

RESOLUTION 2019-058

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT REGARDING WILLOW MOBILE HOME PARK WITH CREEKSIDE VILLAGE MHC, LLC, RELEASING THE CITY'S MASTER LEASE, CONVEYING SIX CITY-OWNED MOBILE HOMES UPON CERTAIN CONDITIONS AND ALL NECESSARY RELATED ACTIONS

WHEREAS, pursuant to Part 1.85 of Division 24 of the California Health and Safety Code (Health and Safety Code Section 34170 *et seq.*; the "Dissolution Act"), on February 1, 2012, the San Pablo Local Successor Agency (the "San Pablo LSA") succeeded to all assets, properties, contracts, leases, books and records, buildings, and equipment (the "redevelopment assets") of the former Redevelopment Agency of the City of San Pablo (the "former Redevelopment Agency") and, except as repealed, restricted, or revised by the Dissolution Act, was vested with all authority, rights, powers, duties and obligations under the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*; the "CRL") previously vested with the former RDA; and

WHEREAS, the redevelopment assets included assets associated with the former Redevelopment Agency's obligations under the CRL to increase, improve or preserve the community's supply of low and moderate income housing available at affordable housing cost to persons and families of low and moderate income (the "housing assets"); and

WHEREAS, Section 34176 of the Dissolution Act authorized the City of San Pablo to elect to retain the housing assets and functions previously performed by the Redevelopment Agency; and

WHEREAS, the City of San Pablo is serving as the housing successor to the former Redevelopment Agency (the "Housing Successor"); and

WHEREAS, in 1986, the former Redevelopment Agency entered into a ground lease ("Master Lease") with the Roman Catholic Bishop of Oakland ("Diocese") for approximately 3.34 acres of land located on Willow Road adjacent to St. Joseph's Cemetery; the area is being operated as Willow Road Mobile Home Park ("Willow MHP") and is a housing asset; and

WHEREAS, on September 30, 2014, the Master Lease was assigned to the City as the Housing Successor; the current Master Lease was executed on December 17, 2014, and will expire on December 31, 2019, subject to an option to renew for an additional 5 years; and

WHEREAS, Willow MHP is currently being managed by Evans Property Management ("Evans") on behalf of the City; and

WHEREAS, Creekside Village MHC, LLC ("Creekside") is in the process of purchasing the land occupied by Willow MHP from the Diocese; Creekside is an experienced mobile home park operator and owns and operates a number of mobile home park communities in the Central Valley, as well as Creekside Village directly across the street from Willow MHP; and

WHEREAS, staff has negotiated an Agreement Regarding Willow Mobile Home Park ("Agreement") with Creekside that would provide for the termination of the City's Master Lease and transfer of certain City-owned mobile homes to Creekside in exchange for certain promises and commitments by Creekside designed to protect Willow MHP and the existing tenants, as more fully described in the staff report accompanying this resolution;

WHEREAS, the execution of the Agreement Regarding Willow Mobile Home Park, conveyance of the City-owned mobile homes and related actions are not a project requiring environmental review under the California Environmental Quality Act ("CEQA") as changing ownership is not an activity that may cause a direct or reasonably foreseeable indirect physical environment change pursuant to Public Resources Code section 21080(a) and 14 California Code of Regulations section 15002(d). If deemed a project, it can be exempt as having no possible significant effect on the environment pursuant to 14 California Code of Regulations section 15061;

NOW, THEREFORE, the City Council of the City of San Pablo does hereby resolve as follows:

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

Section 2. Approval of Agreement Regarding Willow Mobile Home Park. The City Council hereby approves and authorizes the City Manager to execute the Agreement Regarding Willow Mobile Home Park, in the form attached hereto, on behalf of the City. The City Manager is further authorized to execute such other documents and take such other actions as are necessary to carry out and implement the obligations of the City under the Agreement, and, with the consent of the City Attorney, to approve minor, non-monetary amendments to the Agreement that are necessary and appropriate for the termination of the City's Master Lease and the conveyance of the City-owned mobile homes at Willow MHP.

Section 3. Termination of Property Management Agreement with Evans Property Management. The City Council hereby authorizes the City Manager to terminate its property management agreement with Evans Property Management for the management of Willow MHP at the appropriate time.

PASSED AND ADOPTED this 15th day of April, 2019 by the following vote:

AYES:	COUNCILMEMBERS:	Pineda, Xavier, Pabon-Alvarado, Cruz and Kinney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:

/s/ Patricia Ponce
Patricia Ponce, City Clerk

/s/ Rich Kinney
Rich Kinney, Mayor