

**Agenda Item A.1**  
**PRESENTATION**  
**Meeting Date: April 4, 2013**

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**A.1 Approval of February 27, 2013 Oversight Board Meeting Minutes**

**SPECIAL MEETING MINUTES  
OF THE  
OVERSIGHT BOARD OF THE  
GOLETA RDA SUCCESSOR AGENCY**

**WEDNESDAY FEBRUARY 27, 2013**

3:00 P.M. – 4:00 P.M.  
City Hall  
130 Cremona Drive, Suite B  
Goleta, California

**Board Members**

*Renée Bahl, Chair*  
Vyto Adomaitis, Vice Chair  
Dan Eidelson, Board Member  
Brian Fahnestock, Board Member  
Ralph Pachter, Board Member  
Tina Rivera, Board Member  
Chandra Wallar, Board Member

***Selected By:***

SB County Board of Supervisors (“BOS”)  
Mayor, City of Goleta  
BOS, Member of the Public Appointee  
Chancellor of California Community Colleges  
SB County Superintendent of Schools  
Mayor, City of Goleta  
BOS, acting as Board of Directors of the  
SB County Fire Protection District

**CALL TO ORDER**

The meeting was called to order at 3:00 P.M.

Present: Chair Bahl, Vice Chair Adomaitis, Board Members Eidelson, Fahnestock, Rivera, and Wallar.

Absent: Board Member Pachter.

Staff Present: Jaime Valdez, Economic Development Coordinator; Bianca Sparks, Ross & Casso; Tim W. Giles, City Attorney; and Liana Campos, Deputy City Clerk.

**PUBLIC FORUM**

Speakers:  
None

**A. ADMINISTRATIVE ACTIONS**

**A. ADMINISTRATIVE ACTIONS**

**A.1 Approval of January 24, 2013 Oversight Board Meeting Minutes  
(Lopez)**

MOTION: Vice Chair Adomaitis/Board Member Eidelson motion to approve the January 24, 2013 Oversight Board Meeting Minutes.

VOTE: Approved the following voice vote: Chair Bahl, Vice Chair Adomaitis, Board Members Eidelson, Fahnestock, Rivera and Wallar. Noes: None. Absent: Board Member Pachter.

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**B. DISCUSSION/ACTION ITEMS**

**B.1 City of Goleta Resolution of Intention for Hollister/Kellogg Property Acquisition  
(Valdez)**

Recommendation: Receive information on City of Goleta Resolution of Intention for Hollister/Kellogg Property Acquisition.

Staff Speaker: Jamie Valdez, Economic Development Coordinator

Report received.

**B.2 Administrative Budget and Recognized Obligation Payment Schedule for July 1, 2013 to December 31, 2013 (ROPS 13-14a)  
(Valdez)**

Recommendations:

- A. Adopt Resolution No.13-\_\_ entitled "A Resolution of the Oversight Board of the Goleta RDA Successor Agency, Approving the Successor Agency's Administrative Budget for the Period July to December 2013, Pursuant to Health and Safety Code Section 34177(j)," as submitted; and
- B. Adopt Resolution No.13-\_\_ entitled "A Resolution of the Oversight Board of the Successor Agency to the Dissolved Redevelopment Agency for the City of Goleta, Approving a Recognized Obligation Payment Schedule for the Period July to December 2013, Pursuant to Health and Safety Code Section 34177(l) and (m)," as submitted; or
- C. Adopt Resolutions with modifications to aforementioned Administrative Budget and ROPS 13-14a.

Staff Speaker: Jamie Valdez, Economic Development Coordinator

**MOTION:** Board Members Wallar/Fahnestock motion to adopt Resolution No.13-\_\_ entitled "A Resolution of the Oversight Board of the Goleta RDA Successor Agency, Approving the Successor Agency's Administrative Budget for the Period July to December 2013, Pursuant to Health and Safety Code Section 34177(j)," as submitted.

**VOTE:** Approved the following voice vote: Chair Bahl, Vice Chair Adomaitis, Board Members Eidelson, Fahnestock, Rivera and Wallar. Noes: None. Absent: Board Member Pachter.

**MOTION:** Board Members Wallar/Fahnestock motion to adopt Resolution No.13-\_\_ entitled "A Resolution of the Oversight Board of the Successor Agency to the Dissolved Redevelopment Agency for the City of Goleta, Approving a Recognized Obligation Payment Schedule for the Period July to December 2013, Pursuant to Health and Safety Code Section 34177(l) and (m)," as submitted.

**VOTE:** Approved the following voice vote: Chair Bahl, Vice Chair Adomaitis, Board Members Eidelson, Fahnestock, Rivera and Wallar. Noes: None. Absent: Board Member Pachter.

**C. BOARD MEMBER COMMENTS**

**D. ADJOURNMENT AT 3:21 P.M.**

**Agenda Item B.1**  
**DISCUSSION/ACTION ITEM**  
**Meeting Date: April 4, 2013**

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**TO:** Members of the Oversight Board of the Goleta RDA Successor Agency

**FROM:** Jaime Valdez, Economic Development Coordinator

**SUBJECT:** Consideration and Adoption of Successor Agency Long-Range Property Management Plan

**RECOMMENDATION:**

Adopt Resolution No. 13-\_\_ entitled “A Resolution of the Oversight Board of the Goleta RDA Successor Agency, Approving and Adopting a Long-Range Property Management Plan, Pursuant to Health and Safety Code Section 34191.5.”

**BACKGROUND:**

Following dissolution of the Redevelopment Agency for the City of Goleta (“Agency”), the City elected to become the successor agency to the Agency by Resolution No. 12-04, dated January 17, 2012 (the “Successor Agency”). Pursuant to Health and Safety Code (“HSC”) Section 34173(b), the Successor Agency is now a separate legal entity from the City.

HSC Section 34179.7 provides, in part, that upon full payment of the amounts determined in subdivision (d) or (e) of Section 34179.6, as reported by the county auditor-controller pursuant to subdivision (g) of Section 34179.6 (amounts available for disbursement to taxing entities based on the due diligence review for housing and for all other accounts) and of any amounts due as determined by Section 34183.5 (true-up payments), “the Department of Finance (“DOF”) shall issue, within five business days, a finding of completion of the requirements of Section 34179.6 to the successor agency.”

HSC Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan (“Property Management Plan”) that addresses the disposition and use of the real properties of the former Agency. The Property Management Plan must be submitted to the Oversight Board and the DOF for approval no later than six months following the issuance to the Successor Agency of the finding of completion.

HSC Section 34191.5(a) established a Community Redevelopment Property Trust Fund (the “Trust”), administered by the successor agency, to serve as the repository of the former redevelopment agency’s real properties. HSC Section 34191.4(a) requires that all real property and interests in real property of the former Agency (unless the property is subject to the requirements of any existing enforceable obligation) shall be transferred

to the Property Trust Fund upon approval by the DOF of the Property Management Plan.

The Goleta RDA Successor Agency holds a single real property asset commonly referred to as Hollister/Kellogg Park (Subject Property). The Subject Property is located at 170 S. Kellogg Avenue in Goleta, CA, and is currently vacant and undeveloped. The Subject Property was purchased with money from both the City and the former RDA (\$1,520,893 and \$1,122,649, respectively) in 2011 for the price identified in the fair market appraisal. While the land is in the name of the former RDA, the park project is a joint venture between the City and former RDA to construct a City park on the Subject Property, and the City holds an equitable interest in the Subject Property.

At its February 27, 2013 Board meeting, the Board received a copy of the City's Resolution of Intent to purchase the Subject Property. The City Resolution of Intent was adopted by the City Council on February 19, 2012 (included as Exhibit A to the Long-Range Property Management Plan), and identifies the terms by which the City proposes to purchase the Subject Property from the Successor Agency in the manner agreed upon by the Board.

On March 18, 2013, the Successor Agency adopted Resolution No. 13-03, approving and adopting a Long-Range Property Management Plan, Pursuant to Health and Safety Code Section 34191.5 (on file with the City Clerk).

## **DISCUSSION:**

The Property Management Plan required under HSC Section 34191.5(b) must include an inventory of all properties of the former Agency in the Trust. The inventory must include the date of the acquisition of the property and the value at the time of acquisition, and an estimate of the current value of the property; the purpose for which the property was acquired; parcel data, including address, lot size and current zoning; an estimate of the current value of the parcel, including any appraisal information, if available; an estimate of any lease, rental or any other revenues generated by the property, and a description of the contractual requirement for the disposition of those funds; the history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts; a description of the property's potential for transit-oriented development and the advancement of the planning objectives of the Successor Agency, and a brief history of previous development proposals and activity, including the rental or lease of property.

The Property Management Plan must also address the use or disposition of all the properties in the Trust, including retention of the property for governmental use, the retention of the property for future development, the sale of the property, or the use of the property to fulfill an enforceable obligation. The Property Management Plan must separately identify and list properties in the Trust dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.

HSC Section 34191.5(c)(2) provides that (a) if the Property Management Plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, the property shall transfer to the City; and (b) if the Property Management Plan directs the liquidation of the property or the use of revenues generated from the property, such as lease or parking revenues, for any purpose other than to fulfill an enforceable obligation or for use for a project identified in an approved redevelopment plan, the proceeds from the sale shall be distributed as property tax to the taxing entities.

The Successor Agency has prepared a Property Management Plan and submitted it to the Board for approval. Following approval by the Board, the Property Management Plan must be submitted to the DOF for approval no later than six months following the issuance to the Successor Agency of the finding of completion. The Property Management Plan is not effective until it has been approved by DOF. HSC Section 34191.5(2)(C) provides that property shall not be transferred to a successor agency, city, county or city and county, unless the Property Management Plan has been approved by the Board and the DOF.

It is recommended that the Board adopt the attached resolution approving and adopting the Property Management Plan and directing submittal of the Property Management Plan to the DOF for approval (Attachment 1).

The following table summarizes the items required for asset disposition and the status of each relative to the Subject Property:

Item	Status
July 2012 "True-Up" Payment	Required by AB 1484 and remitted to the Santa Barbara County Auditor/Controller on July 12, 2012.
The two required Due Diligence Reviews ("DDR's")	Housing DDR has been completed and approved by the Board and DOF. The Non-Housing DDR has been completed and approved by the Board. The Non-Housing DDR was submitted to DOF on January 24, 2013, though the Successor Agency has yet to receive a response on when/if the Non-Housing DDR will be approved.
Finding of Completion ("FOC")	Necessary prior to asset disposition; DOF will not issue the FOC until both DDRs are approved by DOF. DOF has until April 1, 2013 to issue if DDRs are approved and all other conditions are met.
Long-Range Property Management Plan ("LRPMP")	Consideration by Successor Agency on March 18, 2013 and then to the Oversight Board for approval. Upon Board approval, the LRPMP will then be sent to DOF, regardless if Successor Agency obtains the FOC before submittal. Once the LRPMP is approved by DOF, then the disposition of the Subject Property can occur. The Successor Agency has six months from the issuance of an FOC to submit an LRPMP to the Board and DOF for approval.

Based on communications with the DOF, Staff has been encouraged to submit the Property Management Plan prior to receiving the FOC. Steve Szalay (DOF) stated the Successor Agency did not have to wait to get the FOC to submit the Property Management Plan. While DOF can ultimately decide to not consider the Property Management Plan until issuing the FOC, Staff has taken DOF advice and with Board approval is prepared to submit it ahead of receiving the FOC.

**FISCAL IMPACTS:**

Other than soft costs related to staff time which have been accounted for in the Successor Agency's Proposed Administrative Budget, no funds are involved with the approval of the Property Management Plan.

**ALTERNATIVES:**

The Board could decide not to accept the recommendations included in this item, or provide staff with alternative direction. However, it is imperative to underscore that without the approved Property Management Plan from the Oversight Board, the Successor Agency cannot dutifully submit the Property Management Plan to DOF for consideration. Moreover, the Property Management Plan is required as part of the asset disposition process called for in AB 1484.

Approved By:

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Daniel Singer  
Executive Director

**ATTACHMENTS:**

1. Resolution No. 13-\_\_ entitled "A Resolution of the Oversight Board of the Goleta RDA Successor Agency, Approving and Adopting a Long-Range Property Management Plan, Pursuant to Health and Safety Code Section 34191.5."



## **ATTACHMENT 1**

**Oversight Board of the Goleta RDA Successor  
Agency Resolution, Approving and Adopting a  
Long-Range Property Management Plan, Pursuant  
to Health and Safety Code Section 34191.5**

**RESOLUTION NO. 13-\_\_**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE GOLETA RDA SUCCESSOR AGENCY, APPROVING AND ADOPTING A LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5**

**WHEREAS**, pursuant to Health and Safety Code section 34173(d), the City of Goleta elected to become the Goleta RDA Successor Agency (“Successor Agency”) and is the successor agency to the Redevelopment Agency for the City of Goleta; and

**WHEREAS**, pursuant to Health and Safety Code Section 34173(g), the Successor Agency is now a separate legal entity from the City; and

**WHEREAS**, the Oversight Board is the Successor Agency’s oversight board pursuant to Health and Safety Code Section 34179(a); and

**WHEREAS**, pursuant to Health & Safety Code Section 34181(f), all actions taken in regards to disposition of Successor Agency assets shall be approved by resolution of the oversight board at a public meeting after at least 10 days’ notice to the public of the specific proposed actions; and

**WHEREAS**, the Successor Agency posted the Notice on March 25, 2013, providing at least 10 days’ notice to the public of the consideration and adoption of the Successor Agency’s Long-Range Property Management Plan at a public meeting of the Oversight Board to be held on April 4, 2013; and

**WHEREAS**, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan (“Property Management Plan”) that addresses the disposition and use of the real properties of the former redevelopment agency; and

**WHEREAS**, Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the Property Management Plan to the Successor Agency’s oversight board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion pursuant to Health and Safety Code Section 34179.7; and

**WHEREAS**, the Successor Agency has prepared a long-range Property Management Plan that contains all the information required under Health and Safety Code Section 34191.5; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE OVERSIGHT BOARD OF THE GOLETA RDA SUCCESSOR AGENCY DOES HEREBY RESOLVE AS FOLLOWS:**

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

**SECTION 2. CEQA Compliance.** The approval of the Property Management Plan through this Resolution does not commit the Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

**SECTION 3. Approval of the Property Management Plan.** The Successor Agency hereby approves and adopts the Property Management Plan, in substantially the form attached to this Resolution as Exhibit A.

**SECTION 4. Transmittal of the Property Management Plan.** The Executive Director is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the Property Management Plan, including submittal of the Property Management Plan to the State of California Department of Finance for approval, and posting the approved Property Management Plan on the Successor Agency's website.

**SECTION 5. Effectiveness.** This Resolution shall take effect immediately upon its adoption.

**SECTION 6. Certification.** The Successor Agency Secretary shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** at a special meeting of the Oversight Board of the Goleta RDA Successor Agency on the 4th day of April, 2013.

\_\_\_\_\_  
RENÉE BAHL  
CHAIRPERSON

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH LOPEZ  
RDA SUCCESSOR AGENCY  
SECRETARY

\_\_\_\_\_  
BIANCA SPARKS  
SPECIAL COUNSEL

STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA )     ss.  
CITY OF GOLETA                )

I, DEBORAH LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 13-\_\_ was duly adopted by the Oversight Board of the Goleta RDA Successor Agency at a special meeting held on the 4th day of April, 2013 by the following vote of the Board:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

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DEBORAH S. LOPEZ  
AGENCY SECRETARY

**EXHIBIT A**

**LONG-RANGE PROPERTY MANAGEMENT PLAN**  
**OF THE GOLETA RDA SUCCESSOR AGENCY**

# **LONG-RANGE PROPERTY MANAGEMENT PLAN OF THE GOLETA RDA SUCCESSOR AGENCY**

**Prepared Pursuant To Health and Safety Code Section 34191.5**

## **BACKGROUND AND PURPOSE OF PLAN**

This Long-Range Property Management Plan (the "Plan") has been prepared by the Goleta RDA Successor Agency (the "Successor Agency") for the Redevelopment Agency for the City of Goleta (the "Former RDA") in accordance with Health and Safety Code Section 34191.5.

The Successor Agency holds a single real property asset commonly referred to as Hollister/Kellogg Park ("Property"). The Property is located at 170 S. Kellogg Avenue in Goleta, CA, and is currently vacant and undeveloped. The Property was purchased with money from both the City of Goleta (the "City") and the Former RDA (\$1,520,893 and \$1,122,649, respectively) in 2011 for the price identified in the fair market appraisal. While the land is in the name of the Former RDA, the park project is a joint venture between the City and Former RDA to construct a City park on the Property, and the City holds an equitable interest in the Property. Of particular relevance is the fact that the City has been allocated grant funds in the amount of \$910,000 from the Prop 84 Statewide Park Program monies that are at risk if the process to develop the park does not continue.

On February 19, 2013, the City Council adopted Resolution No. 13-10 (Exhibit A) which identifies the terms by which the City proposes to purchase the Subject Property from the Successor Agency in the manner agreed upon by the Board. Successor Agency staff presented the Resolution of Intent to the Board at its February 27, 2013 meeting as an informational item.

The size, location, physical characteristics and proximity of the Property to San Jose Creek and Armitos Park make the property highly suitable for public recreation in an area of the City which is critically underserved with regard to the ratio of parks/open space to population. The Goleta Old Town Revitalization Plan ("GOTRP") calls for a 2-4 acre park on Key Site #3 which includes the Property, given that the site includes the heavily vegetated riparian corridor of San Jose Creek, a designated Environmentally Sensitive Habitat Area (ESHA) and given that "approximately 75% of the site is constrained by the floodway and 100-year floodplain of San Jose Creek", which "severely restricts developable area east and west of the creek." As such, the presence of an ESHA designation on the Property and the fact that it is also prone to flooding make the Property's potential for development limited and unattractive relative to its total size. These substantial constraints are also reflected in the fact that the Property sat on the market from August 2008 to June 2011 when it was finally purchased by the City and Former RDA.

In accordance with Health and Safety Code Section 34191.5(c), the following sections of this Plan consist of an inventory of specified information related to the Property, and the proposed plan for disposition of the Property.

### **INVENTORY OF PROPERTY**

Following is the required information inventory of the Property, which constitutes the only real property transferred from the Former RDA and owned by the Successor Agency. This inventory is organized to address the specific inventory subsections listed in Health and Safety Code Section 34191.5(c)(1).

**(A) Acquisition Information.** The Property was acquired by the Former RDA on June 21, 2011. The purchase price paid for the Property, which represented its value at the time of purchase, was \$2,625,000. Of note the Property's substantial constraints as described in further detail in Items C, D, and H also reflect the fact that the Property had sat on the market since at least August of 2008 before the City approached the Property Owner for a potential purchase.

The Purchase and Sale Agreement dated June 21, 2011 reflects the Former RDA as the purchaser of the Property with title vesting in the RDA with an equitable interest held by the City as evidenced by its \$1.5 million investment towards acquisition. Although no written agreement was executed between the RDA and the City at the time of the purchase, the intention was for the City to eventually reimburse the RDA for all or part of its contribution and to have title transferred to the City at a later date. The actual acquisition costs and sources of funds are as follows:

- **Total Acquisition Costs**      **\$2,643,522**
  - City Park DIF                      \$1,520,893
  - RDA General                        \$1,122,649

The City has also invested additional monies beyond acquisition costs for design, environmental analyses, and engineering work associated with the development of a future park on the Property. From the beginning of the acquisition process through its completion, the goal was for the Property to serve as a park for the community.

**(B) Purpose of Acquisition.** The Property was purchased for the following purpose: development of a neighborhood park located in the former Redevelopment Project area (Goleta Old Town Project Area). As required under Section 65402 of the Government Code, on May 9, 2011, the Planning Commission unanimously made a determination that the location, purpose, and extent of the acquisition was in conformance with the City's General Plan.

**(C) Parcel Data.** The Property consists of a vacant and undeveloped 3.98 acre parcel located at 170 S. Kellogg Avenue in the City. The Property is designated as Santa Barbara County Assessor's Parcel No. 071-090-090.

The attached Exhibit B, which is incorporated in this Plan by this reference, is a map showing the location of the Property. The City's General Plan designations for the Property are Old Town Commercial (0.67 acres) and Planned Residential (3.31 acres). The City's zoning designations for the Property are Commercial (C-2) and Planned Residential (DR-10). Moreover, as shown in the aforementioned City Council Resolution No. 13-10 (Exhibit A), Figure 3-2 "Park and Recreational Map" included a planned future park site designation for the Property.

The size, location, physical characteristics and proximity of the Property to San Jose Creek and Armitos Park make the property highly suitable for public recreation in an area of the City which is critically underserved with regard to the ratio of parks/open space to population. The GOTRP calls for a 2-4 acre park on Key Site #3 which includes the Property, given that the site includes the heavily vegetated riparian corridor of San Jose Creek, a designated Environmentally Sensitive Habitat Area (ESHA) and given that "approximately 75% of the site is constrained by the floodway and 100-year floodplain of San Jose Creek", which "severely restricts developable area east and west of the creek." As such, the presence of an ESHA designation on the Property and the fact that it is also prone to flooding make the Property's potential for development limited and unattractive relative to its total size.

**(D) Current Value.** The City's assumed value of the Property is \$2,625,000. This valuation is based on an appraisal commissioned by the City prior to the purchase of the Property and was dated as of April 5, 2010 and prepared by Stephen G. Schott, MAI of Schott & Company Real Estate Appraisal and Consulting. It is important to recognize that the appraisal was based on two parcels: a commercially zoned parcel and a residentially zoned parcel.

The Property, as previously stated, includes the heavily vegetated riparian corridor of San Jose Creek, a designated Environmentally Sensitive Habitat Area (ESHA). Approximately 75% of the site is constrained by the floodway and 100-year floodplain of San Jose Creek which severely restricts developable area east and west of the creek. The presence of an ESHA designation on the Property and the fact that it is also prone to flooding make the Property's potential for development limited and unattractive relative to its total size.

These substantial constraints are also reflected in the fact that the Property had sat on the market for nearly two years before the City approached the Property Owner for a potential purchase.

**(E) Revenues Generated By the Property; Contractual Requirements.** The Property does not generate any lease, rental, or other revenue. There is no contractual requirement related to disposition of the Property.



**(F) Environmental Contamination and Remediation.** To the Successor Agency's knowledge, the Property does not have any history of environmental contamination or remediation efforts, and the Successor Agency does have a related environmental study with respect to the Property.

The City had an independent consultant (Sigma Engineering, Inc.) conduct a Phase I Environmental Assessment of the Property in 2011 for hazardous materials prior to purchase. The former Property owner also had conducted one in 2005. The 2011 conclusion reads: "The results of this assessment have revealed no recognized environmental conditions (REC's) associated with the Site except the former agricultural use of the site from the 1920s to the 1960s. Although not likely, based on timeframe and past use of bio-accumulative pesticides such as DDT, residual pesticides could be present in the upper soils of former agricultural land."

**(G) Potential for Transit-Oriented Development and Advancement of Planning Objectives.** The Property has no known potential for transit-oriented development. As presented in Item (H) below, there are a number of constraints to development as well as the intended use of the Property.

However, the Property is advancing the planning objectives of the City by bringing a much-needed park to the area. The County of Santa Barbara ("County")—prior to the City's incorporation—envisioned a 2-4 acre park in the area of Old Town Goleta which includes the Property. This was memorialized in the Former RDA's Old Town Revitalization Plan adopted by the County in 1998 and transferred to the City's Redevelopment Agency upon incorporation in 2002. The City's General Plan—adopted in 2006—also calls out this site for a proposed park. Moreover, the City has been allocated grant funds in the amount of \$910,000 from the Prop 84 Statewide Park Program monies that are at risk if the process to develop the park does not continue.

**(H) History of Development Proposals and Activity.** To the Successor Agency's knowledge, there is no history of development proposals or activity. However, the size, location, physical characteristics and proximity of the Property to San Jose Creek and Armitos Park make the property highly suitable for public recreation in an area of the City which is critically underserved with regard to the ratio of parks/open space to population.

The GOTRP calls for a 2-4 acre park on Key Site #3 which includes the Property, given that the site includes the heavily vegetated riparian corridor of San Jose Creek, a designated Environmentally Sensitive Habitat Area (ESHA) and given that "approximately 75% of the site is constrained by the floodway and 100-year floodplain of San Jose Creek", which "severely restricts developable area east and west of the creek."

As such, the presence of an ESHA designation on the Property and the fact that it is also prone to flooding make the Property's potential for development limited and unattractive relative to its total size. Moreover, the necessary General Plan Amendment and rezone of

the Property which had begun in 2012 was placed on hold out of respect to the Board, DOF, and the asset disposition process laid out in ABx1 26 and AB 1484 (“the Redevelopment Dissolution Statutes”).

### **PROPOSED DISPOSITION OF PROPERTY**

The City, which already has an equitable interest in the Property, proposes to purchase the Former RDA’s interest in the Property. As such, the City proposes to purchase the Former RDA’s interest in the Property at the time of the purchase which amounts to \$1,122,649.

While no formal documents were entered into between the City and the Former RDA, there is a clear partnership in place that creates an equitable interest in the Property for the benefit of the City. The City’s interest and contributions to the Property must be accounted for in the sale or transfer of the Property.

The sale of the Property to the City will advance the historical planning objectives of the County and then the City by bringing a much-needed park to the area. The County as far back as 1998 had envisioned a park in the area of Old Town Goleta which includes the Property. This was memorialized in the Former RDA’s Old Town Revitalization Plan adopted by the County in 1998 and transferred to the City’s Redevelopment Agency upon incorporation in 2002. The City’s General Plan—adopted in 2006—also calls out this site for a proposed park. Moreover, the City has been allocated grant funds in the amount of \$910,000 from the Prop 84 Statewide Park Program monies that are at risk if the process to develop the park does not continue. Lastly, the necessary General Plan Amendment and rezone of the Property which had begun in 2012 was placed on hold out of respect to the Board, DOF, and the asset disposition process laid out in the Redevelopment Dissolution Statutes.

As a result, this Plan directs that the Property be liquidated and sold to the City for the Former RDA’s portion of the acquisition cost of the Property, and that the proceeds of the sale be distributed as property taxes to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2).

## **Exhibit A**

To Long Range Management Plan of the Goleta RDA Successor  
Agency

Resolution No.13-10 “A Resolution of the City Council of the City of  
Goleta, California Stating, Affirming and Clarifying its Desire and  
Intentions for the Property Referred to as Hollister/Kellogg Park”

## RESOLUTION NO. 13-10

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA STATING, AFFIRMING AND CLARIFYING ITS DESIRES AND INTENTIONS FOR THE PROPERTY REFERRED TO AS HOLLISTER/KELLOGG PARK

**WHEREAS**, the Goleta RDA Successor Agency holds a single real property asset, which is located at 170 S. Kellogg Avenue in Goleta, CA, is currently vacant and undeveloped, commonly referred to as "Hollister/Kellogg Park" (the "property"); and

**WHEREAS**, the need for such a park in Old Town Goleta was originally identified in the Goleta Old Town Revitalization Plan adopted by the County of Santa Barbara in 1998 and subsequently adopted by the City upon its incorporation in 2002; and

**WHEREAS**, in 1998 the County of Santa Barbara identified the need for additional active recreation park land in Old Town through adoption of the Goleta Old Town Revitalization Plan (Revitalization Plan), indicating a deficiency of over 20 acres of parkland based on the County's standard of 4.7 acres of parkland/1,000 residents; and

**WHEREAS**, in recognition of this deficiency, the Revitalization Plan calls for a 2-4 acre park on Key Site #3 which includes the subject property, given that the site includes the heavily vegetated riparian corridor of San Jose Creek, a designated Environmentally Sensitive Habitat Area (ESHA) and given that "approximately 75% of the site is constrained by the floodway and 100-year floodplain of San Jose Creek", which "severely restricts developable area east and west of the creek"; and

**WHEREAS**, the location, purpose and extent of the acquisition conforms to the intent outlined in General Plan Figure 3-2, Park and Recreation Plan Map of the Open Space Element (Exhibit A) and its accompanying Table 3-1 which call for a 4-acre "Planned Future Park Site" in the immediate vicinity of the property to be acquired; as well as General Plan Sub-policy OS 6.11 Planned New Parks and Open Space (Exhibit B) which identifies "an approximately 4-acre neighborhood park located in the vicinity of San Jose Creek between Hollister Avenue and Armitos Avenue; and

**WHEREAS**, the easterly side of the 4-acre site is designated as an ESHA in the City's General Plan, and is constrained by the presence of riparian habitat associated with the San Jose Creek drainage system and its associated floodplain; and

**WHEREAS**, the purchase of the 4-acre park site would address a critical need for parks and open space by providing land for future park development in an area of the City (Old Town) which is severely underserved by these amenities; and

**WHEREAS**, the size, location, physical characteristics and proximity of the site to San Jose Creek and Armitos Park make the property highly suitable for public

recreation in an area of the City which is critically underserved with regard to the ratio of parks/open space to population; and

**WHEREAS**, the City Council desires to affirm, state and clarify its intentions and understanding concerning the property; and

**WHEREAS**, the property was purchased with money from both the City and the former RDA (\$1,520,893 and \$1,122,649, respectively) in 2011 for the price identified in the fair market appraisal, as a joint venture between the City and former RDA to construct a City park on the property; and

**WHEREAS**, on June 7, 2011, the City Council of the City of Goleta approved the filing of an application for Statewide Park Program (Prop 84) Grant Funds for the development of a new park on the subject property; and

**WHEREAS**, the City has been allocated grant funds in the amount of \$910,000 from the Prop 84 Statewide Park Program, monies that are at risk if the process to develop the park does not continue; and

**WHEREAS**, the City has initiated a General Plan amendment process to designate the property for the park use, but has put this effort on hold; and

**WHEREAS**, the City has offered to purchase the property for the fair market appraised value (less the amount City already contributed) and the Goleta Oversight Board considered this offer and was in unanimous support of the sale with concurrence of the Department of Finance; and

**WHEREAS**, the Goleta Oversight Board made a request to the Department of Finance to approve the sale of the property to the City, for the fair market appraised value (less the amount City already contributed), prior to the approval of the long-range property management plan, to allow for the sale proceeds to be deposited into the Redevelopment Property Tax Trust Fund for distribution to affected taxing entities in an expedited manner; and

**WHEREAS**, the Department of Finance rejected the request of the Goleta Oversight Board; and

**WHEREAS**, AB 1484 provides a mechanism for property disposition after the Department of Finance approves of the due diligence review, issues a finding of completion and approves of a Long-Range Property Management Plan ("LRPMP") prepared by the Oversight Board; and

**WHEREAS**, the City's goal is to complete the sale of the property expeditiously and while maximizing value so that the proceeds can be deposited into the Redevelopment Property Tax Trust Fund for distribution to Affected Taxing Entities in an expedited manner, while not negatively impacting any aspects of the implementation of AB 26 and AB 1484; and

**WHEREAS**, the City Council desires to affirm, state and clarify its intentions and understanding concerning Hollister/Kellogg Park

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

**SECTION 1.**

That the foregoing recitals are found to be true and correct, and are incorporated herein by reference.

**SECTION 2.**

The City Council hereby reaffirms its desire to purchase the property for the fair market appraised value (less the amount City already contributed) at the soonest possible opportunity.

**SECTION 3.**

The City Manager is hereby authorized to take all steps necessary to implement the intent set forth in this resolution on behalf of the City.

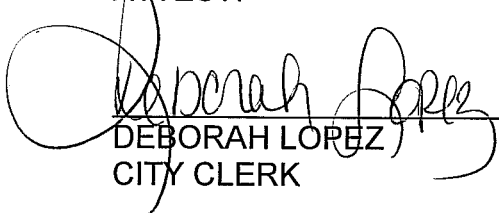
**SECTION 4.**

The City Clerk shall certify as to the adoption of this resolution.


**PASSED, APPROVED, AND ADOPTED this 19<sup>th</sup> day of February, 2013.**

  
\_\_\_\_\_  
ROGER S. ACEVES, MAYOR

ATTEST:

  
\_\_\_\_\_  
DEBORAH LOPEZ  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
TIM W. GILES  
CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF SANTA BARBARA ) ss.  
CITY OF GOLETA )

I, DEBORAH LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 13-10 was duly adopted by the City council of the City of Goleta at a regular meeting held on the 19<sup>th</sup> day of February, 2013, by the following vote of the Council:

AYES: MAYOR ACEVES, MAYOR PRO TEMPORE BENNETT,  
COUNCILMEMBERS FARR AND PEROTTE.

NOES: NONE

ABSENT: NONE

ABSTENTIONS: COUNCILMEMBER EASTON

(SEAL)

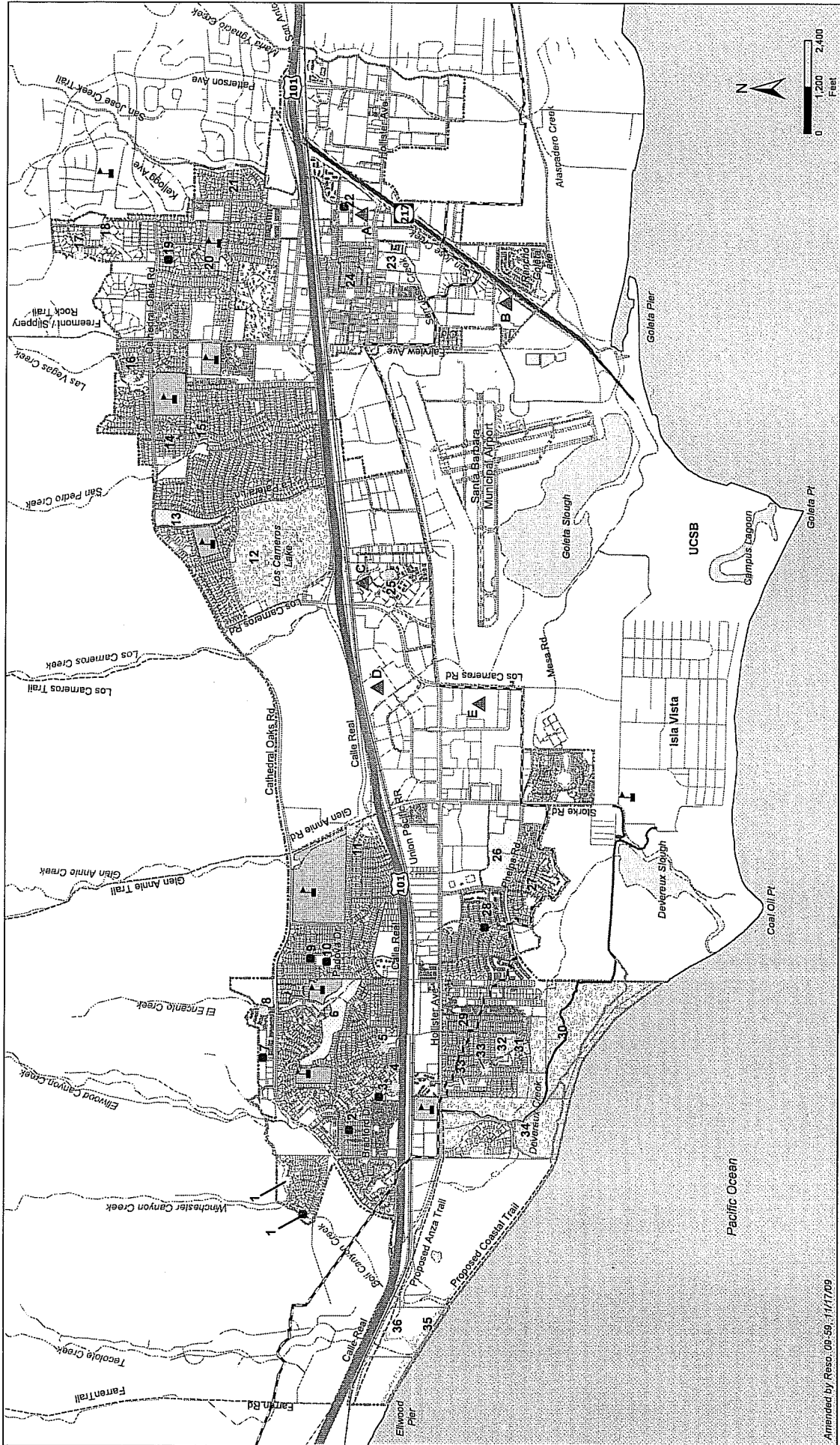


DEBORAH LOPEZ  
CITY CLERK

EXHIBIT A

CITY OF GOLETA GENERAL PLAN FIGURE 3-2,  
PARK AND RECREATION PLAN MAP OF THE OPEN SPACE ELEMENT





Amended by: Res. 00-59, 11/17/09

- Legend**
- Existing and Planned Parks
    - Goleta Valley Community Center
    - 1 Mini Park
    - 1 Neighborhood Open Space
    - 1 Neighborhood Park
    - Community Park
    - Regional Open Space
    - Planned Future Park Site
  - Existing and Proposed Trails
    - Existing Trail
    - Proposed Trail
    - Juan Bautista de Anza Trail
    - Coastal Trail
  - Other Features
    - Goleta City Boundary
    - Coastal Zone
    - Creeks
    - Schools in Goleta

Note: Site numbers correspond to Table 3-1, which provides data for each site.  
 Source: The Juan Bautista de Anza Trail and Coastal Trail locations are based on the locations presented in the Draft Ellwood-Devereux Coastal Open Space Habitat Management Plan, (URS, 2004).

**Figure 3-2  
 PARK AND RECREATION PLAN MAP**

EXHIBIT B

CITY OF GOLETA GENERAL PLAN SUB-POLICY OS 6.11,  
PLANNED NEW PARKS AND OPEN SPACE

- a. Wherever feasible and appropriate, landscaping should emphasize native and drought-tolerant, noninvasive species that will reduce maintenance costs and water use and be supportive of wildlife habitats.
- b. To the extent feasible, the City shall maintain parks and open space areas without the use of herbicides, pesticides, chemical fertilizers, and other toxic substances. Herbicide use is restricted within 100 feet of the top-of-bank of any watercourse in parks and open space to those herbicides approved by the U.S. EPA for use in aquatic environments.
- c. The types of improvements and facilities at each site should be based on the recreation and leisure needs of the targeted user groups and the physical opportunities and constraints of the site.
- d. Improvements should provide for convenient access by pedestrians from the adjacent neighborhood areas.
- e. The design of improvements shall provide for maximum visibility of the park from public streets and incorporate measures to assure adequate security and safety for users.
- f. Provision of lighting shall be limited to the minimum needed for the types of uses planned in order to reduce light pollution and glare. Lights shall not be directed upward or into adjacent habitat.
- g. Adequate off-street parking to serve the intended uses shall be provided in order to minimize the burden placed on onstreet parking in the neighborhood.

**OS 6.11 Planned New Parks and Open Space. [GP]** The locations of planned new public parks and open space are shown on Figure 3-2 and described in Table 3-1. Specific improvements will be implemented as conditions require and when funding is available. These planned new public parks and open space include:

- a. Expansion of the Armitos Park. An approximately 4-acre neighborhood park located in the vicinity of Old San Jose Creek between Hollister Avenue and Armitos Avenue adjacent to the Armitos Park in Old Town.
- b. A park in the southern portion of Old Town. A 4- to 5-acre active recreation community park, potentially including sports fields, located on or in the vicinity of the former drive-in theater in Old Town between the Santa Barbara Airport and SR-217.
- c. Willow Springs Park. A 2- to 3-acre neighborhood park in the proposed Willow Springs Phase II project located south of US-101 and east of Los Carneros Road, on property totaling approximately 19 acres.
- d. Village at Los Carneros Park. A 3- to 5-acre neighborhood park in the proposed Village at Los Carneros project located south of US-101 and west of Los Carneros Road, on property totaling approximately 18 acres. The park should include active recreation facilities, such as fields suitable for organized sports.
- e. Cabrillo Business Park Open Space. An approximately 15-acre neighborhood open space located west of Santa Barbara Airport on an approximately 92-acre property bound by Hollister Avenue and Los Carneros Road.

Parks and open space in new developments shall be open to the general public and not limited to residents of individual development projects.

**Exhibit B**

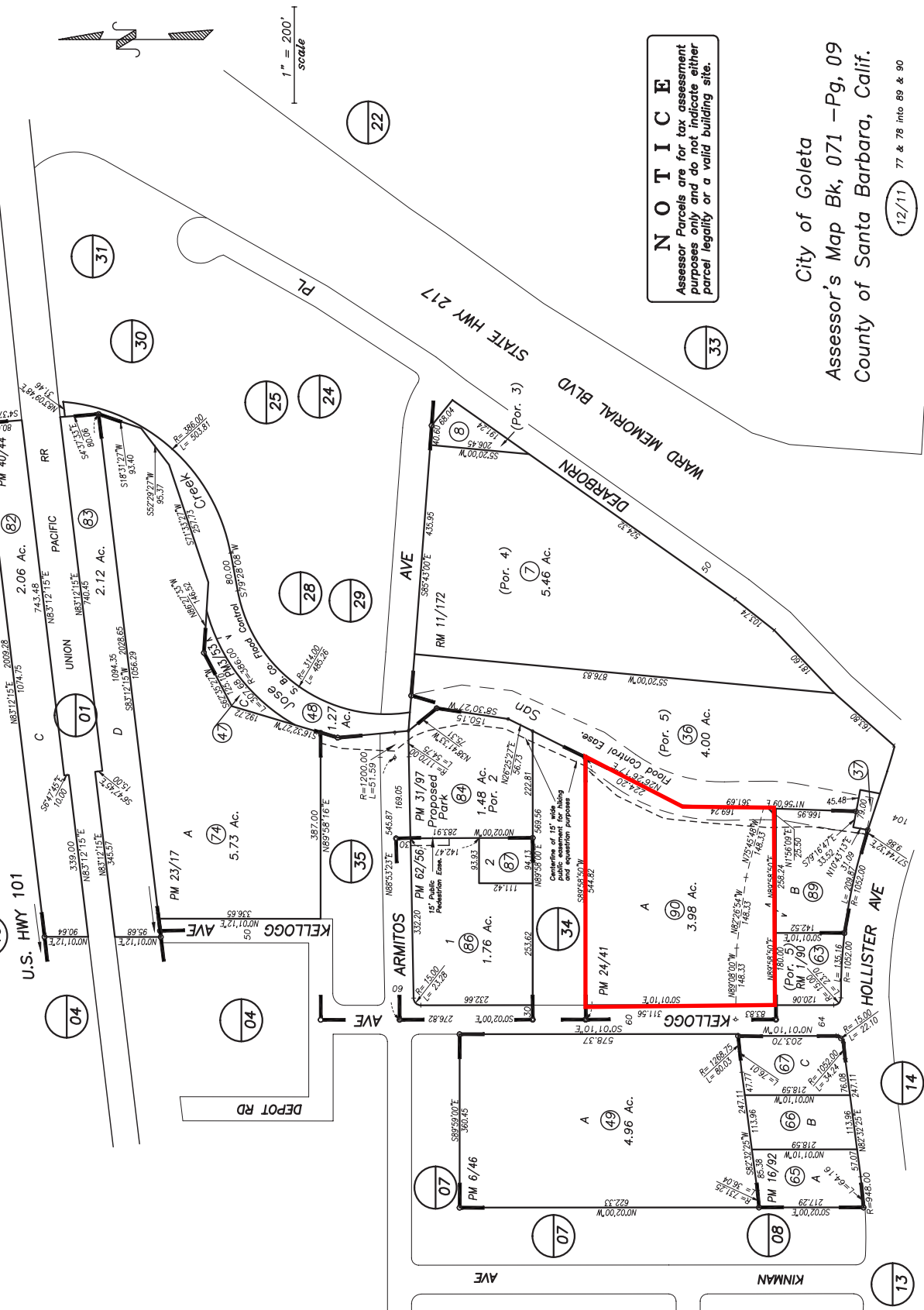
To Long Range Management Plan of the  
Goleta RDA Successor Agency

Santa Barbara County Assessor's Parcel Map  
Showing Assessor's Parcel No. 071-090-090

69 POR. RANCHO LA GOLETA

16

16



**NOTICE**  
 Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Goleta  
 Assessor's Map Bk, 071 -Pg, 09  
 County of Santa Barbara, Calif.

12/11 77 & 78 into 89 & 90

10/04/1918 R.M. Bk. 11, Pg. 172, Tract A, "Partition of Joseph Sexton Estate",  
 12/01/1900 R.M. Bk. 1, Pg. 90, Tract "Subd. of the Estate of P.E. Kellogg"