

RESOLUTION NO. OBSA15-26

A RESOLUTION OF THE OVERSIGHT BOARD TO THE CARSON SUCCESSOR AGENCY APPROVING THE THIRD AMENDMENT TO THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CARSON SUCCESSOR AGENCY AND PANATTONI DEVELOPMENT COMPANY, INC. FOR THE SALE OF AGENCY-OWNED PROPERTY LOCATED AT 2254 E. 223RD STREET

WHEREAS, as a result of the passage of Assembly Bill 26 from the 2011-12 First Extraordinary Session of the California Legislature (ABx1 26), the Carson Redevelopment Agency (RDA) was dissolved on February 1, 2012; and

WHEREAS, pursuant to Assembly Bill 1484 of the 2011-12 Legislative Session (AB 1484) which amended ABx1 26 (ABx1 26 and AB 1484, collectively, the "Dissolution Act"), the Successor Agency for the former RDA (Successor Agency) is a separate public agency now charged with winding down the RDA's affairs, including making payments due for enforceable obligations (as defined in the Dissolution Act), and perform obligations required pursuant to enforceable obligations; and

WHEREAS, Finance approved the Successor Agency's Long Range Property Management Plan (Plan) on October 23, 2013; and

WHEREAS, pursuant to Health and Safety Code section 34179.5 within six months after receiving a Finding of Completion from the Department of Finance (Finance), the Successor Agency is required to submit for approval to the Oversight Board and Finance a Long-Range Property Management Plan that addresses the disposition and use of the real properties of the former redevelopment agency; and

WHEREAS, Finance approved the Successor Agency's Long Range Property Management Plan (Plan) on October 23, 2013; and

WHEREAS, the Successor Agency and Panattoni Development Company, Inc. (Developer) entered into a purchase and sale agreement on January 21, 2014 following approval by the Successor Agency Board for sale of Agency-owned property located 2254 E. 223rd Street, Carson, CA (Property); and

WHEREAS, the Oversight Board approved the sale of the Property to the Developer on January 27, 2014, in accordance with the Finance approved Plan and HSC section 34181 (f); and

WHEREAS, the original sales price of \$5,000,000 is based on an independent highest and best use fair market appraisal value of \$5,300,000 – less a discount of an estimated \$300,000 to account for environmental remediation costs; and

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WHEREAS, the Developer proposes to develop an industrial park on the Property; and

WHEREAS, the Agreement was amended on July 21, 2014, to extend the closing date (First Amendment); and

WHEREAS, during geotechnical soils investigations the Developer discovered the potential for significant liquefaction and water monitoring wells, located at proposed building locations; and

WHEREAS, the Agreement was amended on January 26, 2015, to extend the closing date to June 30, 2015 to allow the Developer sufficient time to re-design the project to address the unexpected environmental conditions (Second Amendment); and

WHEREAS, the unexpected environmental conditions have caused a significant increase in development costs; and

WHEREAS, the Developer is requesting a reduction in the purchase price to offset the unexpected costs to address the environmental conditions to develop an industrial park on the Property; and

WHEREAS, the third amendment would approve the reduction in land costs for a revised sale price of \$2,542,323 (Third Amendment); and

WHEREAS, the Oversight Board has been duly established and operating pursuant to Health and Safety Code section 34179; and

WHEREAS, the Oversight Board has taken into consideration its fiduciary responsibility to the holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues.

NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD AS FOLLOWS:

Section 1. That the above recitals are true, correct, and incorporated herein.

Section 2. The Oversight Board approves the Third Amendment authorizing the Agency to reduce the sale price to \$2,542,323.


Section 3. The Oversight Board hereby directs that the proceeds of the sale of the Property be distributed pursuant to the Plan.

Section 4. The Secretary shall certify to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this 23rd day of April, 2015.


Chairman Jim Dear

ATTEST:


Secretary Susan S. Nursement

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Susan S. Nursement, Secretary of the Oversight Board to the Former Carson Redevelopment Agency, do hereby certify that the whole number of members of the Board is seven; that the foregoing resolution, being Resolution No. OBSA15-26 was duly and regularly adopted by said Board at a meeting of the Oversight Board, duly held on the 23rd day of April 2015, and that the same was passed and adopted by the following vote:

AYES: BOARD MEMBERS: Hidalgo, Gray, Kaji, and Sztorch
NOES:
ABSENT: BOARD MEMBERS: Dear, Curry, and Walsh



Secretary Susan S. Nursement