

RESOLUTION NUMBER 4389

A RESOLUTION OF CITY COUNCIL OF THE CITY OF PERRIS CONSIDERING THE 33679 REPORT AND MAKING FINDINGS REQUIRED BY HEALTH AND SAFETY CODE SECTIONS 33445 AND 33445-1 RELATED TO THE FIRE STATION, THE PERRIS THEATRE AND OTHER PUBLIC IMPROVEMENTS

WHEREAS, the Redevelopment Agency of the City of Perris (the "Agency") desire to use tax increment funds to fund all or part of the costs of (a) the design and construction of the City of Perris Fire Station; (b) rehabilitation and construction to an existing City-owned office building; and (c) the design, rehabilitation and construction of the Perris Theatre (collectively referred to herein as the "Public Improvements").

WHEREAS, The Public Improvements are located both within and outside the Agency's three redevelopment project areas known as the Redevelopment Project-1987, the Redevelopment Project-1994 and the Central and North Redevelopment Project (collectively, the "Project Areas") and will be benefit to the Project Areas, and are more fully described in the Report pursuant to Health & Safety Code § 33679 (the "Report") attached to this Resolution; and

WHEREAS, California Health and Safety Code Section 33445 provides that a redevelopment agency may pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement that is publicly owned either within or contiguous to a project area, if the legislative body determines (a) that the buildings, facilities, structures, or other improvements benefit the project area by helping to eliminate blight within the project area or providing housing for low- or moderate-income persons; (b) that no other reasonable means of financing the buildings, facilities, structures, or other improvements, are available to the community, and (c) that the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements is consistent with the implementation plan adopted pursuant to Section 33490; and

WHEREAS, California Health and Safety Code Section 33445-1 provides that a redevelopment agency may pay all or a part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement that is publicly owned and is located outside and not contiguous to the project area, but is located within the City, if the legislative body determines (a) the buildings, facilities, structures, or other improvements that are publicly owned are of primary benefit to the project area; (b) the buildings, facilities, structures, or other improvements are of benefit to the project area by helping to eliminate blight within the project area, or will directly assist in the provision of housing for low- or moderate-income persons; (c) that no other reasonable means of financing the acquisition of the land or the installation or construction of the buildings, facilities, structures, or other improvements are available to the community; (d) the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements that are publicly owned is consistent with the implementation plan adopted pursuant to Section

33490; and (e) the acquisition of land and the installation of each building, facility, structure, or improvement that is publicly owned is provided for in the redevelopment plan; and

WHEREAS, California Health and Safety Code Section 33679 provides that before a redevelopment agency commits to use tax increment funds for the purpose of paying all or part of the value of the land for, and the cost of the installation and construction of, any publicly owned building, other than parking facilities, the legislative body must hold a public hearing and make certain determinations set forth in Sections 33445 or 33445-1; and

WHEREAS, the City Council published notice as required by Section 33679 for a public meeting to be held on March 29, 2011; and

WHEREAS, the City Council continued the March 29, 2011 public hearing to be held on April 12, 2011 and provided notice of the continued public hearing as required by law; and

WHEREAS, on April 12, 2011, the City Council held a duly noticed public hearing and gave all interested parties the opportunity to speak and comment on the issue.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PERRIS AS FOLLOWS:

Section 1. The City Council hereby specifically finds that all of the facts set forth in this Resolution and the attached Report are true and correct and are incorporated herein.

Section 2. With respect to the Public Improvements located within or contiguous to the Project Areas that are to be funded by the Agency, the City Council hereby specifically finds, in accordance with Sections 33445, that (a) the Public Improvements benefit to the Project Areas; (b) no other reasonable means of financing the Public Improvements are available to the community; and (c) the payment of funds for the Public Improvements will assist in the elimination of one or more blighting conditions and is consistent with the Five-Year Implementation Plan for the Project Areas.

Section 3. . With respect to the Public Improvements outside and not contiguous the Project Areas that are to be funded by the Agency, the City Council hereby specifically finds, in accordance with Sections 33445-1, that (a) the Public Improvements are of primary benefit to the Project Areas; (b) the Public Improvements are of benefit to the Project Areas by helping to eliminate blight within the Project Areas; (c) no other reasonable means of financing the Public Improvements are available to the community; and (d) the payment of funds for the Public Improvements is consistent with the Five-Year Implementation Plan for the Project Areas; and (e) the Public Improvements are provided for in the Redevelopment Plans.

Section 4. The facts supporting the findings and determinations of the City Council are set forth in the Report attached to this Resolution and incorporated herein, which also includes estimates of the amount of taxes proposed to be used to pay for the Public Improvements and the redevelopment purpose for which such taxes are being used to pay for such Public Improvements.

Section 5. Based on the facts and information contained in this Resolution and the attached Report, the City Council hereby consents to Agency's funding of the Public Improvements.

Section 6. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

ADOPTED AND APPROVED this 12th day of April, 2011.

Daryl R. Busch, Mayor

ATTEST:

Judy L. Haughney, C.M.C., City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Judy L. Haughney, City Clerk of the City of Perris, California, do hereby certify that the foregoing Resolution Number 4389 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of April, 2011, by the following called vote:

AYES: Evans, Landers, Yarbrough, Rogers, Busch
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Judy L. Haughney, C.M.C., City Clerk