



April 12, 2018

State of California
Department of Finance
915 L Street
Sacramento, CA 95814-3706

Subject: Long Range Property Management Plan Sale and Transfer of Properties

Gentlemen:

The City of Montclair Successor Agency has completed the requirements of its approved Long Range Property Management Plan (LRPMP). Copies of the final Oversight Board Resolutions are being submitted for Finance's approval, should you decide to do so.

The property located at 5326 San Bernardino Street was listed on the LRPMP to be sold to the City of Montclair. To accomplish that, the Oversight Board, on April 11, 2018, approved Resolution 18-04 accomplishing that sale (copy attached). As specified in the LRPMP, once accepted by the City of Montclair, the property will transfer and the proceeds, net of escrow costs, will be paid to the County of San Bernardino for distribution to the taxing entities.

Additionally, all parcels of land indicated in the LRPMP that were for governmental use were approved, by the Oversight Board, on April 11, 2018, approved Resolution No. 18-05 (copy attached), to be transferred to the City of Montclair for that use. Upon acceptance by the City of Montclair, appropriate legal documents will be executed to accomplish those transfers.

Once these processes are completed, the City of Montclair's Successor Agency will hold no properties and will have completed the processes specified in its approved LRPMP.

Very truly yours,

DONALD L. PARKER, CPA
FINANCE DIRECTOR

RESOLUTION NO. 18-04

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY APPROVING THE TRANSFER OF CERTAIN PROPERTY TO CITY OF MONTCLAIR, RECOMMENDING APPROVAL OF AGREEMENT NO. 18-13, A PURCHASE AND SALE AGREEMENT BETWEEN THE SUCCESSOR AGENCY AND THE CITY AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

WHEREAS, the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency ("Oversight Board") by its Resolution No. 13-13 previously approved a draft long range property management plan (the "2013 Draft") as submitted by the Successor Agency to the Montclair Redevelopment Agency (the "Successor Agency"); and

WHEREAS, the Successor Agency received comments from the California Department of Finance ("DOF") indicating that certain revisions were required to the 2013 Draft, following the receipt of which the Successor Agency has prepared and submitted to the Oversight Board for its consideration a revised draft long range property management plan pursuant to Resolution No. 14-06 on August 13, 2014; and

WHEREAS, DOF requested an additional change to the LRPMP requiring an amendment to Oversight Board Resolution No. 14-06 which was made and approved by the Oversight Board pursuant to Resolution No. 15-06 on February 11, 2015; and

WHEREAS, DOF approved the LRPMP on February 12, 2015 (as so amended, the "LRPMP"); and

WHEREAS, one of the properties described in the LRPMP is an irregularly shaped area, including obsolescent improvements (house and garage) on land upon which residential use is no longer permitted. The LRPMP indicates that 5326 San Bernardino Street (the "Property") is to be sold for Ten Thousand Dollars (\$10,000.00). As an approved long range property management plan, the LRPMP is the controlling document concerning the disposition of properties under the jurisdiction of the Successor Agency, including the Property; and

WHEREAS, the former Montclair Redevelopment Agency ("Former Agency") engaged in efforts to market the Property for sale, as described in the accompanying staff report. Given the irregular shape, zoning constraints, and lack of market support for purchase of the Property in the absence of an ability to control and combine ownership with adjacent land (which potential land combination was raised as a possibility in 2007 but subsequently abandoned by the owner of the adjacent land), the prognosis for an upward change in value and interest as the Property is very limited; and

WHEREAS, the City had previously communicated through City staff to the Oversight Board that the City was prepared to acquire the Property for the sum of Ten Thousand Dollars (\$10,000.00) (the "Proposed Price") following which acquisition the City, and not the Successor Agency, would be responsible for the maintenance of the Property. The Proposed Price would be applied as part of the redevelopment property tax trust fund ("RPTTF") and thus would be available to be factored out ratably among taxing agencies. The City would be acquiring the Property for its governmental use; and

WHEREAS, as an accommodation, the City is prepared to augment the Proposed Price by the addition of Twenty Thousand Dollars (\$20,000.00) (the "Contingent Amount") in the event the City were to dispose of title to the Property on or before the fifth anniversary ("Fifth Anniversary") of the recording of a grant deed conveying title as to the Property to the City; and

WHEREAS, the acquisition of the Property is authorized by the LRPMP and, therefore, the sale to the City of the Property is subject only to approval by the Oversight Board; and

WHEREAS, the offer of the City to purchase the Property on the terms set forth above, in addition to other customary terms and conditions, is set forth in the draft agreement for the sale by Successor Agency to the City of the Property, in the form submitted herewith (the "Purchase and Sale Agreement"); and

WHEREAS, by this Resolution, the Oversight Board desires to approve the transfer of the Property by the Successor Agency to the City on the terms set forth above in this Resolution;

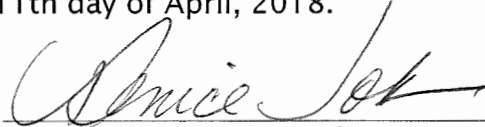
NOW THEREFORE, BE IT RESOLVED by the Oversight Board, as follows:

SECTION 1. The Oversight Board finds and determines that the foregoing recitals are true and correct. In particular, the Oversight Board specifically finds that (i) the disposition of the Property for the Proposed Price as more particularly described in the Purchase and Sale Agreement is consistent with and in furtherance of the LRPMP; (ii) the disposition of the Property as described above is not a transfer for future redevelopment activities and (iii) under each of the bases set forth in the foregoing portion of this Section 1 (namely, (i) and (ii), respectively, each independently effective), the City shall not be required to enter into compensation agreements with taxing entities with respect to the Property or make any payment other than the Proposed Price and, should such additional payment become applicable at a later date at or prior to the Fifth Anniversary, the Contingent Amount on those terms and conditions set forth in the Purchase and Sale Agreement.

SECTION 2. The Oversight Board approves and consents to the transfer by deed or other means of the Property by the Successor Agency to the City. Any of the Chair, the Vice Chair, or any member of the Oversight Board, or the Executive Director, is hereby authorized and directed to execute a grant deed to effect the conveyance of the Property to the City (the "Grant Deed"). The Oversight Board further approves inclusion of transaction costs relating to the Property as set forth in the Purchase and Sale Agreement. Recording of the Grant Deed shall be subject to each of: (i) agreement by City to accept conveyance of the Property on the terms and conditions set forth above, and (ii) execution and delivery by the City of a deed acceptance, to be recorded with the Grant Deed, under which the City would accept title to the Property.

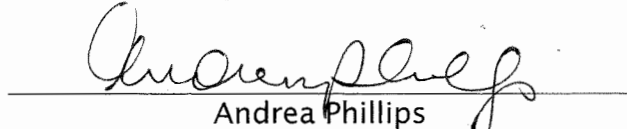
SECTION 3. The Successor Agency shall maintain on file as a public record this Resolution on behalf of the Oversight Board.

APPROVED AND ADOPTED this 11th day of April, 2018.



Tenice Johnson
Oversight Board Vice Chair

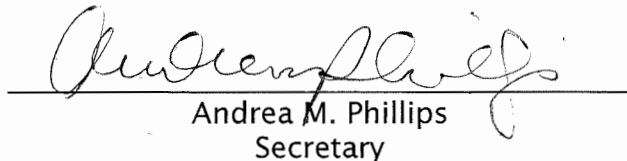
ATTEST:



Andrea Phillips
Oversight Board Secretary

I, Andrea M. Phillips, Secretary of the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency, DO HEREBY CERTIFY that Resolution No. 18-04 was duly adopted by the Oversight Board of Directors at a regular meeting thereof held on the 11th day of April, 2018, and that it was adopted by the following vote, to-wit:

AYES: Valencia, Richardson, Piotrowski, Hillman, Erickson, Johnson
NOES: None
ABSTAIN: None
ABSENT: Ruh



Andrea M. Phillips
Secretary