

## **RESOLUTION NO. 2014-180**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK APPROVING THE ACCEPTANCE BY THE CITY OF FORMER HOUSING PROPERTIES OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF ROHNERT PARK AND AUTHORIZING EXECUTION OF DOCUMENTS NECESSARY TO ENSURE CITY HOLDS MARKETABLE TITLE**

**WHEREAS**, in March 2011, the Community Development Commission of the City of Rohnert Park ("CDC") transferred to the City of Rohnert Park ("City") the real properties listed on Attachment A, attached hereto and incorporated herein by this reference ("Properties"); and

**WHEREAS**, the California state legislature thereafter enacted Assembly Bills x1 26 and 1484 (together, the "Dissolution Act") to dissolve and unwind the affairs of redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.); and

**WHEREAS**, the Dissolution Act, at Health and Safety Code Section 34167.5, retroactively invalidated transfers of assets by a redevelopment agency after January 1, 2011; and

**WHEREAS**, although the transfer of the Properties from the CDC to the City in 2011 is consequently invalidated and without legal effect, the recorded instruments used to effectuate such invalidated transfers have created a cloud on the Properties' title; and

**WHEREAS**, the Dissolution Act provides that the city, county, or city and county that authorized the creation of the redevelopment agency shall be the "successor agency" to the dissolved redevelopment agency unless the city, county, or city and county elects not to serve as the successor agency under Health and Safety Code Section 34173(d)(1); and

**WHEREAS**, the Dissolution Act, at Health and Safety Code Section 34176, also provides that the city, county, or city and county that authorized the creation of the redevelopment agency may also elect to retain the housing assets and functions previously performed by the former redevelopment agency; and

**WHEREAS**, by adoption of Resolution No. 2012-10 on January 10, 2012, the City Council of the City of Rohnert Park (the "City Council") declared that, effective February 1, 2012: (1) the City, acting in a separate legal capacity and as a separate public entity pursuant to Health and Safety Code Section 34173(g), would act as successor agency (the "Successor Agency") for the CDC; and (2) the City would retain the housing assets and responsibility for performing housing functions previously performed by the CDC; and

**WHEREAS**, pursuant to Health and Safety Code Section 34176(a), all rights, powers, duties, obligations, and housing assets (as defined in Section 34176(e)) have been or shall be transferred to the City; and

**WHEREAS**, the Properties are all former housing assets of the CDC; and

**WHEREAS**, the City Council desires to authorize the execution of such documents as may be necessary to ensure that the City as successor to the housing assets and properties of the CDC holds marketable title to the Properties; and

**WHEREAS**, on December 1, 2014 the Oversight Board to the Successor Agency adopted Resolution No. 2014-10 directing the transfer of all former CDC housing assets to the City; and

**WHEREAS**, on December 9, 2014 the City Council as Governing Board of the Successor Agency adopted Resolution No. 2014-170 consenting to the transfer of all former CDC housing assets to the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROHNERT PARK DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The City Council hereby finds and determines that the foregoing recitals are true and correct, and together with the accompanying staff report and information provided by City staff and the public, form the basis for the approvals, authorizations, findings, and determinations set forth in this Resolution.

Section 2. The City Council does hereby approve acceptance of the Properties by City and authorize the Mayor and City Manager, as applicable, to execute such documents, including but not limited to quitclaim deeds and certificates of acceptance, and take such actions as may be necessary or convenient to ensure that the City as successor to the assets and functions of the CDC holds marketable title to the Properties and otherwise to effect the purposes of this Resolution.

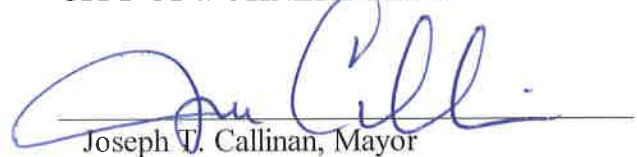
Section 3. The transfer of the Properties to the City is exempt from the requirements of the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) (as an action which it can be seen with certainty will not have a significant effect on the environment).

Section 4. This Resolution shall take effect immediately upon adoption.

**DULY AND REGULARLY ADOPTED** this 9<sup>th</sup> day of December, 2014.



**CITY OF ROHNERT PARK**

  
Joseph T. Callinan, Mayor

**ATTEST:**

  
JoAnne M. Buerger, City Clerk

Attachment: Former CDC Housing Assets

BELFORTE: AYE MACKENZIE: AYE STAFFORD: AYE AHANOTU: AYE CALLINAN: AYE  
AYES: ( 5 ) NOES: ( 0 ) ABSENT: ( 0 ) ABSTAIN: ( 0 )

**ATTACHMENT “A”**  
**-REVISED-**

Former CDC Housing Assets

<b>APN</b>	<b>Address</b>
143-380-COM	Land surrounding office condominium units; 100 Avram Avenue
143-380-022	Office Condominium Unit; 100 Avram Avenue #101
143-380-023	Office Condominium Unit; 100 Avram Avenue #102
143-380-024	Office Condominium Unit; 100 Avram Avenue #103
143-380-025	Office Condominium Unit; 100 Avram Avenue #104
143-380-026	Office Condominium Unit; 100 Avram Avenue #201
143-380-027	Office Condominium Unit; 100 Avram Avenue #202
143-380-028	Office Condominium Unit; 100 Avram Avenue #203
143-380-029	Office Condominium Unit; 100 Avram Avenue #204
143-061-052	120 Avram Avenue
143-380-015	6750 (Some documents reference as 6770) Commerce Boulevard
143-273-023	7668 Beverly Drive
143-271-049	746 Brett Avenue
143-252-005	309 Burton Avenue
143-203-001	7783 Burton Avenue
143-073-005	7982 Santa Barbara Drive
143-370-010	435 Southwest Boulevard