

RESOLUTION NO. 016

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY APPROVING THE TRANSFER OF ASSETS TO THE SUCCESSOR AGENCY TO COMPLY WITH THE STATE CONTROLLER'S OFFICE FINDINGS.

WHEREAS, the Community Redevelopment Agency of the City of Palm Springs ("Redevelopment Agency") was a redevelopment agency in the City of Palm Springs ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the Oversight Board, in accordance with the provisions of the California Health and Safety Code Section 37179 (a), was formed to carry out the purposes and exercise the powers granted to Oversight Boards in accordance with Assembly Bill 1X 26 (AB1X 26), Section 1.85 of Division 24 of the Health and Safety Code; and

WHEREAS, if the Successor Agency remitted the cash assets to the County Auditor Controller (CAC), and if the Successor Agency has also made certain other payments, the DOF will issue a finding of completion for the Successor Agency (a "Finding of Completion"); and

WHEREAS, on March 16, 2011, the Community Redevelopment Agency and the City of Palm Springs approved the transfer of all known real property assets then owned by the Agency to the City; and

WHEREAS, the Dissolution Act requires the preparation and submittal to the State Controller's Office of an Asset Transfer Assessment prepared by the Successor Agency, showing the assets that were owned by the Agency and transferred to the Successor Agency upon the dissolution on February 1, 2012; and

WHEREAS, the State Controller's Office, pursuant to Health and Safety Code section 34167.5, conducted a review of the Redevelopment Agency to determine whether any asset transfers occurred after January 1, 2011, between the city or any other public agency, and the redevelopment agency. The review applied to all assets, including, but not limited to, real and personal property, cash funds, accounts receivable, deeds of trust and mortgages, contract rights, and any rights to payment of any kind and included an assessment of whether each asset transfer was allowable and whether the asset should be turned over to the Successor Agency; the audit concluded on February 21, 2013; and

WHEREAS, AB 1484 suspends the land disposition process described in the Dissolution Act, and provides certain flexibility and local benefits in connection with property

disposition, including Section 34181(a), which allows the Oversight Board to transfer governmental purpose property to the appropriate public entity; and

WHEREAS, in accordance with the provisions of the California Health and Safety Code Section 37181, the Oversight Board may "direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction . . ." [California Health and Safety Code Section 34181]; and

WHEREAS, on May 5, 2013, the Oversight Board, in accordance with the direction provided by the State Controller's Office, adopted a Resolution ordering a number of Land Held for Resale properties back to the Successor Agency and making the findings that a number of properties were constructed and used for a governmental purpose, and approved the transfer of those to the City; and

WHEREAS, on June 14, 2013 and 26, 2013, the California Department of Finance responded to the Oversight Board action and disallowed a number of the transfers of properties, particularly those that the City held for governmental use "because they are not reserved for the sole use of governmental agencies or persons visiting those agencies;" and

WHEREAS, AB 1484 also allows transfer of real property for a Successor Agency that has received a Department of Finance ("DOF") Finding of Completion (Section 34191.3) and within six months after receipt of a Finding of Completion, has submitted a long-range property management plan for the real property of the Dissolved RDA for approval by the Oversight Board and the DOF (Section 34191.5(b)); such property management plan must include an inventory (with specified information) about each property, and address the use or disposition of each property (Section 34191.5(c)).

NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS AS FOLLOWS:

SECTION 1. The Oversight Board hereby finds and determines that the foregoing recitals are true and correct.

SECTION 2. The following properties were categorized in the Asset Transfer Report as Land Held for Resale shall be returned to the Successor Agency for disposition:

1. Prairie Schooner Parcel Parking Lot
2. Catholic Church Parking Lot
3. Blue Coyote Parking Lot
4. Vineyard Parking Lot
5. Food Court Parking Lot
6. Henry Frank Arcade Parking Lot
7. Convention Center North Parking Lot
8. Plaza Theater

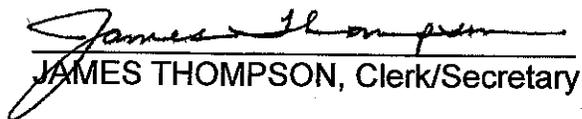
SECTION 3. The Oversight Board directs the Clerk of the Successor Agency to perform work in furtherance of the Oversight Board's duties and responsibilities under AB 1X 26 and AB 1484.

SECTION 4. This Resolution shall take effect three days after its adoption.



THOMAS FLAVIN, Chairman
CRA Oversight Board

ATTEST:



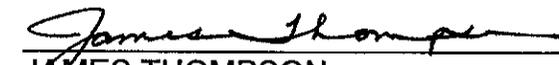
JAMES THOMPSON, Clerk/Secretary

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, James Thompson, Clerk/Secretary of the Oversight Board of the Successor Agency of the Palm Springs Community Redevelopment Agency hereby certify that Resolution No. 016 was adopted by the Oversight Board at a Special Meeting held on the 16th day of December, 2013, and that the same was adopted by the following vote:

AYES: Board Members Ready, Van Horn, Vice Chair Howell, and Chair Flavin.
NOES: Board Member Foat.
ABSENT: Board Members Arthur and Marshall.
ABSTAIN: None.



JAMES THOMPSON
Oversight Board Clerk/Secretary
City of Palm Springs, California