

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

**To:** Honorable Successor Agency Members

**From:** Jessica Sandifer, Program Manager 

**Date:** June 2, 2016 (Successor Agency Meeting of June 15, 2016)

**Subject:** Consider Resolution Accepting the Conveyance of Certain Properties from the City of Moorpark and Rescinding Resolution No. SA-2013-3

**BACKGROUND & DISCUSSION**

On July 6, 2011, the Redevelopment Agency of the City of Moorpark ("Redevelopment Agency") transferred certain parcels of real property (collectively, "Properties") to the City of the Moorpark ("City") in an effort to preserve the assets of the Redevelopment Agency.

AB X1 26, as upheld and modified by the Supreme Court in *California Redevelopment Association, et al. v. Ana Matosantos, et al.* (53 Cal.4th 231(2011)), thereby, dissolving the Redevelopment Agency as of February 1, 2012 and creating the Successor Agency to the Redevelopment Agency of the City of Moorpark ("Successor Agency").

AB X1 26, specifically Health and Safety Code Section 34167.5, provides that if the State Controller determines that an asset transfer occurred between the Redevelopment Agency and the City after January 1, 2011 and the City is not contractually committed to a third party for the expenditure or encumbrance of those assets, then the State Controller shall order the available assets to be returned to the Successor Agency.

The Properties of the former Redevelopment Agency are currently held by the City. In order to comply with Health and Safety Code Section 34167.5, the properties need to be transferred to the Successor Agency.

The Successor Agency approved a similar action in 2013 with the adoption of Resolution No. SA-2013-3. However, there was some incorrect information included within that resolution. Staff is recommending rescinding Resolution No. SA-2013-3 and approval of the attached resolution accepting the conveyed Properties from the City by a quit claim deed.

**FISCAL IMPACT**

None.

**STAFF RECOMMENDATION**

1. Adopt Resolution No. SA-2016- \_\_\_\_\_ approving the acceptance of conveyed Properties from the City by a quit claim deed; and rescinding Resolution No. SA-2013-3; and

2. Authorize the Agency Secretary to accept the quit claim deeds.

Attachment: Resolution No. SA-2016- \_\_\_\_\_

RESOLUTION NO. SA-2016-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF MOORPARK, CALIFORNIA, RESCINDING RESOLUTION NO. SA-2013-3 AND APPROVING AND AUTHORIZING THE ACCEPTANCE OF CERTAIN PROPERTIES RECONVEYED BY THE CITY OF MOORPARK

WHEREAS, in July 2011, the former Redevelopment Agency of the City of Moorpark (the "Former Agency") transferred the real properties described in Attachment I attached hereto (the "Properties") to the City of Moorpark (the "City"); and

WHEREAS, pursuant to AB X1 26 (enacted in June 2011), and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, 53 Cal. 4th 231 (2011), the Former Agency was dissolved as of February 1, 2012, and the Successor Agency was established; and

WHEREAS, AB X1 26 added Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) to Division 24 of the Health and Safety Code ("HSC"); and such Parts 1.8 and 1.85, together with any amendments and supplements thereto enacted from time to time, are collectively referred to herein as the "Dissolution Act"; and

WHEREAS, HSC Section 34167.5 provides that the transfer of an asset by a redevelopment agency to its city after January 1, 2011, in the absence of a contractual commitment to a third party for the expenditure or encumbrance of such asset, is deemed to be an unauthorized transfer; and

WHEREAS, the City has informed the Successor Agency of the City's desire to return the Properties to the Successor Agency at this time, without conceding the applicability of HSC Section 34167.5 to the 2011 transfer of the Properties; and

WHEREAS, the reconveyance of the Property from the City to the Successor Agency will be evidenced by one or more quitclaim deeds (the "Quitclaim Deed"); and

WHEREAS, the Successor Agency approved a similar action with Resolution No. SA-2013-3, that contained incorrect information, requiring the rescission of said Resolution.

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

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

SECTION 2. The Successor Agency accepts the reconveyance of the Properties from the City.

SECTION 3. Each of the Chair (or in the Chair's absence, the Vice Chair) of this Board and the Executive Director of the Successor Agency, acting individually, is hereby authorized and directed to execute an appropriate certificate of acceptance with respect to each Quitclaim Deed and cause the Quitclaim Deed, and the accompanying certificate of acceptance to be recorded in the Official Records of the Ventura County Recorder's Office.

SECTION 4. This Resolution supersedes Resolution No. SA-2013-3 in its entirety. Resolution No. SA-2013-3 is hereby rescinded.

SECTION 5. The officers and staff of the Successor Agency 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 6. The Secretary of the Successor Agency 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 15<sup>TH</sup> day of June, 2016.

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Janice S. Parvin, Chair

ATTEST:

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Maureen Benson, Agency Secretary

ATTACHMENT 1 – Properties transferred to City in 2011

**ATTACHMENT I**

**PROPERTIES TRANSFERRED TO THE CITY IN 2011**

	<b>Address/description</b>	<b>APN</b>	<b>Ventura County Official Records Doc. # for 2011 Deed executed by Redevelopment Agency in favor of City</b>	<b>Disposition After Reconveyance</b>
1	500 Los Angeles Avenue	506-0-050-080	20110803-00113771-0	Per LRPMP1
2	347 Moorpark Avenue	511-0-101-350	20110803-00113784-0	Per LRPMP
3	467 High Street	512-0-081-110	20110803-00113793-0	Per LRPMP
4	450 High Street	512-0-082-020, 030	20110803-00113794-0	Per LRPMP
5	Various (2.14 acres)	512-0-090-115	20110803-00113795-0	Per LRPMP
6	Various (0.75 acres)	512-0-090-115	20110803-0113795-0	Per LRPMP
7	Princeton Avenue (Lots 69-82)	513-024-105, 135	20110803-00113769-0	
8	33 E. High Street	512-0-091-090	20110803-00113797-0	Per LRPMP
9	47 W. High Street	511-0-050-080	20110803-00113780-0	Per LRPMP
10	West High Street (part of Civic Center)	511-0-050-090	20110803-00113781-0	Per LRPMP
11	161 Second Street	512-0-102-210	20110228- 00034431-0	Per LRPMP
12	83 W. High Street	511-0-050-175	20110803-00113783-0	Per LRPMP
13	45 E. High Street	512-0-091-080	20110803-00113796-0	Per LRPMP
14	610 Spring Road (police services center)	512-0-171-225	20110803-00113767-0	Per LRPMP

I Long Range Property Management Plan, approved by DOF per DOF's letter dated February 12, 2015

15	Spring Road (Veteran's Memorial)	512-0-174-015	20110803-00113768-0	Per LRPMP
16	100 High Street	511-0-090-430	20110728-00110393-0	Per LRPMP
17	100 ½ High Street (post office front parking lot)	512-0-090-050	20110126-00014554-0	Per LRPMP
18	627 Fitch Avenue	512-0-150-805	20110803-00113766-0	Per LRPMP
20	250 Los Angeles Avenue	506-020-130	20110803-00113770-0	Per Housing Asset List <sup>2</sup>
21	782 Moorpark Avenue	512-0-062-020	20110803-00113785-0	Per Housing Asset List
22	798 Moorpark Avenue	512-0-062-120	20110803-00113788-0	Per Housing Asset List
23	81 First Street	512-0-103-040	20110803-00113765-0	Per Housing Asset List
24	1123 Walnut Canyon	511-0-030-250	20110803-00113772-0	Per Housing Asset List
25	1113 Walnut Canyon	511-0-030-260	20110803-00113773-0	Per Housing Asset List
26	1095 Walnut Canyon	511-0-030-270	20110803-00113774-0	Per Housing Asset List
27	1083 Walnut Canyon	511-0-030-280	20110803-00113775-0	Per Housing Asset List
28	1073 Walnut Canyon	511-0-030-290	20110803-0013776-0	Per Housing Asset List
29	1063 Walnut Canyon	511-0-030-300	20110803-0013777-0	Per Housing Asset List
30	1331 Walnut Canyon	511-0-040-120	20110803-0013778-0	Per Housing Asset List
31	1293 Walnut Canyon	511-0-040-130, 140	20110803-0013779-0	Per Housing Asset List
32	81 Charles Street	512-0-081-110	20110803-00113793-0	Per Housing Asset List
33	765 Walnut Street	512-0-062-110	20110803-00113787-0	Per Housing Asset List
34	780 Walnut Street	512-0-063-010	20110803-00113789-0	Per Housing Asset List

<sup>2</sup> Housing Asset List (regarding listing assets to be transferred to Housing Successor), to which DOF indicated no objection per DOF's letter dated August 27, 2012

35	450 Charles Street	512-0-081-050	20110803-00113790-0	Per Housing Asset List
36	460 Charles Street	512-0-081-060	20110803-00113791-0	Per Housing Asset List
37	484 Charles Street	512-0-081-080	20110803-00113792-0	Per Housing Asset List
38	112 First Street	512-0-102-100	20110803-00113798-0	Per Housing Asset List
39	124 First Street	512-0-102-110	20110803-00113764-0	Per Housing Asset List