

CITY COUNCIL AND SUCCESSOR AGENCY STAFF REPORT

DATE:

APRIL 20, 2016

NEW BUSINESS

SUBJECT:

AMENDING THE LONG RANGE PROPERTY MANAGEMENT PLAN TO ALLOW FOR RETENTION OF REAL PROPERTIES USED FOR PUBLIC PARKING BY DESIGNATING THEM AS GOVERNMENTAL USE AND APPROVING TRANSFER OF OWNERSHIP OF CERTAIN REAL PROPERTY TO THE CITY OF PALM SPRINGS FOR CITY

GOVERNMENTAL PURPOSES

FROM:

David H. Ready, City Manager

BY:

Community & Economic Development Department

SUMMARY

The City Council, acting as Successor Agency to the City of Palm Springs ("City") Community Redevelopment Agency, will consider approving the transfer of public parking lots to the City as governmental use, pursuant to SB 107 and Health and Safety Code Section 34181, subject to approval of the Oversight Board and the State of California Department of Finance ("DOF"). Additionally, the City Council will also consider approving the acceptance of the public parking lots and authorize the City Clerk to execute a Certificate of Acceptance for the Grant Deed.

An amendment of the Long Range Property Management Plan ("LRPMP") to retain public parking lots for governmental use would allow the Successor Agency to transfer ownership of the following real properties, numbered 8 through 12 in the LRPMP, back to the City of Palm Springs:

- 8. Catholic Church Parking Lot
- 9. Blue Coyote Parking Lot
- 10. Food Court Parking Lot
- 11. Henry Frank Arcade Parking Lot
- 12. Vineyard Parking Lot

RECOMMENDATION:

1. Receive and File Amendment No. 1 to the Long Range Property Management Plan.

- 2. Adopt Resolution No. _______, "A RESOLUTION OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE EXECUTIVE DIRECTOR TO TRANSFER CERTAIN REAL PROPERTIES NUMBERED 8 THROUGH 12 IN THE LRPMP TO THE CITY OF PALM SPRINGS FOR CITY GOVERNMENTAL USE PURSUANT TO THE PROVISIONS OF THE LRPMP AND HEALTH AND SAFETY CODE SECTION 34181."
- 3. Adopt Resolution No. _______, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO ACCEPT THE TRANSFER OF SUCCESSOR AGENCY PROPERTY NUMBERED 8 THROUGH 12 IN THE LRPMP TO THE CITY OF PALM SPRINGS FOR CITY GOVERNMENTAL USE PURSUANT TO THE PROVISIONS OF THE LRPMP AND HEALTH & SAFETY CODE SECTION 34181."

STAFF ANALYSIS:

The Dissolution Act calls for the Successor Agency, under the direction of the Oversight Board, to dispose of real property it received from the dissolved Redevelopment Agency (RDA) either for specific public uses, or for disposition into the private market, expeditiously and with a view toward reasonably maximizing value, with the disposition proceeds ultimately made available for distribution to the affected taxing entities.

The Long Range Property Management Plan was approved by the Oversight Board on December 16, 2013, and approved by the DOF in a letter dated March 25, 2014. The LRPMP addresses the intended disposition of 12 properties (consisting of 19 parcels in total) from the dissolved RDA. At the time of submission of the LRPMP in December 2013, the categories of real properties that could be retained for governmental use were limited and excluded public parking facilities as a permissible "governmental use".

The City and the Successor Agency have always held the position that the public parking lots serve a governmental purpose and should be transferred to the City of Palm Springs. In fact, since early 2011 and prior to the Dissolution Act, the former Community Redevelopment Agency and then later the Successor Agency, through Oversight Board actions in December 2012 and in March 2013, attempted to transfer those parking lots to the City. However, the DOF on June 14, 2013 and June 26, 2013, disallowed a number of transfers of properties that the City held for governmental use, including the five subject public parking lots, citing that "they are not reserved for the sole use of governmental agencies or persons visiting those agencies".

Based on the prior rejection by DOF to allow the transfer of the public parking lots to the City, and the experiences of other cities in California that had already submitted their LRPMPs, City Staff and the City's redevelopment property consultant anticipated that

the DOF would be reluctant to approve the LRPMP with a disposition plan that included retention of public parking lots for governmental use. In the interest of avoiding delays in the DOF processing of the LRPMP, the recommended approach for disposition was to sell the properties, likely to the City itself, rather than to try to make the argument that the public parking lots were governmental use properties.

DOF interpretations changed when, on September 23, 2015, Governor Brown signed SB 107 making significant changes to redevelopment dissolution laws. Section 34191.3(b) of the Health and Safety Code was amended to read:

"If the department has approved a successor agency's LRPMP prior to January 1, 2016, the successor agency may amend its LRPMP once, solely to allow for retention of real properties that constitute 'parking facilities and lots dedicated solely to public parking' for governmental use pursuant to Section 34181. An amendment to a successor agency's LRPMP under this subdivision shall be submitted to its oversight board for review and approval pursuant to Section 34179, and any such amendment shall be submitted to the department prior to July 1, 2016."

On April 19, 2016, the Oversight Board will consider the amendment of the LRPMP to retain for governmental use those certain properties that are used solely for public parking, numbered 8 through 12 in the LRPMP. Parking facilities and lots dedicated solely to public parking do not include properties that generate revenues in excess of reasonable maintenance costs of the properties.

The table below provides a summary of the originally proposed plan for disposition of public parking lots in the LRPMP, and the proposed amendment to the disposition plan.

# **	Site Name	Assessor's Parcel Number(s)	Disposition (Original LRPMP)	Disposition (Proposed Amendment to LRPMP)
8	Catholic Church Parking Lot	505-324-002	Sell Property	Governmental Use
9	Blue Coyote Parking Lot and Driveway	513-082-023 and 513-082-040	Sell Property	Governmental Use
10	Food Court Parking Lot	513-082-043	Sell Property	Governmental Use
11	Henry Frank Arcade Parking Lot	513-091-004	Sell Property	Governmental Use
12	Vineyard Parking Lot	513-153-015, 513-153-016, and 513-153-029	Sell Property	Governmental Use

^{**} This is the site number referenced in the Original LRPMP.

Pursuant to Health and Safety Code Section 34181, the Oversight Board, at its meeting on April 19, 2016, will consider approving the transfer of ownership of public parking facilities to the City of Palm Springs for City Governmental use pursuant to any existing agreements relating to the construction or use of these assets, and if approved, will direct the Successor Agency to transfer those properties to the City of Palm Springs.

FISCAL IMPACT:

No fiscal impact.

Diana Shay

Redevelopment Coordinator

David H. Ready, City Manager

Lauri Aylaian, Director of

Community and Economic Development

Attachments:

1. Resolution No. _____ Attachment 1-LRPMP Property Inventory Data Spreadsheet

Resolution No.

Attachment 1-LRPMP Property Inventory Data Spreadsheet

DECOL	LITION	NO	
RESOL	NOHU.	NO.	

"A RESOLUTION OF CITY COUNCIL ACTING SOLELY IN ITS CAPACITY AS SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE EXECUTIVE DIRECTOR TO TRANSFER CERTAIN REAL PROPERTIES NUMBERED 8 THROUGH 12 IN THE LRPMP TO THE CITY OF PALM SPRINGS FOR CITY GOVERNMENTAL USE PURSUANT TO THE PROVISIONS OF THE LRPMP AND HEALTH AND SAFETY CODE SECTION 34181"

WHEREAS, the Community Redevelopment Agency of the City of Palm Springs ("Redevelopment Agency") was a redevelopment agency in the City of Palm Springs ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, AB X1 26 and AB X1 27 were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code") which effectively dissolves the Redevelopment Agency ("Dissolution Act"); and

WHEREAS, pursuant to Health & Safety Code Section 34191.5(b), successor agencies are required to send long-range property management plans to the oversight board and State of California Department of Finance no later than six months following the issuance of the finding of completion; and

WHEREAS, the Successor Agency received its finding of completion from the State of California Department of Finance on January 2, 2014; and

WHEREAS, the Successor Agency submitted a Long Range Property Management Plan ("LRPMP") to the State on December 16, 2013, in accordance with the provisions of Section 34191.3 of the Dissolution Act, indicating the intended disposition and use of the real property assets of the former Redevelopment Agency; and

WHEREAS, on September 23, 2015, SB 107 was enacted by the State of California making significant changes to redevelopment dissolution laws including the permissible retention of real properties that constitute parking facilities and lots dedicated to public parking for governmental use pursuant to Health and Safety Code Section 34181; and

WHEREAS, the Successor Agency of the Palm Springs Community Redevelopment Agency prepared an amendment to the Long Range Property Management Plan,

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amending the disposition plan of those real properties used for public parking as real properties to be retained for governmental use, in the form attached herewith as Attachment 1, a detailed LRPMP Inventory Data spreadsheet provided by DOF, in accordance with the provisions of Section 34191.3 of the Dissolution Act, indicating the intended disposition and use of those real property assets of the former Redevelopment Agency; and

WHEREAS, the Oversight Board directed the Successor Agency to transfer ownership of those assets that were constructed and used for governmental purposes, including parking facilities and lots dedicated solely to public parking, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset; and

WHEREAS, the Successor Agency desires to transfer the properties to the City of Palm Springs and the City desires to accept the transfer of such Properties from the Agency.

NOW, THEREFORE, BE IT RESOLVED THAT THE SUCCESSOR AGENCY OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS DETERMINES, APPROVES AND DIRECTS AS FOLLOWS:

<u>Section 1</u>. The Successor Agency hereby finds and determines that the foregoing recitals are true and correct, and incorporates them herein by reference.

<u>Section 2</u>. The Successor Agency approves the transfer of those real properties, numbered 8 through 12 in the LRPMP to the City of Palm Springs identified in Attachment 1 to this resolution.

<u>Section 3</u>. The Successor Agency authorizes and directs the Executive Director to execute grand deeds transferring those real properties, numbered 8 through 12 in the LRPMP to the City of Palm Springs, and to execute such other documents as may be reasonably necessary or prudent to complete this transaction as provided in this Resolution.

	David H. Ready, Executive Director
ATTEST:	
JAMES THOMPSON,	
City Clerk/Secretary	

CERTIFICATION

STATE OF CALIFORNIA	
COUNTY OF RIVERSIDE) ss.
)
Springs Community Redevelopment Age	cretary of the Successor Agency of the Palmency hereby certify that Resolution No is duly adopted at a regular meeting of the City pril 20, 2016, by the following vote:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	JAMES THOMPSON
	City Clerk/Secretary
	City of Palm Springs, California

Attachment No. 1 Long Range Property Management Plan Property Inventory Data Spreadsheet

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	HSC 34191.5 (c)(1)	(C)			HSC 34191.5 (c)(2)
			# # **********************************		If Sale of Property, specify intended use	
No.	Address or Description	APN	Property Type	Permissible Use	of sale proceeds	Permissible Use Detail
1	Catholic Church Parking Lot	505-324-002	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
2	Blue Coyote Parking Lot	513-082-023	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
3	Blue Coyote Parking Lot	513-082-040	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
4	Food Court Parking Lot	513-082-043	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
5	Henry Frank Arcade Parking Lot Vineyard Parking Lot	513-091-004 513-153-015	Parking Lot/Structure Parking Lot/Structure	Governmental Use Governmental Use		Public Parking/Governmental Public Parking/Governmental
7	Vineyard Parking Lot	513-153-016	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
8	Vineyard Parking Lot	513-153-029	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
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Successor Agency: City of Palm Springs County: Riverside

	HSC 34191.5 (c)(1)	HSC	34191.5 (c)(1)(Δ)		
M-		Acquisition	Value at	Estimated Current	Date of Estimated Current	Estimated Current
No.	Address or Description Catholic Church Parking Lot	Date 10/1/1083	Acquisition 610,000	Value 685,000	Value 2/25/2014	Value Basis Book
2	Blue Coyote Parking Lot	8/1/1981	400,000		2/25/2014	Book
3	Blue Coyote Parking Lot	Unknown	Unknown	141,500	2/25/2014	Book
4	Food Court Parking Lot	6/12/1997	212,438	341,826	2/25/2014	Book
5	Henry Frank Arcade Parking Lot	10/1/1989	267,000	266,673	2/25/2014	Book
6	Vineyard Parking Lot	6/1/1977	Unknown		2/25/2014	Book
7 -	Vineyard Parking Lot	7/1/1977	Unknown	482,457	2/25/2014	Book
8	Vineyard Parking Lot	5/17/1979	198,215		2/25/2014	Book
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		Proposed	Proposed	i	Purpose for which property			
No.	Address or Description	Sale Value	Sale Date	i. Nettur	was acquired	ľ	ot Size	Current Zoning
1	Catholic Church Parking Lot				To provide public parking		Square Feet	CU-Civic Uses Zone
2	Blue Coyote Parking Lot				To provide public parking	19,889	Square Feet	CU-Civic Uses Zone
3	Blue Coyote Parking Lot				To provide public parking	6,534	Square Feet	CU-Civic Uses Zone
4	Food Court Parking Lot	-			To provide public parking	26,136	Square Feet	CU-Civic Uses Zone
5	Henry Frank Arcade Parking Lot			-13	To provide public parking		Square Feet	CU-Civic Uses Zone
6	Vineyard Parking Lot				To provide public parking		Square Feet	CU-Civic Uses Zone
7	Vineyard Parking Lot			:	To provide public parking		Square Feet	CU-Civic Uses Zone
8	Vineyard Parking Lot				To provide public parking	41,818	Square Feet	CU-Civic Uses Zone
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	HSC 34191.5 (c)(1)	HSC 34191.5 (c)(1)(D)	HSC 3419	1.5 (c)(1)(E)	HSC 34191.5 (c)(1)(F)
		Estimate of Current	Annual Estimate of	Are there any contractual requirements for use of	Has there been historic environmental contamination, studies, and/or remediation, and designation as a brownfield site for the
No.	Address or Description	Parcel Value	Income/Revenue	income/revenue?	property? No
2	Catholic Church Parking Lot Blue Coyote Parking Lot	685,000		No	No No
	Blue Coyote Parking Lot	141,500		No	No
4	Food Court Parking Lot	341,826		No	No
5	Henry Frank Arcade Parking Lot	266,673	<u>.</u>	No	No
6	Vineyard Parking Lot			No	No
7	Vineyard Parking Lot	482,457		No	No
8	Vineyard Parking Lot		0	No	No
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	HSC 34191.5 (c)(1)	HSC 341	91.5 (c)(1)(G)	HSC 34191.5 (c)(1)H)	
No.	Address or Description	Does the property have the potential as a transit oriented development?	Were there advancements to the successor agency's planning objectives?	Does the property have a history of previous development proposals and activity?	
1	Catholic Church Parking Lot	Yes	Yes	No	.0000
2	Blue Coyote Parking Lot	Yes	Yes	No	
3	Blue Coyote Parking Lot	Yes	Yes	No	1114
4	Food Court Parking Lot	Yes	Yes	No	
5	Henry Frank Arcade Parking Lot Vineyard Parking Lot	Yes Yes	Yes Yes	No No	
7	Vineyard Parking Lot	Yes	Yes	No No	2606 V 1
8	Vineyard Parking Lot	Yes	Yes	No No	
9	Thirty and Tananag Lot			,,,,,	27.5
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"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA AUTHORIZING THE CITY MANAGER TO ACCEPT THE TRANSFER OF SUCCESSOR AGENCY PROPERTY, NUMBERED 8 THROUGH 12 IN THE LRPMP TO THE CITY OF PALM SPRINGS FOR CITY GOVERNMENTAL USE PURSUANT TO THE PROVISIONS OF THE LRPMP AND HEALTH & SAFETY CODE SECTION 34181

WHEREAS, the Successor Agency to the Community Redevelopment Agency of the City of Palm Springs owns certain real properties in the City of Palm Springs that are used exclusively for public parking; and

WHEREAS, the LRPMP allows for retention of properties that are used exclusively for public parking purposes for governmental use and transfer of governmental use properties to the City of Palm Springs; and

WHEREAS, the Oversight Board directed the Successor Agency to transfer ownership of those assets that were constructed and used for governmental purposes, including parking facilities and lots used exclusively for public parking, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset; and

WHEREAS, the Successor Agency desires to transfer the properties to the City of Palm Springs and the City desires to accept the transfer of such properties from the Successor Agency.

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PALM SPRINGS HEREBY:

<u>Section 1</u>. Accepts the transfer of those real properties numbered 8 through 12 in the LRPMP to the City of Palm Springs, identified in Attachment 1 to this resolution.

<u>Section 2</u>. Authorizes and directs the City Manager and City Clerk to execute any and all documents as may be reasonably necessary or prudent to complete this transaction as provided in this Resolution.

ADOPTED THIS 20TH DAY OF APRIL, 2016.

ATTEST:	David H. Ready, City Manager
JAMES THOMPSON,	

CERTIFICATION

STATE OF CALIFORNIA	
COUNTY OF RIVERSIDE) ss.
)
Springs Community Redevelopment Age	cretary of the Successor Agency of the Palmency hereby certify that Resolution No is duly adopted at a regular meeting of the City pril 20, 2016, by the following vote:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	JAMES THOMPSON
	City Clerk/Secretary
	City of Palm Springs, California

Attachment No. 1 Long Range Property Management Plan Property Inventory Data Spreadsheet

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	HSC 34191.5 (c)(1)	(C)		HSC 34191.5 (c)(2)
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	と Russes and Application Russes and Application (Application of Application of				If Sale of Property, specify intended use	
No.	Address or Description	APN	Property Type	Permissible Use	of sale proceeds	Permissible Use Detail
1	Catholic Church Parking Lot	505-324-002	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
	Blue Coyote Parking Lot	513-082-023	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
3	Blue Coyote Parking Lot	513-082-040	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
4	Food Court Parking Lot	513-082-043	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
5	Henry Frank Arcade Parking Lot	513-091-004	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
6	Vineyard Parking Lot	513-153-015	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
7	Vineyard Parking Lot	513-153-016	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
8	Vineyard Parking Lot	513-153-029	Parking Lot/Structure	Governmental Use		Public Parking/Governmental
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Successor Agency: City of Palm Springs County: Riverside

	HSC 34191.5 (c)(1)		34191.5 (c)(1)(Ά)		
					Date of	
		Acquisition	Value at Time of	Estimated Current	Estimated Current	Estimated Current
No.	Address or Description	Date	Acquisition	Value	Value	Value Basis
1	Catholic Church Parking Lot	10/1/1083	610,000	685,000		Book
2	Blue Coyote Parking Lot	8/1/1981	400,000	141.500	2/25/2014	Book
3	Blue Coyote Parking Lot	Unknown	Unknown	.,	2/25/2014	Book
4	Food Court Parking Lot	6/12/1997	212,438	341,826	2/25/2014	Book
5	Henry Frank Arcade Parking Lot	10/1/1989	267,000	266,673	2/25/2014	Book
6	Vineyard Parking Lot	6/1/1977	Unknown		2/25/2014	Book
7	Vineyard Parking Lot	7/1/1977	Unknown	482,457	2/25/2014	Book
8	Vineyard Parking Lot	5/17/1979	198,215		2/25/2014	Book
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Successor Agency: City of Palm Springs County: Riverside

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA

Property Value/Sale

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	HSC 34191.5 (c)(1)	SALE OF PROPERTY (If applicable)				HSC 34191,5 (c)(1)(B)	HSC 34191.5 (c)(1)(C)			
		Proposed	Proposed		Purpose for which property			•	.	
No.	Address or Description	Sale Value	Sale Date		was acquired	12. 1. 100000007. 11	t Size	Current Zoi	ning	
1	Catholic Church Parking Lot				To provide public parking	39,440	Square Feet	CU-Civic Uses	Zone	
2	Blue Coyote Parking Lot				To provide public parking		Square Feet	CU-Civic Uses	Zone	
3	Blue Coyote Parking Lot				To provide public parking	6,534	Square Feet	CU-Civic Uses	Zone	
4	Food Court Parking Lot				To provide public parking	26,136	Square Feet	CU-Civic Uses	Zone	
5 6 7	Henry Frank Arcade Parking Lot Vineyard Parking Lot Vineyard Parking Lot	-			To provide public parking To provide public parking To provide public parking	6,000	Square Feet Square Feet Square Feet	CU-Civic Uses CU-Civic Uses CU-Civic Uses	Zone	
8	Vineyard Parking Lot				To provide public parking		Square Feet	CU-Civic Uses		
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	HSC 34191.5 (c)(1)	HSC 34191.5 (c)(1) HSC 34191.5 (c)(1)(D) HSC 34191.5 (c)(1)(E)		HSC 34191.5 (c)(1)(F)		
			Annual Estimate	Are there any contractual requirements for	Has there been historic environmental contamination, studies, and/or remediation, and designation as a	
No.	Address or Description	Estimate of Current Parcel Value	of Income/Revenue	use of income/revenue?	brownfield site for the property?	
1	Catholic Church Parking Lot	685,000		No	No	
2	Blue Coyote Parking Lot		0	No	No	
3	Blue Coyote Parking Lot	141,500	0	No	No	
4	Food Court Parking Lot	341,826	0	No	No	
5	Henry Frank Arcade Parking Lot	266,673		No	No	
6	Vineyard Parking Lot			No	No	
7	Vineyard Parking Lot	482,457		No	No	
8	Vineyard Parking Lot		0	No	No	
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			٠		Other Property Info
	HSC 34191.5 (c)(1)	HSC 341	91.5 (c)(1)(G)	HSC 34191.5 (c)(1)H)	
No.	Address or Description	Does the property have the potential as a transit oriented development?	Were there advancements to the successor agency's planning objectives?	Does the property have a history of previous development proposals and activity?	
1	Catholic Church Parking Lot	Yes	Yes	No	
2	Blue Coyote Parking Lot	Yes	Yes	No	
3	Blue Coyote Parking Lot	Yes	Yes	No	
4	Food Court Parking Lot	Yes	Yes	No	
5	Henry Frank Arcade Parking Lot	Yes Yes	Yes Yes	No No	
6	Vineyard Parking Lot Vineyard Parking Lot	Yes	Yes	No	Total Hydrogen at the
8	Vineyard Parking Lot	Yes	Yes	No	
9	Villeyard Farking Lot	169	163	140	
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