

**RESOLUTION NO. OB-2013-07**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF GONZALES APPROVING A LEASE WITH OPTION TO PURCHASE AGREEMENT FOR THE DISPOSITION OF REAL PROPERTY LOCATED AT 346 ALTA STREET (ASSESSOR PARCEL NUMBER 020-067-009)**

**WHEREAS**, pursuant to AB 1x 26 (the “Dissolution Act”), and the decision of the California Supreme Court in the case of *California Redevelopment Association v. Matosantos, et. al.*, the Gonzales Redevelopment Agency (the “RDA”) was dissolved as of February 1, 2012; and

**WHEREAS**, upon dissolution, all of the RDA’s assets, properties, contracts, leases, records, buildings, equipment and enforceable obligations were transferred to a designated Successor Agency, which in the case of the RDA is the City of Gonzales, which accepted that designation by adoption of Resolution No. 2012-01 on January 17, 2012; and

**WHEREAS**, additionally, pursuant to Health and Safety Code (the “HSC”) §34179, an Oversight Board to the Successor Agency to the former Redevelopment Agency of the City of Gonzales (the “Oversight Board”) has been established to assist in the wind-down of the dissolved RDA; and

**WHEREAS**, the Dissolution Act required all Successor Agencies to dispose of the assets and properties of the former Redevelopment Agency expeditiously and in a manner to maximize value; and

**WHEREAS**, in June 2012 the State Legislature adopted and the Governor signed into law AB 1484, a budget “trailer bill” to the Dissolution Act, which among other changes altered the process for the disposition of former RDA property assets; providing flexibility and local benefits in connection with property disposition for a Successor Agency that has received a Department of Finance (DOF) Finding of Completion; and

**WHEREAS**, in June 2013, the Successor Agency received its Finding of Completion from the California Department of Finance (the "DOF") pursuant to HSC §34179.7, and pursuant to HSC §34191.5(b), commenced preparation of a Long-Range Property Management Plan (the “LRPMP”) to address the disposition and use of the real property assets held by the Successor Agency; and

**WHEREAS**, in accordance with HSC §34191.5, the Successor Agency prepared and, by adoption of Resolution No. SA-2013-05 on July 15, 2013, approved and submitted the LRPMP to the Oversight Board for its review and approval, and on July 22, 2013, the Oversight Board reviewed, considered and approved the LRPMP by adoption of Resolution No. OB-2013-04, which LRPMP was then submitted to the DOF for approval on July 23, 2013; and

**WHEREAS**, Successor Agency is the owner in fee title to real property known as Monterey County Assessor's Parcel Number: 020-067-009, located at 346 Alta Street in the City, as well as all improvements and equipment currently located thereon, which currently include a 2,848 square foot restaurant, collectively referred to hereafter as the "Premises"; and

**WHEREAS**, a Salinas based restaurant ownership group desires to lease the Premises, with an option to purchase the Premises from the Successor Agency, to operate thereon a Restaurant (the "Restaurant"); and

**WHEREAS**, the Successor Agency of the former Gonzales Redevelopment Agency held a properly noticed public meeting on October 21, 2013 and adopted Resolution No. SA-2013-06 approving the lease with option to purchase agreement subject to any additions and modifications as may be approved by the Executive Director and Agency Counsel; and

**WHEREAS**, the Oversight Board of the Successor Agency held a properly noticed public meeting on November 18, 2013 to consider approval of the lease with option to purchase agreement, an action that is consistent with the LRPMP, which is pending approval from the DOF; and

**WHEREAS**, approving the proposed lease with option to purchase agreement would be in the best interest of the Successor Agency, the City of Gonzales because by disposing of the Premises the proceeds from the sale will be used to pay the Agency's enforceable obligations.

**NOW, THEREFORE, BE IT RESOLVED** that the Oversight Board of the Successor Agency for the former Redevelopment Agency of the City of Gonzales hereby finds, resolves, approves, determines, and directs as follows:

Section 1. The Oversight Board finds and determines that the foregoing recitals are true and correct, and as such, are incorporated herein as findings.

Section 2. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) [General Rule] of the CEQA Guidelines because it will have no physical effect on the environment.

Section 3. The Oversight Board finds that the proposed "Lease With Option to Purchase" (the "Lease"), a copy of which is attached hereto as Attachment '1' and by this reference incorporated herein, is consistent with the former RDA Plan and the Implementation Plan for the Project Area, will be of benefit to the Project Area, and will be consistent with and further community goals by assisting in the elimination of blight, increasing employment opportunities, and providing entertainment services to residents of the City

Section 4. The Oversight Board hereby APPROVES the Lease in substantial form and content as presented in Attachment '1', subject to any additions and modifications as may be approved by the Successor Agency Executive Director and Agency Counsel. Said approval is conditioned upon the approval of the LRPMP by the DOF and the subsequent approval of the Agreement by any other body charged by law with approval authority.

Section 5. The Oversight Board hereby directs that any proceeds from the sale of the Premises shall be used by the Successor Agency to fulfill enforceable obligations with any remaining funds to be distributed to the taxing entities.

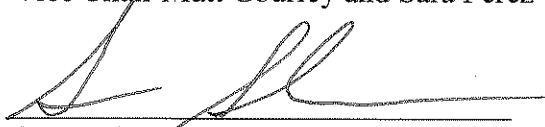
**PASSED AND ADOPTED** by the Members of the Oversight Board at a regular meeting held on the 18th day of November 2013 by the following vote to wit:

**AYES:** BOARD MEMBERS: Chair Simon Salinas, Scott Funk, Rene Mendez, Jayanti Addleman, and Alfred Munoz

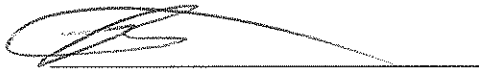
**NOES:** BOARD MEMBERS: None

**ABSTAIN:** BOARD MEMBERS: None

**ABSENT:** BOARD MEMBERS: Vice Chair Matt Gourley and Sara Perez

  
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**Simon Salinas, Chairman**

**ATTEST:**

  
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René L. Mendez, Secretary