

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

From: David C. Moe II, Redevelopment Manager
BY: Jessica Szczepan, Administrative Specialist *DC Moe*

Date: August 11, 2008 (CC Meeting of 8/20/08)

Subject: Consider Resolution Approving Redevelopment Agency Provision of Public Improvements in the Project Area Consistent with Section 33445 of California Community Redevelopment Law

BACKGROUND AND DISCUSSION

The Redevelopment Agency of the City of Moorpark ("Agency") has entered into a 99-year ground lease with the United States Postal Service for a site for the new Post Office on High Street. As a part of the project, the Agency has agreed to construct certain road and parking lot improvements to service the new building.

California Community Redevelopment Law ("CCRL") Section 33445 requires that the legislative body approve, by resolution, any use of agency funds for the provision of public improvements in the project area. The resolution must include the following three findings:

1. The public improvements are of benefit to the project area or the immediate neighborhood of the project area.
2. No other reasonable means of financing such public improvements are available to the community.
3. The Agency's contribution to the cost of the public improvement or facility will assist in the elimination of one or more blighting conditions in the project area.

The Agency also needs to confirm that the provision of the public improvements is consistent with the adopted 2005-2009 Five-Year Implementation Plan.

Staff finds that the public improvements are of benefit to the project area and immediate neighborhood, no other reasonable means of financing the public improvements are available to the community, the Agency's contribution to the cost of the public

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improvement will assist in the elimination of one or more blighting conditions, and the provision of public improvements are consistent with the 2005-2009 Five Year Implementation Plan Section 4.1.3.

FISCAL IMPACT

There is no fiscal impact to the City budget as a result of approving this resolution. All costs to design and construct the improvements will be funded by the Agency.

STAFF RECOMMENDATION

- 1) Adopt Resolution No. 2008 - _____ approving provision of public improvements by the Redevelopment Agency of the City of Moorpark.

Attachment 1 – Resolution No. 2008 - _____.

ATTACHMENT 1

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING THE PROVISION OF ROAD AND PARKING LOT IMPROVEMENTS BY THE REDEVELOPMENT AGENCY OF THE CITY OF MOORPARK CONSISTENT WITH CALIFORNIA REDEVELOPMENT LAW SECTION 33445

WHEREAS, the City Council of the City of Moorpark, adopted the Redevelopment Plan for the Moorpark Redevelopment Project on July 5, 1989, by Ordinance No. 110, in accordance with the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*); and

WHEREAS, the Moorpark Redevelopment Agency ("Agency") is leasing property on High Street to the United States Postal Service as the site for a new post office; and

WHEREAS, certain road and parking lot improvements need to be made in order to make the project feasible; and

WHEREAS, California Community Redevelopment Law ("CCRL") Section 33445 requires that the City Council approve the agencies provision of any publicly owned facilities provided by the Agency; and

WHEREAS, Section 33445 of CCRL requires that the City Council include the following findings in the resolution approving the provision of the public facilities by the Agency:

1. The public improvements are of benefit to the project area or the immediate neighborhood of the project area.
2. No other reasonable means of financing such public improvements are available to the community.
3. The agency's contribution to the cost of the public improvement or facility will assist in the elimination of one or more blighting conditions in the project area; and

WHEREAS, the proposed improvements are consistent with the adopted 2005-2009 Implementation Plan for the Moorpark Redevelopment Project pursuant to Section 33490 of the CCRL; and

WHEREAS, on August 20, 2008, the City Council reviewed the proposed improvements and determined that it is consistent with Section 33445 of the CCRL.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council approves the use of Agency funds for proposed road and parking lot improvements.

SECTION 2. The City Council determines that the provision of the public improvements is consistent with Section 33445 of the CCRL and the following findings are made:

1. The public improvements are of benefit to the project area or the immediate neighborhood of the project area.
2. No other reasonable means of financing such public improvements are available to the community.
3. The agency's contribution to the cost of the public improvement or facility will assist in the elimination of one or more blighting conditions in the project area.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 20th day of August, 2008.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk