

**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF MOORPARK
AGENDA REPORT**

TO: Honorable Agency Board Members

FROM: Maureen Benson, Agency Secretary *MB*

DATE: June 1, 2016 (SA Meeting of 6/01/2016)

SUBJECT: Consider Resolution Amending the Bylaws of the Successor Agency of the Redevelopment Agency of the City of Moorpark to Change the Start Time for Regular Meetings to Coincide with the New Meeting Time Established for Regular City Council Meetings and Rescinding Resolution No. SA-2012-01

BACKGROUND

At the April 20, 2016, regular City Council meeting, the City Council adopted Resolution No. 2016-3494 amending their Rules of Procedure to change the start time for regular City Council meetings from 7:00 p.m. to 6:30 p.m. Since regular meetings of the Successor Agency to the Redevelopment Agency of the City of Moorpark (Successor Agency) are held concurrently with the City Council meetings, it is necessary to amend the Successor Agency Bylaws to reflect the new start time of 6:30 p.m.

The Successor Agency Bylaws resolution would be amended for Article III – MEETINGS, Rule 2, as shown below in legislative format.

ARTICLE III – MEETINGS

2. *Meeting Time and Place. The regular meeting for the Successor Agency shall be held the first and third Wednesday of each month at ~~7:00~~6:30 p.m. at the Moorpark Community Center located at 799 Moorpark Avenue, unless otherwise posted by the Secretary of the Successor Agency.*

DISCUSSION

Staff is recommending the new start time for Successor Agency meetings begin with the June 15, regular meeting. Staff will advertise the meeting time change on the City's website and government channel.

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STAFF RECOMMENDATION

Adopt Resolution No. SA-2016-__ changing the start time of regular meetings of the Successor Agency from 7:00 p.m. to 6:30 p.m. beginning with the regular meeting of June 15, 2016, and rescinding Resolution No. SA-2012-01.

Attachment: Draft Resolution

RESOLUTION NO. SA-2012-012016-

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING REVISED BYLAWS AND RESCINDING RESOLUTION NO. SA-2012-01

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

WHEREAS, the City Council adopted Resolution No. 2012-3131 on September 19, 2012, to acknowledge the Successor Agency as a separate public entity, and to establish that the members of the City Council for the City of Moorpark will continue to serve as the governing board of the Successor Agency; and

WHEREAS, the City Council's resolution acknowledging the Successor Agency as a separate public entity also provided direction for the adoption of bylaws by separate resolution of the Successor Agency, which bylaws were to include the regular meeting time and place, officers, and rules of procedure for meetings and related functions and activities; and

WHEREAS, the City Council adopted Resolution No. 2016-3494 on April 20, 2016, to change the start time for regular City Council meetings from 7:00 p.m. to 6:30 p.m; and

WHEREAS, the Successor Agency bylaws now need to be revised so that the start time for Successor Agency regular meetings coincides with the 6:30 p.m. start time for regular Council meetings.

NOW, THEREFORE, THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Successor Agency of the Redevelopment Agency of the City of Moorpark (Successor Agency) does hereby establish the following Bylaws:

ARTICLE I – THE AGENCY

1. Name of Agency. The name of the Agency shall be the "Successor Agency of the Redevelopment Agency of the City of Moorpark" ("Successor Agency").

2. Seal of Agency. The seal of the City of Moorpark, California, as established by Chapter 1.08 of the Moorpark Municipal Code, shall be used as the seal for the Successor Agency legislative records, recorded documents, contracts and all other

instruments requiring application of a seal and authorized by the Successor Agency to be executed.

3. Office of Agency. The office of the Successor Agency shall be at the City Hall of the City of Moorpark, California, or at such other place in said City as the Successor Agency may from time-to-time designate by resolution.

4. Governing Board. The members of the City Council for the City of Moorpark will serve as the Governing Board of the Successor Agency.

ARTICLE II – OFFICERS

1. Officers. The officers of the Successor Agency shall be a Chair, Vice Chair, Executive Director, Assistant Executive Director, General Counsel, Treasurer, Secretary, and Assistant Secretary.

2. Chair. The Mayor of the City of Moorpark shall be the Chair of the Successor Agency. The Chair shall preside at all meetings of the Successor Agency. Except as otherwise authorized by resolution of the Successor Agency, the Chair shall sign all contracts, deeds, and other instruments made by the Successor Agency. At each meeting, the Chair shall submit such recommendations and information as the Chair may consider proper concerning the business affairs and policies of the Successor Agency.

3. Vice Chair. The Mayor Pro Tempore shall be the Vice Chair of the Successor Agency. The Vice Chair shall perform the duties of the Chair in the absence, incapacity, resignation, or death of the Chair.

4. Executive Director. The City Manager of the City of Moorpark shall act as the Executive Director of the Successor Agency. The Executive Director shall have general supervision of the administration of its business affairs, subject to the discretion of the Successor Agency.

5. Assistant Executive Director. The Assistant City Manager of the City of Moorpark shall act as the Assistant Executive Director of the Successor Agency. The Assistant Executive Director shall perform the duties of the Executive Director in the absence, incapacity, resignation, or death of the Executive Director.

6. General Counsel. The City Attorney of the City of Moorpark shall act as a legal advisor to the Successor Agency and shall be known as the General Counsel, except that the Successor Agency may employ Special Counsel to handle specialized legal work. Such Special Counsel shall cooperate with and report to the General Counsel.

7. Treasurer. The Treasurer of the City of Moorpark shall act as the Treasurer of the Successor Agency. The Treasurer shall have the care and custody of all funds of the Successor Agency and shall deposit the same in the name of the Successor Agency in such bank or banks as the Successor Agency may select. The Treasurer shall sign all

orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Successor Agency. All the demands shall be presented and paid in substantially the same manner as other demands presented to and paid by the City.

8. Secretary. The City Clerk of the City of Moorpark shall act as the Secretary of the Successor Agency. The Secretary shall keep the records of the Successor Agency, shall act as Clerk for the meeting of the Successor Agency and record all votes, and shall keep a record of the proceedings of the Successor Agency in a journal of proceedings to be kept in such purposes, including but not limited to minutes and resolutions, and shall perform all duties incident to the office. The Secretary shall affix the Seal of the City of Moorpark to all contracts and instruments authorized to be executed by the Successor Agency. The Secretary shall be authorized to accept and consent to the recordation of any deed or grant conveying any interest in or easement upon real property to said Successor Agency that the Successor Agency Board has approved.

9. Assistant Secretary. The Assistant City Clerk of the City of Moorpark shall act as the Assistant Secretary of the Successor Agency. The Secretary may delegate any of the assigned responsibilities of the Secretary position to the Assistant Secretary. The Assistant Secretary shall perform the duties of the Secretary in the absence, incapacity, resignation or death of the Secretary.

10. Other Personnel and Services. The departments, officers, agents, and employees of the City of Moorpark shall furnish to the Successor Agency, upon the request of the Executive Director, and with the general consent of the Board of Directors of the Successor Agency, services in connection with matters within the scope and normal activities of the City.

11. Office Bonds and Insurance. Officers who hold a comparable bonded position with the City of Moorpark shall not be required to post additional bonds or secure additional crime bond insurance. A person not holding a comparable position with the City may be required by the Executive Director or his or her designee to post a bond or provide insurance for no less than the amount of the bond or insurance for a comparable City position.

12. Compensation. Compensation of Successor Agency members, officers, agents, counsel, and employees, including for expenses incurred while performing Successor Agency business, shall be determined by the Successor Agency.

ARTICLE III – MEETINGS

1. Rules of Procedure for Meetings and Related Functions and Activities. Except as otherwise provided in the applicable State law for a successor agency, the City Council Rules of Procedure for Meetings and Related Functions and Activities, as set forth by resolution duly enacted by the City Council, shall also apply to the Council acting as the Successor Agency Board insofar as the Rules can be made applicable.

2. Meeting Time and Place. The regular meeting for the Successor Agency shall be held the first and third Wednesday of each month at ~~7:00~~6:30 p.m. at the Moorpark Community Center located at 799 Moorpark Avenue, unless otherwise posted by the Secretary of the Successor Agency.

SECTION 2. Resolution No. SA-2012-01 is hereby rescinded in its entirety.

SECTION 3. The Secretary of the Successor Agency shall certify to the adoption of this resolution, shall cause a certified resolution to be filed in the book of original resolutions, and shall record the same with the County Recorder of Ventura County.

PASSED AND ADOPTED this 1st day of June, 2016.

Janice S. Parvin, Chair

ATTEST:

Maureen Benson, Secretary