

**MOORPARK CITY COUNCIL  
SUPPLEMENTAL AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Deborah S. Traffenstedt, Deputy City Manager

**DATE:** September 17, 2012 (CC Meeting of 09/19/12)

**SUBJECT:** Consider Amended Resolution Acknowledging the Successor Agency of the Redevelopment Agency of the City of Moorpark as a Separate Public Entity

**DISCUSSION**

Staff is changing the prior recommendation to create a separate public entity for the Successor Housing Agency. The State Health and Safety Code was clearly amended to identify that a successor agency is a separate public entity; however, the law is not entirely clear in regard to a successor housing agency. Staff attempted to obtain written clarification from the State Department of Finance; however, their email response received September 14, 2012, did not provide clarification. After further discussion with the City Attorney, staff is recommending that City Council only move forward at this time with adopting a resolution acknowledging the Successor Agency of the Redevelopment Agency of the City of Moorpark (Successor Agency) as a separate public entity. The draft resolution has been revised to reflect this change.

A combined agenda format can still be created as discussed in the prior agenda report. Staff will schedule adoption of bylaws for the Successor Agency and will schedule a future agenda item for the Council to consider an amendment to the City Council's Rules of Procedure to address the agenda changes.

**STAFF RECOMMENDATION**

Adopt Resolution No. 2012-\_\_\_\_\_, as amended.

Attachment: Draft Amended Resolution

RESOLUTION NO. 2012-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA ACKNOWLEDGING THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF MOORPARK AS A SEPARATE PUBLIC ENTITY

WHEREAS, the City Council adopted Resolution No. 2012-3079 on January 4, 2012, designating the City of Moorpark as the Successor Agency of the Redevelopment Agency of the City of Moorpark ("Successor Agency") consistent with the provisions of Assembly Bill (AB) X1 26; and

WHEREAS, the Successor Agency of the Redevelopment Agency of the City of Moorpark was established pursuant to Health and Safety Code Section 34171(j); and

WHEREAS, the City of Moorpark became the Successor Agency by operation of law on February 2, 2012, pursuant to provisions of AB X1 26; and

WHEREAS, AB 1484 enacted June 27, 2012, modified AB X1 26, including language which explicitly provides that a successor agency is a separate public entity from the public agency that provides for its governance and the two entities shall not merge; and

WHEREAS, it is necessary to organize and establish the performance of certain duties of the Successor Agency; and

WHEREAS, Government Code Section 53051 requires the filing of a statement of facts with the Secretary of State and the county clerk of the county within which a public agency (as defined in Government Code Section 53050) is located following the date of commencement of its legal existence.

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

SECTION 1. The City Council hereby acknowledges the Successor Agency of the Redevelopment Agency of the City of Moorpark ("Successor Agency") as a separate public entity, distinct from the City of Moorpark.

SECTION 2. The City Council hereby acknowledges that the members of the City Council for the City of Moorpark have been acting as the governing board of the Successor Agency and shall continue to act in that capacity.

SECTION 3. The City Council hereby acknowledges that, by operation of law, upon the dissolution of the Redevelopment Agency of the City of Moorpark, ownership and control of all redevelopment agency assets, other than housing assets, transferred to the Successor Agency pursuant to Health and Safety Code Section 34171(j).

SECTION 4. The City Council hereby determines that the Mayor acting as Chair and the City Manager acting as Executive Director for the Successor Agency, or his or her designee, are hereby authorized to sign all documents necessary to carry out the business of the Successor Agency.

SECTION 5. The City Council hereby determines that the City Clerk shall serve as the Secretary of the Successor Agency and is hereby authorized to perform such tasks and duties as directed by the Successor Agency and is also directed by the City Council to file a Statement of Facts as required by Government Code Section 53051 for the Successor Agency with the Secretary of State and the County Clerk of the County of Ventura.

SECTION 6. The City Council hereby determines and acknowledges that the Successor Agency may by separate resolution establish bylaws to determine the regular meeting time and place, officers, and applicable rules of procedure for meetings and related functions and activities.

SECTION 7. The City Council resolves that the City shall support and cooperate with the Successor Agency with respect to the reasonable use of City personnel, facilities, and other resources to support the governance and operations of these agencies.

SECTION 8. 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 19th day of September, 2012.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk