

**RESOLUTION NO. SA-2024-\_\_\_**

**A RESOLUTION OF THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF LAKE ELSINORE, CALIFORNIA APPROVING THE TRANSFER OF SPECIFIED REAL PROPERTY BY THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF LAKE ELSINORE PURSUANT TO SECTION 34181(a)(1) OF THE HEALTH & SAFETY CODE AND MAKING RELATED FINDINGS AND DECLARATIONS AND TAKING RELATED ACTIONS IN CONNECTION THEREWITH**

**Whereas**, the Successor Agency of the Redevelopment Agency of the City of Lake Elsinore ("Successor Agency") is charged with implementing enforceable obligations and winding down the affairs of the former Redevelopment Agency of the City of Lake Elsinore (the "Agency") in accordance with the California Health & Safety Code;

**Whereas**, the Redevelopment Agency of the City of Lake Elsinore (the "Former Agency") was formed, existed and exercised its powers pursuant to the Community Redevelopment law (California Health and Safety Code section 33000 et seq. the "CRL");

**Whereas**, the California state legislature enacted Assembly Bill 1x 26, as modified by Assembly Bill No. 1484 enacted on June 27, 2012, as further modified by Senate Bill No. 107 enacted on September 22, 2015, as such may be further amended (collectively, the "Dissolution Act"), adding or amending Parts 1.8 and 1.85 to Division 24 of the Health and Safety Code, to dissolve redevelopment agencies formed under the CRL;

**Whereas**, pursuant to Section 34173 of the Health and Safety Code, effective February 1, 2012 the Successor Agency of the Redevelopment Agency of the City of Lake Elsinore, a separate legal entity (the "Successor Agency") was formed to and charged with paying the enforceable obligations, disposing of the properties and other assets, and unwinding the affairs of the dissolved Former Agency;

**Whereas**, upon dissolution of the Former Agency, all authority, rights, powers, duties and obligations previously vested with the Former Agency (except for the Former Agency's housing assets and functions) under the CRL vested in the Successor Agency, which was declared a separate legal entity effective June 27, 2012;

**Whereas**, Section 34179(j) of the Health and Safety Code provides for the appointment of a countywide oversight board (the "Countywide Oversight Board") with specific duties to approve certain Successor Agency actions pursuant to Section 34180 of the Health and Safety Code and to direct the Successor Agency in certain other actions pursuant to Section 34181 of the Health and Safety Code;

**Whereas**, the real property and specified other assets of the Former Agency were transferred to the ownership and control of the Successor Agency as of February 1, 2012 pursuant to Section 34175(b) of the Health and Safety Code;

**Whereas**, the Successor Agency holds fee title to an approximately .21 acre parcel located at 284 Ellis Street in the City of Lake Elsinore identified as APN 377-292-017 (referred to as the "Agency Property") depicted on the attached Map and as further described in the legal description contained in Attachment "A", attached hereto and incorporated herein by this reference;

**Whereas**, the Successor Agency has satisfied all requirements of the Surplus Lands Act (Government Code Section 54220 et seq.) by declaring the Agency Property as surplus, publishing a Notice of Availability, negotiating in good faith with the one interested party, preparing a Purchase and Sale Agreement pursuant to which the interested party agrees to purchase the Agency Property at fair market value, and to record an affordability restriction requiring that 15% of the units in any residential development of more than 10 units on the Agency Property be affordable;

**Whereas**, the Successor Agency desires to enter into that certain Agreement and Escrow Instructions For Purchase and Sale of Real Property transferring fee title to the Agency Property from the Successor Agency to the owner of adjacent property, Steven Udell Woods and Andreina Chacon-Woods, husband and wife, as shown in Attachment "B", attached hereto and incorporated herein by this reference;

**Whereas**, pursuant to Section 34181(a)(1), the Countywide Oversight Board can direct the Successor Agency to dispose of all assets and properties of the Successor Agency;

**Whereas**, pursuant to Section 34181(f) of the Health and Safety Code, Countywide Oversight Board will consider the proposed transfer after at least 10 days' notice to the public at its meeting on September 19, 2024 and the Successor Agency has provided evidence of compliance with the requirements of Section 34181(f) of the Health and Safety Code, by submitting a copy of the published notice required thereunder as shown in Attachment "C", attached hereto and incorporated herein by this reference;

**Whereas**, the accompanying staff report, and attachments, attached hereto and incorporated herein by this reference, provide the supporting information upon which the actions set forth in this Resolution are based; and

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

**NOW, THEREFORE, THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1.** The Recitals set forth above are true and correct and incorporated herein by reference.

**Section 2.** Pursuant to the California Environmental Quality Act (CEQA), based upon a review of the evidence and information presented on the matter as it relates to the approval of the proposed Agreement and Escrow Instructions For Purchase and Sale of Real Property transferring fee title of the Agency Property, the Successor Agency finds and determines that such approval does not constitute a project under California Environmental Quality Act (CEQA) and Section 15004(b) of the CEQA Guidelines in that it does not vest any development rights or result in the physical change in the environment and that any proposed affordable housing project will be required to comply with CEQA and obtain all land use entitlements, and does not commit the City to any definite course of action or foreclose alternatives or mitigation measures that would ordinarily be part of CEQA;

**Section 3.** That the Successor Agency's Executive Director's designee is directed to file a Notice of Exemption in accordance with CEQA with respect to the proposed sale of the Agency Property upon approval by the Countywide Oversight Board.

**Section 4.** The Successor Agency hereby approves the conveyance of the Agency Property in the manner specified herein, and subject to approval by the Countywide Oversight Board and the California Department of Finance, hereby authorizes and directs the Executive Director of the Successor Agency to execute that certain Agreement and Escrow Instructions For Purchase and Sale of Real Property and to take all actions and sign any and all documents necessary to implement and effectuate the actions approved by this Resolution as determined necessary by the Successor Agency's Executive Director in such final form as approved by the Successor Agency's General Counsel including any technical or clerical corrections to the documents effectuating the terms of this Resolution.

**Section 5.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Successor Agency declares that the Successor Agency would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

**Section 6.** This Resolution shall take effect immediately in accordance with Health and Safety Code Section 34181(f).

**Passed, and Adopted** by the Successor Agency of the Redevelopment Agency of the City of Lake Elsinore, California, this 11th day of September, 2024.

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Steve Manos  
Chair

Attest:

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Candice Alvarez, MMC  
Agency Secretary

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF LAKE ELSINORE                )

I, Candice Alvarez, Secretary to the Successor Agency of the Redevelopment Agency of the City of Lake Elsinore, California, hereby certify that Resolution No. SA-2024-\_\_\_\_ was adopted by the Successor Agency of the Redevelopment Agency of the City of Lake Elsinore at a Special meeting held on the 11th day of September, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Candice Alvarez, MMC  
Agency Secretary

ATTACHMENT A

AGENCY PROPERTY DEPICTED AS PARCEL B ON ATTACHED PLAT MAP  
AND LEGAL DESCRIPTION

[attached]

ATTACHMENT "B"  
AGREEMENT AND ESCROW INSTRUCTIONS FOR PURCHASE AND SALE OF REAL  
PROPERTY

[behind this page]

ATTACHMENT "C"

NOTICE OF PUBLICATION  
HEALTH AND SAFETY CODE SECTION 34181(f)

[behind this page]