

**STAFF REPORT**

**TO: HONORABLE MAYOR AND CITY COUNCIL**  
**FROM: MARTIN D. KOCZANOWICZ, CITY ATTORNEY**  
**SUBJECT: FORMALIZATION OF OWNERSHIP TRANSFER FOR PROPERTY  
PREVIOUSLY OWNED BY IMPROVEMENT AGENCY FOR LOW AND  
MODERATE HOUSING PURPOSES**

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**BACKGROUND**

Following the State mandated dissolution of Grover Beach Improvement Agency, the City Council by resolution assumed the role of the Successor Agency to the Improvement Agency as well as Successor Housing Agency in order to continue any required activities connected to the Low and Moderate Housing Funds (LMHF) and property assets that were in the Improvement Agency's name. Among those assets were two pieces of property acquired by the Improvement Agency with LMHF for development of affordable housing in the City. One on Hillcrest Avenue (APN 060-581-042), and the other on 10<sup>th</sup> Street and Farroll Road (APN 060-352-018).

The title to these properties is still in the name of the Improvement Agency and needs to be changed to reflect the Successor Housing Agency as the actual owner.

**DISCUSSION**

This item is before the City Council for a dual action, one by the Council on behalf of the City Successor Agency and the other by the Council sitting as the Successor Housing Agency for action on behalf of that agency. By adopting the attached resolutions, Council will formalize the transfer. That action can then be presented to the Oversight Board for final approval.


**ALTERNATIVES**

The Council has the following alternatives to consider:

1. Adopt both resolutions formalizing the ownership of the property.
2. Provide other direction to staff.

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**APPROVED FOR FORWARDING**

  
\_\_\_\_\_  
**ROBERT PERRAULT**  
**CITY MANAGER**

**Please Review for the Possibility of a  
Potential Conflict of Interest:**

- |  |                                   |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> None Identified by Staff | <input type="checkbox"/> Lee      |
| <input type="checkbox"/> Peterson                            | <input type="checkbox"/> Marshall |
| <input type="checkbox"/> Bright                              | <input type="checkbox"/> Nicolls  |

Meeting Date: June 17, 2013

Agenda Item No. 14

**RECOMMENDED ACTION**

It is recommended that the following actions be taken:

City Council: In its capacity as Successor Agency adopt the Resolution authorizing the transfer of the properties to the Housing Successor Agency and authorize the Mayor to execute both deeds and any other documents necessary to effectuate the transfer.

Successor Housing Agency: Adopt the Resolution accepting ownership of those parcels and authorize the Mayor to execute any documents necessary to effectuate the transfer.

**FISCAL IMPACT**

No fiscal impact is directly related to this action

**PUBLIC NOTIFICATION**

The agenda was posted in accordance with the Brown Act.

**Attachments**

1. Resolution SA-13 - \_\_\_ for Successor Agency Action
2. Resolution SA-13 - \_\_\_ for Housing Successor Agency Action

**RESOLUTION NO. SA-13-XX**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF GROVER BEACH IN ITS FUNCTION AS SUCCESSOR AGENCY APPROVING THE FORMAL TRANSFER OF TITLE FOR CERTAIN PARCELS OF LAND FORMERLY OWNED BY THE GROVER BEACH IMPROVEMENT AGENCY FOR AFFORDABLE HOUSING DEVELOPMENT TO THE SUCCESSOR HOUSING AGENCY**

**WHEREAS**, the former Grover Beach Improvement Agency (GBIA) acquired certain two parcels of land with Low and Moderate Housing Funds (LMHF) for the purpose of developing affordable housing in the City known as the Hillcrest Avenue parcel (APN 060-581-042) and 10<sup>th</sup> Street and Farroll Road parcel (APN 060-352-018) ("Subject Properties"); and

**WHEREAS**, GBIA has been dissolved under state law and the formal title to the Subject Properties needs to be changed to reflect the City of Grover Beach in its function as the Successor Housing Agency as the current and rightful owner; and

**WHEREAS**, the City Council of Grover Beach assumed the role of the Successor Housing Agency by adoption of Resolution No. 12-01, thus retaining control over LMHF assets of the former GBIA, including Subject Properties; and

**WHEREAS**, the formalization of title on the Subject Properties is not a project under definitions of the California Environmental Quality Act (CEQA); and

**WHEREAS**, the formalization of title through this Resolution has been requested by the City auditors and is in compliance with the current state law (AB 1484) regarding disposition or use of LMHF assets.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF GROVER BEACH IN ITS FUNCTION AS A SUCCESSOR AGENCY AS FOLLOWS:**

**THAT** the title to the Subject Properties be transferred to reflect the City of Grover Beach Successor Housing Agency as the owner of record; and

**THAT** the Mayor is authorized to execute the new deeds and any other documents necessary to complete this transaction.

Upon motion by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing Resolution is **PASSED, APPROVED, AND ADOPTED** this 17<sup>th</sup> day of June, 2013 on the following roll call vote:

AYES:	Council Members -
NOES:	Council Members -
ABSENT:	Council Members -
ABSTAIN:	Council Members -

**DRAFT**  
\_\_\_\_\_  
DEBBIE PETERSON, MAYOR

ATTEST:

\_\_\_\_\_  
DONNA L. McMAHON, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
MARTIN D. KOCZANOWICZ  
CITY ATTORNEY

**RESOLUTION NO. SA-13-XX**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF GROVER BEACH IN ITS FUNCTION AS SUCCESSOR HOUSING AGENCY ACCEPTING THE FORMAL TRANSFER OF TITLE FOR CERTAIN PARCELS OF LAND FORMERLY OWNED BY THE GROVER BEACH IMPROVEMENT AGENCY FOR AFFORDABLE HOUSING DEVELOPMENT**

**WHEREAS**, the former Grover Beach Improvement Agency (GBIA) acquired certain two parcels of land with Low and Moderate Housing Funds (LMHF) for the purpose of developing affordable housing in the City known as Hillcrest Avenue parcel (APN 060-581-042) and 10<sup>th</sup> Street and Farroll Road parcel (APN 060-352-018) ("Subject Properties"); and

**WHEREAS**, GBIA has been dissolved under state law and the formal title to these properties needs to be changed to reflect the City of Grover Beach in its function as the Successor Housing Agency as the current and rightful owner; and

**WHEREAS**, the City Council of Grover Beach assumed the role of the Successor Housing Agency by adoption of Resolution No. 12-01, thus retaining control over LMHF assets of the former GBIA, including Subject Properties; and

**WHEREAS**, the formalization of title on the Subject Properties is not a project under definitions of the California Environmental Quality Act (CEQA); and

**WHEREAS**, the formalization of title through this Resolution has been requested by the City auditors and is in compliance with the current state law (AB 1484) regarding disposition or use of LMHF assets.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF GROVER BEACH IN ITS FUNCTION AS A SUCCESSOR HOUSING AGENCY AS FOLLOWS:**

**THAT** the City of Grover Beach Successor Housing Agency accepts transfer of title of owner of record of Subject Properties from the Grover Beach Improvement Agency; and

**THAT** the Mayor is authorized to execute any other documents necessary to complete this transaction.

Upon motion by Council Member \_\_\_\_\_ and second by Council Member \_\_\_\_\_, the foregoing Resolution is **PASSED, APPROVED, AND ADOPTED** on this 17<sup>th</sup> day of June, 2013 on the following roll call vote:

AYES: Council Members -  
NOES: Council Members -  
ABSENT: Council Members -  
ABSTAIN: Council Members -

~~DRAFT~~  
\_\_\_\_\_  
DEBBIE PETERSON, MAYOR

ATTEST:

\_\_\_\_\_  
DONNA L. McMAHON, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
MARTIN D. KOCZANOWICZ  
CITY ATTORNEY