

**STAFF REPORT**  
**Successor Agency Agenda**  
December 4, 2013

**TO:** Shane Brinton, Successor Agency Chair  
**FROM:** David Loya, Community Development Deputy Director  
**DATE:** November 25, 2013

**SUBJECT:** Adopt Successor Agency Resolution 03-1314 awarding a contract to demolish commercial coaches located on the Bloomfield school site and recommend the Oversight Board adopt a resolution concurring with the award.

**RECOMMENDATION:** Staff recommends the Successor Agency:

1. Open the public meeting;
2. Receive a staff report recommending the award amount and the contractor;
3. Adopt Resolution 03-1314; and
4. Direct staff to forward the resolution for approval to the Oversight Board (OB).

**INTRODUCTION:** The former Redevelopment Agency (RDA) purchased two commercial coaches and sited them on the Arcata School District's (District) Bloomfield School for use by the Arcata Children's Center (ACC). The coaches currently sit vacant on the site and present a potential attractive nuisance. Successor Agency (SA) staff has been working to obtain a demolition contract and authorization from the Department of Finance (DOF) on the upcoming Recognized Obligation Payment Schedule (ROPS) to demolish the structures. Staff had not received final cost estimates as of the writing of this staff report, but will present the recommended award amount and contractor at the meeting.

**DISCUSSION:** The SA and the OB reviewed the need for demolition of the commercial coaches in their review of the next period ROPS (13-14B) on October 2 and 7, 2013, respectively. The DOF has reviewed the ROPS and has requested confirmation that a contract for this service is in place. SA staff has been working with contractors on the City's pre-approved list. As of this writing, staff had not heard from all potential bidders. Staff will provide a summary of the bids and an award recommendation to the SA by Monday December 2, 2013. This information will be made available to the public both on the SA website, and in the staff report addenda, as well as at the front counter of the Community Development department and in the public information binders in City Hall.

**BUDGETARY/FISCAL IMPACT:** The demolition cost will be met from former tax increment as an expense of winding down the affairs of the former RDA.

**ATTACHMENTS:**

- A. Resolution 03-1314

**RESOLUTION NO. 03-1314**

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE ARCATA COMMUNITY DEVELOPMENT AGENCY AWARDED A CONTRACT TO DEMOLISH COMMERCIAL COACHES ON THE BLOOMFIELD SCHOOL SITE**

**WHEREAS**, the City Council of the City of Arcata created the Arcata Community Development Agency and adopted the first Redevelopment Implementation Plan in 1983 for the purpose of considering and pursuing redevelopment activities in the community pursuant to the Community Redevelopment Law (“CRL”), Health and Safety Code §§ 33000 et seq.

**WHEREAS**, pursuant to AB1x 26, amending portions of Division 24 of the CRL, redevelopment agencies are dissolved effective February 1, 2012; and

**WHEREAS**, on August 24, 2011, the City Council elected in accordance with Health and Safety Code Section 34173 to serve as Successor Agency to the Arcata Community Development Agency, which is responsible for enforceable obligation payments and all other responsibilities as specified in Section 34177 of the Health and Safety Code; and

**WHEREAS**, Health and Safety Code Section 34167 prohibits redevelopment successor agencies from making payments for anything other than enforceable obligations as defined by Section 34167(d); and

**WHEREAS**, Section 34177(c) of the Health and Safety Code requires the Successor Agency to perform obligations required pursuant to any enforceable obligation, and 34177.3(b) allows the successor agency to create an enforceable obligation to conduct the work of winding down the redevelopment agency; and

**WHEREAS**, the two commercial coaches Arcata Community Development Agency purchased in 1989, sited on the Bloomfield campus, and leased for use as school buildings are no longer occupied or serviceable, represent a potential nuisance, and must be demolished to satisfy the obligation of the former Agency; and

**WHEREAS**, in electing to act as successor to the Arcata Community Development Agency as provided in Health and Safety Code Sections 34173 and 34176, the City Council expressly recognizes and reaffirms the statutory limitation on the City and the City Council’s liability in such actions. Nothing in this Resolution shall be construed as a commitment, obligation, or debt of the City or any resources, funds or assets of the City to fund the Successor Agency.

**NOW THEREFORE, BE IT RESOLVED** by the Board of the Successor Agency to the Arcata Community Development Agency as follows:

1. The above recitals are true and correct and incorporated herein.
2. The contract to demolish the coaches is awarded to \_\_\_\_\_ in an amount not to exceed \_\_\_\_\_.

3. As required by Health and Safety Code section 34177, the Successor Agency directs staff to forward the ROPS to the Oversight Board for consideration for approval.
4. The Successor Agency Treasurer is hereby directed to take all action as required by state law associated with this Resolution, including transmitting the resolution to the Humboldt County auditor-controller, the state Controller, and the state Department of Finance, and providing contact information to the Department of Finance.
5. The Successor Agency Treasurer is hereby authorized and directed to take all action necessary to post the decision on the Successor Agency's website.

This Resolution shall be effective upon adoption.

DATED:

**ATTEST:**

**APPROVED:**

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Secretary, Successor Agency to the  
Community Development Agency of the  
City of Arcata

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Chair, Successor Agency to the  
Community Development Agency of the  
City of Arcata

**SECRETARY'S CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of **Resolution No. 03-1314**, passed and adopted at a regular meeting of the Successor Agency to the Community Development Agency of the City of Arcata, County of Humboldt, State of California, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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Secretary, Successor Agency to the  
Community Development Agency of the  
City of Arcata

**STAFF REPORT ADDENDUM**  
**Successor Agency Agenda**  
December 4, 2013

**TO:** Shane Brinton, Successor Agency Chair  
**FROM:** David Loya, Community Development Deputy Director  
**DATE:** December 2, 2013

**SUBJECT:** Adopt Successor Agency Resolution 03-1314 awarding Kernan Construction a contract to demolish commercial coaches located on the Bloomfield school site and recommend the Oversight Board adopt a resolution concurring with the award.

**RECOMMENDATION:** Staff recommends the Successor Agency:

1. Open the public meeting;
2. Receive a staff report recommending the award amount and the contractor;
3. Adopt Resolution 03-1314; and
4. Direct staff to forward the resolution for approval to the Oversight Board (OB).

**INTRODUCTION:** As of the writing of the staff report, staff had not received all bids from prospective bidders. This report summarizes the bids and recommends the award to Kernan Construction.

**DISCUSSION:** Kernan Construction submitted the sole bid for \$14,500, exclusive of permit fees. Staff recommends the Board award the contract to Kernan and authorize the Executive Director to execute contracts contingent on the authorization from the Oversight Board and the Department of Finance.