall govern, and supersede all other provisions relating to, the disposition and use of all the real property assets of the former redevelopment agency.

Mr. Tae Rhee
February 16, 2016
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Please direct inquiries to Kylie Oltmann, Supervisor, or Zuber Tejani, Lead Analyst at (916) 445-1546.

Sincerely,



JUSTYN HOWARD
Program Budget Manager

cc: Ms. Pearl Tsui, Finance Manager, City of Bellflower
Ms. Kristina Burns, Manager, Los Angeles County Department of Auditor-Controller

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CITY OF BELLFLOWER
16600 Civic Center Drive
Bellflower, CA 90706
Attn: City Clerk

FREE RECORDING REQUESTED PURSUANT TO GOV. CODE §§ 6103 AND 27383
SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

For valuable consideration, the receipt of which is hereby acknowledged,

THE SUCCESSOR AGENCY TO THE DISSOLVED BELLFLOWER REDEVELOPMENT AGENCY, a public body, herein called "Grantor," hereby grants to the CITY OF BELLFLOWER, a municipal corporation ("Grantee"), all of its rights, title, and interest in the real property, including any improvements or structures thereon, described as 9847 Belmont Street, Bellflower, California 90706 (APN 7109-011-909), and legally described in Exhibit "A" attached hereto and by this reference incorporated herein.

Dated: March 28, 2016

"GRANTOR"
THE SUCCESSOR AGENCY TO THE
DISSOLVED BELLFLOWER
REDEVELOPMENT AGENCY

By: _____
Jeffrey L. Stewart, City Manager acting on
behalf of the Successor Agency

Attachment: Exhibit "A" (Legal Description)

CERTIFICATE OF ACCEPTANCE
(Government Code §27281)

THIS IS TO CERTIFY the CITY OF BELLFLOWER, a municipal corporation, Grantee herein, acting through its City Council by authority granted by action taken by the City Council pursuant to Resolution No. [redacted] adopted on [redacted], 2016, accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof by its duly authorized officer.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the City’s official seal, this 28th day of March, 2016.

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

CITY OF BELLFLOWER,
A Municipal Corporation

By: _____
Karl H. Berger,
Interim City Attorney

By: _____
Jeffrey L. Stewart,
City Manager

ATTEST:

By: _____
Mayra Ochiqui,
City Clerk

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____, 201__ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature _____

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

All that certain real property situated in the City of Bellflower, County of Los Angeles, State of California, described as follows:

The South 122 feet of the East 60 feet of the West 106 feet of Lot 11 in Block 24 of Tract No. 3557, in the City of Bellflower, County of Los Angeles, State of California, as per map recorded in Book 38, Page 69, of Maps, in the Office of the County Recorder of said County.

APN: 7109-011-909

Street Address: 9847 Belmont Street