

RESOLUTION NO. 6808

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS APPROVING AND AUTHORIZING THE EXECUTION OF A PUBLIC WORKS AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS AND MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROVISION OF PUBLIC IMPROVEMENTS AND AUTHORIZING SUCH IMPROVEMENTS IN CONNECTION THEREWITH

WHEREAS, the Redevelopment Agency of the City of Redlands (the "Agency") is a duly constituted redevelopment agency and is undertaking certain activities necessary for redevelopment under the provisions of the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.) and pursuant to the Redevelopment Plans (the "Plans") for the Redlands Redevelopment Project and the North Redlands Revitalization Project (the "Projects"); and

WHEREAS, it is a policy of the Agency to improve and provide public improvements which are of benefit to the Projects and the project areas thereof (the "Project Areas"); and

WHEREAS, each of the City Council of the City of Redlands and the governing board of the Agency has determined that the public health and safety will be promoted by the provision of those certain public improvements described in Exhibit "A" hereto (the "Designated Public Improvements"); and

WHEREAS, the Designated Public Improvements would be of benefit to the Project Areas; and

WHEREAS, the City of Redlands (the "City") and the Agency have proposed to and desire to enter into an agreement (the "Public Works Agreement") in the form submitted herewith; and

WHEREAS, without amending, limiting, or modifying any prior agreements between the City and the Agency ("Prior Agreements") and the ongoing effectiveness of such Prior Agreements, which shall remain in effect according to their terms for the greatest time legally allowable, the Agency and the City desire to approve the Public Works Agreement; and

WHEREAS, the Agency has the general purpose of redevelopment and the elimination of blight and the provision of public facilities as set forth in the Plans; and

WHEREAS, pursuant to Health and Safety Code Section 33445, the Agency is authorized, as provided in the Plans, to assist in the installation and construction of public improvements that benefit the Project Areas; and

WHEREAS, Section 33445 provides, in part, that notwithstanding Section 33440, an agency may, with the consent of the legislative body, 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 which is publicly owned either within or without the project area, if the legislative body determines:

"(1) That the buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located, regardless of whether the

improvement is within another project area, or in the case of a project area in which substantially all of the land is publicly owned that the improvement is of benefit to an adjacent project area of the agency.

(2) That no other reasonable means of financing the buildings, facilities, structures, or other improvements, are available to the community.

(3) That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the project area or provide housing for low- or moderate-income persons, and is consistent with the implementation plan adopted pursuant to Section 33490.”; and

WHEREAS, the Agency desires to support the construction and provision of the Designated Public Improvements by bearing the cost thereof; and

WHEREAS, the Agency and the City have explored all possible funding sources for the Designated Public Improvements, including federal, state, and local sources, and the efforts of private property owners and developers; and

WHEREAS, the City has sought to obtain from private property owners and developers resources to provide for provision of the Designated Public Improvements; and

WHEREAS, there are no other reasonable means available to the Agency and the City to finance the Designated Public Improvements other than Agency funds; and

WHEREAS, the Agency has reviewed evidence, including both oral testimony and writings, in connection with this matter, and has determined that the foregoing recitals, and each of them, are true and correct, and further has determined that the provision of the Designated Public Improvements is in the best interests of the Agency and the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements,

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

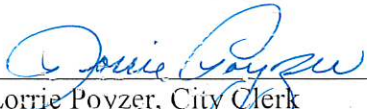
Section 1. The City Council finds and determines that: (i) the provision of the Designated Public Improvements is of benefit to the Project Areas and the neighborhood in which such Improvements are to be situated; (ii) no other reasonable means of financing the Designated Public Improvements are available to the community; and (iii) the payment by Agency of funds for the Designated Public Improvements will assist in the elimination of one or more blighting conditions within the Project Areas and is consistent with the adopted implementation plan.

Section 2. The City Council authorizes and directs the Mayor to execute on behalf of the City the Public Works Agreement. The City Council further authorizes and directs staff to take all actions necessary and appropriate to implement the participation by the City pursuant to the Public Works Agreement.

APPROVED AND ADOPTED this 3rd day of February, 2009.

By: 
Jon Harrison, Mayor

ATTEST:


Lorrie Poyzer, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF REDLANDS)

I, Lorrie Poyzer, City Clerk of the City of Redlands, do hereby certify that the foregoing Resolution No. 6808 was introduced and adopted at a regular meeting provided by law of the City Council of the City of Redlands held on the 3rd day of February, 2009, by the following vote:

AYES: Councilmembers Gilbreath, Gallagher, Aguilar; Mayor Harrison
NOES: Councilmember Bean
ABSENT: None
ABSTAIN: None


City Clerk

EXHIBIT "A"

DESIGNATED PUBLIC IMPROVEMENTS

<i>Account Number</i>	<i>Category</i>	<i>Description</i>	<i>Estimated Amount⁽¹⁾</i>
6724	Street Construction	CAL-WEST CONSULT PERFORM	\$ 523.95
116991	Street Construction	ALL AMERICAN AS CONSTRUCTION	140,835.51
119387	Street Construction	ALL AMERICAN AS CONSTRUCTION	19,008.00
119631	Street Construction	ALL AMERICAN AS 10% CONTINGENCY	31,125.41
121814	Street Construction	ALL AMERICAN AS FINAL PAYMENT ON	19408.81
121814	Street Construction	ALL AMERICAN AS 10% CONTINGENCY	2156.53
130387	Street Construction	ALL AMERICAN AS ROAD RESURFACE	61,586.32
131507	Street Construction	ALL AMERICAN AS ROAD RESURFACE	1,003,130.41
FINAL	Street Construction	ALL AMERICAN AS APPROVED CON	118,301.86
75371	Street Construction	REDLANDS BLUEPR SF38752	162.06
75534	Street Construction	REDLANDS BLUEPR SF38753	162.06
137199	Street Construction	ALL AMERICAN AS 07/08 RESURFACE	402,933.00
137199	Street Construction	ALL AMERICAN AS 10% CONTINGENCY	97,067.00

⁽¹⁾ Amounts shown are estimated, only, and are subject to change.