

**JOINT RESOLUTION NO. 2019-27
SA NO. 2019-01**

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA AND THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE HESPERIA COMMUNITY REDEVELOPMENT AGENCY (SA): (I) APPROVING A PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS (PSA) FOR REAL PROPERTY LOCATED AT THE NORTHEAST CORNER OF “E” AVENUE AND MOJAVE STREET, ASSESSOR’S PARCEL NUMBER 0410-031-03 (PROPERTY) BY AND BETWEEN J.C. PROPERTY INVESTMENTS, LLC (BUYER) AND SUCCESSOR AGENCY TO THE HESPERIA COMMUNITY REDEVELOPMENT AGENCY (SELLER); (II) APPROVING MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN BUYER AND CITY OF HESPERIA; AND (III) AUTHORIZING THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE ALL DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THESE RESOLUTIONS; AND (IV) MAKING THE APPROPRIATE FINDINGS HERewith

WHEREAS, the former Hesperia Community Redevelopment Agency purchased the Property in December 2008 for future industrial uses; and

WHEREAS, dissolution of all redevelopment agencies throughout California led to the creation of the Hesperia Community Development Commission (HCDC) which was tasked with managing the remaining responsibilities of the former HCRA. Assets such as this parcel were transferred to HCRA, or other agencies, as directed by the Department of Finance when the Long Range Property Management Plan was completed; and

WHEREAS, Buyer tendered a PSA on February 19, 2019 to the City for the purchase of approximately six acres of the westerly portion of the property at fair market value as determined by a Broker’s Opinion of Value; and

WHEREAS, Hesperia Water District will purchase the balance of the Property for future expansion of the Public Works yard; and

WHEREAS, Buyer intends to work in tandem with City of Hesperia in constructing “E” Avenue improvements as described in the MOU between the City of Hesperia and J.C. Property Investments, LLC.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HESPERIA AND THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE HESPERIA COMMUNITY REDEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The facts set forth above in these Resolutions are true and correct.

Section 2. The PSA for purchase of the Property is hereby approved and the Executive Director is authorized to execute the PSA on behalf of the Seller.

- Section 3. The MOU for “E” Avenue improvements is hereby approved and the City Manager is authorized to execute the MOU on behalf of the City.
- Section 4. The City Manager/Executive Director is hereby authorized to sign all documents necessary and appropriate to carry out the PSA and MOU and implement these Resolutions, including making minor, non-material amendments to the PSA and MOU and/or related documents.
- Section 5. If any section, sentence, clause or phrase of these Resolutions are determined to be invalid, void or unconstitutional by a decision or order of a court of competent jurisdiction, then such decision or order shall not affect the validity or enforceability of the remaining portions of these Resolutions, and the City Council and Successor Agency hereby declares that it would have passed the remainder of these Resolutions if such invalid portion thereof had been declared invalid or unconstitutional.
- Section 6. This activity is not a “project” and therefore exempt from CEQA pursuant to CEQA Guidelines §15060(c)(3).
- Section 7. These Resolutions shall go into effect immediately upon its adoption.
- Section 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED AND APPROVED this 7th day of May, 2019 by the following vote:

Larry Bird, Mayor

ATTEST:

Melinda Sayre, City Clerk