

ATTACHMENT NO. 1

RESOLUTION NO. SA 2022- 01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, SITTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, (I) DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE SUCCESSOR AGENCY AT 192 E. CENTER STREET AND 353 N. GIBBS STREET IN POMONA, CALIFORNIA (APN'S 8336-026-904 & 905) IS EXEMPT SURPLUS LAND, (II) APPROVING THE SALE OF SUCH PROPERTY TO THE CITY OF POMONA, FOR THE PURCHASE PRICE OF \$312,000; AND (III) FINDING THAT NO FURTHER CEQA ANALYSIS IS REQUIRED

WHEREAS, the former Pomona Redevelopment Agency ("Agency") was a community redevelopment agency organized and existing under the California Redevelopment Law;

WHEREAS, the Agency was dissolved effective February 1, 2012, by way of Assembly Bill 1x26 (as subsequently amended from time to time, the "Dissolution Act") and the California Supreme Court's decision in *California Redevelopment Association v. Matosantos* (2011) 53 Cal.4th 231;

WHEREAS, the Dissolution Act created a "successor agency" for each dissolved redevelopment agency, and charged such agencies with completing various tasks and obligations geared towards "winding down" the affairs of their respective redevelopment agency;

WHEREAS, the Dissolution Act created an "oversight board" for each successor agency, and charged such boards with overseeing, reviewing, and approving enumerated successor agency actions;

WHEREAS, upon dissolution of the Agency, all real property assets of the former Agency were transferred to the Successor Agency for management and disposition in accordance with the Dissolution Act;

WHEREAS, the Successor Agency was required to prepare a Long Range Property Management Plan ("LRPMP") to address the disposition and use of all real property assets of the former Agency, and to submit an Oversight Board-approved LRPMP to the Department of Finance (Health & Safety Code § 34191.4.);

WHEREAS, the Pomona Oversight Board ("Oversight Board") has heretofore approved the Successor Agency's LRPMP and the Department of Finance subsequently approved the Successor Agency's LRPMP on October 7, 2014;

WHEREAS, the Successor Agency owns that certain real property commonly known as 192 E. Center Street and 353 N. Gibbs Street, in the City of Pomona, California, and specifically identified as Los Angeles County Assessor's Parcel No'. (8336-026-904 & 905) (the "Property"), and such Property is identified for sale in the LRPMP as Site Number 13;

WHEREAS, the Surplus Land Act, Government Code sections 54220 *et seq.* (as amended, the “Act”), applies when a local agency disposes of “surplus land,” as that term is defined in Government Code section 54221;

WHEREAS, the Act exempts certain surplus land from its requirements, including “[s]urplus land that a local agency is transferring to another local ... agency for the [transferee] agency’s use, or to a federally recognized California Indian tribe.” (Government Code section 54221(f)(1)(D)) (the “SLA Exemption”);

WHEREAS, the City of Pomona (the “City”) desires to purchase the Property in order to use the Property for City uses, including a water demonstration project and a community garden, which makes the Property exempt surplus land under the SLA Exemption;

WHEREAS, the Successor Agency obtained a valuation report for the Property from Lidgard & Associates in 2018, which concluded the fair market value to be \$312,000, and the Successor Agency believes the Property is still accurately valued at \$312,000;

WHEREAS, the Successor Agency desires to sell to City, and City desires to purchase from the Successor Agency, the Property.

NOW, THEREFORE, the City Council of the City of Pomona, California, sitting as the Successor Agency to the former Redevelopment Agency of the City of Pomona does hereby find, order, and resolve as follows:

SECTION 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. The Successor Agency hereby declares that the Property is exempt surplus land and is exempt from the Act pursuant to the SLA Exemption. The basis for this declaration is the finding that (i) the City is a local agency, (ii) the City desires to purchase the Property for the City’s use, including a water demonstration project and a community garden, and (iii) the Successor Agency will transfer the land to the City for the City’s use. Therefore the Property meets the SLA Exemption.

SECTION 3. The Successor Agency hereby approves the sale of the Property to City for a purchase price of \$312,000, and hereby authorizes the Executive Director or their designee to sign any documents and take any actions necessary to consummate the sale, including to execute the form of grant deed attached hereto as Exhibit A and incorporated herein by reference upon City’s transfer to the Successor Agency of the purchase price of \$312,000.

SECTION 4. The Successor Agency has determined that it can be seen with certainty that there is no possibility that approval of the actions authorized under this Resolution will have a significant adverse effect on the environment. Thus, the adoption of this Resolution is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 5. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

SECTION 6. This Resolution shall become effective immediately upon its adoption.

SECTION 7. The Successor Agency Secretary shall attest and certify to the passage and adoption of this Resolution and is authorized to assist the Executive Director in executing such other documents and certificates necessary to complete the transaction contemplated in this Resolution.

PASSED, APPROVED, AND ADOPTED this 1st day of August, 2022.

ATTEST:

**POMONA CITY COUNCIL SITTING AS
SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE
CITY OF POMONA, CALIFORNIA,
PURSUANT TO HEALTH AND
SAFETY CODE SECTION 34173:**

ROSALIA A. BUTLER, MMC
City Clerk

Tim Sandoval
Chair/Mayor

APPROVED AS TO FORM:

BEST BEST & KRIEGER, LLP,
SUCCESSOR AGENCY COUNSEL

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF POMONA)

I, Rosalia A. Butler, MMC, CLERK of the CITY OF POMONA CITY COUNCIL sitting as the SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF POMONA, California, pursuant to California Health and Safety Code Section 34173 do HEREBY CERTIFY that the foregoing resolution was duly adopted at a regular meeting thereof held on August 1, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Pomona, California, this 1st day of August 2022.

Rosalia A. Butler, MMC, Clerk

EXHIBIT “A”
TO
RESOLUTION NO. SA 2022-01

GRANT DEED
[attached]

