

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**To:** Honorable City Council

**From:** David C. Moe II, Redevelopment Manager *D. Moe*

**Date:** March 11, 2013 (CC Meeting of 4/3/13)

**Subject:** Consider Resolution Accepting the Quit Claim Deed of the Housing Properties from the Successor Agency of the Redevelopment Agency of the City of Moorpark and All Rights, Powers, Duties, and Obligations Associated with the Housing Activities of the Former Redevelopment Agency of the City of Moorpark.

**BACKGROUND & DISCUSSION**

Upon dissolution of the Redevelopment Agency of the City of Moorpark ("Redevelopment Agency") on February 1, 2012, pursuant to AB X1 26, the Successor Agency to the Redevelopment Agency (the "Successor Agency") was constituted. Pursuant to Health and Safety Code Section 34176(a), the City Council of the City of Moorpark ("City" adopted Resolution No. 2012-3079 electing for the City to retain the housing assets, as allowed by law, and functions previously performed by the former Redevelopment Agency, thereby becoming the successor housing agency.

Health and Safety Code Section 34177(g) directs the Successor Agency to effectuate transfer of housing functions and assets to the appropriate entity designated pursuant to Health and Safety Code Section 34176, and Health and Safety Code Section 34181(c) provides that the Oversight Board of the Successor Agency ("Oversight Board") shall direct the Successor Agency to transfer housing assets pursuant to Health and Safety Code Section 34176.

On March 19, 2013, the Oversight Board took action directing the Successor Agency to: 1) transfer to the City as the successor housing agency the assets identified on the Housing Asset Transfer List, approved by the Department of Finance ("DOF") on August 27, 2012, pursuant to Health and Safety Code Section 34176(a)(2), and 2) transfer to the City all rights, powers, duties, and obligations associated with the housing activities of the former Redevelopment Agency related to the housing assets. On April 3, 2013, the Successor Agency is also considering a resolution transferring the housing assets as directed by the Oversight Board. On March 26, 2013, DOF notified staff stating that they do not object to the transfer of the housing assets.

Staff recommends accepting the grant deeds of housing assets transferred from the Successor Agency and all rights, powers, duties, and obligations associated with the housing activities of the former Redevelopment Agency related to the housing assets. The remaining properties will be disposed of in the Property Management Plan pursuant to AB 1484.

**FINANCIAL IMPACT**

The Housing Assets to be transferred to the City, as the successor housing agency, include certain properties purchased and developed with moneys from the Low and Moderate Income Housing (“LMIH”) Fund and certain loans funded by moneys from the LMIH Fund. Upon the transfer, these properties and loans, and any receivables therefrom, will be assets of the Successor Housing Agency, to be used in accordance with the housing provisions of the Community Redevelopment Law.

**STAFF RECOMMENDATION**

1. Adopt Resolution No. 2013- \_\_\_\_\_ accepting the housing assets and all rights, powers, duties, and obligations associated with the housing activities of the former Redevelopment Agency related to the housing assets; and
2. Authorize the City Clerk to accept the quit claim deed of housing assets as identified in Resolution No. 2013- \_\_\_\_\_.

Attachment I: Resolution No. 2013-\_\_\_\_\_

Attachment I

RESOLUTION NO. 2013-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ACCEPTING THE TRANSFER OF HOUSING FUNCTIONS AND ASSETS FROM THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF MOORPARK

WHEREAS, pursuant to Health and Safety Code Section 34175(b) and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.* (53 Cal.4<sup>th</sup> 231(2011)), on February 1, 2012, all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Redevelopment Agency of the City of Moorpark ("Agency") transferred to the control of the Successor Agency of the Redevelopment Agency of the City of Moorpark ("Successor Agency") by operation of law; and

WHEREAS, pursuant to Health and Safety Code Section 34176(a), the City Council of the City of Moorpark ("City") adopted Resolution No. 2012-3079 electing for the City to retain the housing assets, as allowed by law, and functions previously performed by the former Agency (the City, acting in such capacity, being referred to below as the "Successor Housing Agency"); and

WHEREAS, Health and Safety Code Section 34177(g) directs the Successor Agency to effectuate transfer of housing functions and assets to the appropriate entity designated pursuant to Health and Safety Code Section 34176, being the City, acting as of the Successor Housing Agency, and Health and Safety Code Section 34181(c) provides that the oversight board of the Successor Agency ("Oversight Board") shall direct the Successor Agency to transfer housing assets pursuant to Health and Safety Code Section 34176; and

WHEREAS, on March 19, 2013, the Oversight Board adopted Resolution No. OB-2013-43 directing the Successor Agency to take such action, and on April 3, 2013, the Board of Directors of the Successor Agency approved the transfer of housing functions and assets to the City, as of the Successor Housing Agency; and

WHEREAS, the City, acting as the Successor Housing Agency, desires to accept the housing functions and assets to be transferred by the Successor Agency;

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

SECTION 1. The above recitals are true and correct and made a substantive part of this Resolution.

SECTION 2. The City, acting as the Successor Housing Agency, hereby accepts the housing functions and assets transferred by the Successor Agency to the Successor Housing Agency.

SECTION 3. The City Clerk is hereby authorized to execute an appropriate certificate of acceptance with respect to any quitclaim deed for housing assets being transferred by the Successor Agency. The City Clerk is hereby authorized and directed to cause each of such quitclaim deeds and the accompanying certificate of acceptance to be recorded in the Official Records of the Ventura County Recorder's Office

SECTION 4. The officers and staff of the City are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution and any such actions previously taken by such officers and staff are hereby ratified and confirmed.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and cause a certified resolution to be filed in the book of original resolutions.

APPROVED AND ADOPTED on this 3rd day of April, 2013.

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Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

Attachment: Exhibit A – Housing Assets

## EXHIBIT A

### HOUSING ASSETS

506-0-020-130	250 Los Angeles Avenue
512-0-062-020	782 Moorpark Avenue
512-0-062-120	798 Moorpark Avenue
512-0-103-040	81 First Street
511-0-030-250	1123 Walnut Canyon
511-0-030-260	1113 Walnut Canyon
511-0-030-270	1095 Walnut Canyon
511-0-030-280	1083 Walnut Canyon
511-0-030-290	1073 Walnut Canyon
511-0-030-300	1063 Walnut Canyon
511-0-040-120	1331 Walnut Canyon
511-0-040-140,130	1293 Walnut Canyon
512-0-062-070	81 Charles Street
512-0-062-110	765 Walnut Street
512-0-063-010	780 Walnut Street
512-0-081-050	450 Charles Street
512-0-081-060	460 Charles Street
512-0-081-080	484 Charles Street
512-0-102-100	112 First Street
512-0-102-110	124 First Street
506-0-020-525	SW Terminus of Millard Street