

BEFORE THE COUNTYWIDE OVERSIGHT BOARD FOR THE  
COUNTY OF TULARE  
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF APPROVAL  
OF TRANSFER OF GOVERNMENT  
USE PROPERTY BY THE  
SUCCESSOR AGENCY TO THE  
PORTERVILLE REDEVELOPMENT  
AGENCY TO CITY OF  
PORTERVILLE.

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) Resolution No. 2019-009  
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UPON MOTION OF BOARD MEMBER Eddie Valero, SECONDED BY  
BOARD MEMBER Jeff Ramsay, THE FOLLOWING WAS ADOPTED BY THE  
COUNTYWIDE OVERSIGHT BOARD, AT AN OFFICIAL MEETING HELD February  
15<sup>th</sup> 2019, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

  
\_\_\_\_\_  
Phil Cox, Chair

ATTEST: LORELEIGH FAUBEL  
SECRETARY/CLERK TO THE BOARD

BY:   
Secretary/Clerk

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**WHEREAS**, the Successor Agency to the Porterville Redevelopment Agency (the "Successor Agency") has discovered that it holds title to certain real property described as APNs: 261-321-061-000, 261-322-059-000, 261-322-060-000, 261-322-061-000, and 261-322-061-000 (collectively, the "Properties"), which Properties are located within a single-family residential development (Casas Buena Vista) and the Tule River and are not currently developable or usable for any purpose other than their existing uses as roads, open space, park, and pedestrian/bicycle paths; and

**WHEREAS**, Health & Safety Code Section 34181(a)(1) provides, among other things, that "[t]he oversight board shall direct the successor agency to do all of the following: (a) Dispose of all assets and properties of the former redevelopment agency; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, parking facilities and lots dedicated solely to public parking, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset"; and

**WHEREAS**, the Properties inadvertently were not included in the Successor Agency's Long Range Property Management Plan which was approved by the Oversight Board and the California Department of Finance; and

**WHEREAS**, the Countywide Oversight Board now desires to confirm that the Properties are "constructed and used for a governmental purpose" within the meaning of Health & Safety Code Section 34181(a) and to direct the Successor Agency to transfer by quitclaim or grant deed any remaining interest it may have in the Properties to the City of Porterville pursuant to the Countywide Oversight Board's authority under Health & Safety Code Section 34181(a); and

**WHEREAS**, pursuant to Health and Safety Code Section 34181(f), notice to the public of this proposed action by the Countywide Oversight Board was given by means of the posting of the Countywide Oversight Board's agenda for this meeting, including a copy of the staff report and a draft of this Resolution, on the Countywide Oversight Board's webpage and posting paper copies thereof outside of the Tulare County Board of Supervisors' Chambers and outside of the Tulare County Auditor-Controller's office, which are locations freely accessible to members of the public, at least 10 days prior to the public meeting at which this Resolution was approved.

**NOW, THEREFORE, BE IT RESOLVED** that the Countywide Oversight Board hereby finds, determines, and resolves as follows:

**Section 1.** The foregoing recitals are true and correct and constitute a substantive part of this Resolution.

**Section 2.** The Countywide Oversight Board hereby finds and determines, based on all the evidence in the record before it, that the Properties were constructed and are currently used for governmental purposes, specifically road, open space, park, and pedestrian/bicycle path uses.

- Section 3.** The Countywide Oversight Board directs the Successor Agency to transfer and/or assign, as applicable, any remaining interest it may have in the Properties to the City of Porterville ("City") at no charge pursuant to Health & Safety Code Section 34181(a).
- Section 4.** The Countywide Oversight Board hereby authorizes the Successor Agency to take all actions necessary and appropriate to accomplish the transfer of title of the Properties to the City, to the satisfaction of any title company issuing a title policy with respect to the Properties, including, without limitation, executing and delivering additional quitclaim or grant deeds or other instruments as appropriate or as may be required by any title company insuring title to the Properties.
- Section 5.** The Chair of the Countywide Oversight Board shall sign the passage and adoption of this Resolution and thereupon the same shall take effect and be in force.
- Section 6.** The Successor Agency is hereby directed to transmit this Resolution and the accompanying staff report and all exhibits thereto, each of which is incorporated herein by reference, to the Department of Finance pursuant to Health & Safety Code Sections 34179(h) and 34181(f).