

**SUBMITTAL TO THE BOARD OF DIRECTORS OF THE
REDEVELOPMENT AGENCY
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Redevelopment Agency

SUBMITTAL DATE:

May 6, 2010

SUBJECT: Joint Public Hearing for the proposed Redevelopment Plan for the Desert Communities Project Area, Amendment No. 3: Detachment of Territory from the Palm Desert Sub-Area

RECOMMENDED MOTION: That the Board of Directors:

1. Adopt Resolution No. RDA 2010-029 approving and transmitting the Report on the Proposed Amendment No. 3 to the Redevelopment Plan for the Desert Communities Project Area, on the Detachment of Territory from the Palm Desert Sub-Area, from the Redevelopment Agency to the Board of Supervisors;
2. Conduct the Joint Public Hearing with the Riverside County Board of Supervisors to consider the Redevelopment Plan for the Desert Communities Project Area, Amendment No. 3: Detachment of Territory from the Palm Desert Sub-Area;

(Continued)

Robert Field

Robert Field
Executive Director

**FINANCIAL
DATA**

Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: Yes

SOURCE OF FUNDS: N/A

Positions To Be
Deleted Per A-30

☐

Requires 4/5 Vote

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C.E.O. RECOMMENDATION:

APPROVE

BY *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: MICHELLE CLACK
DATE: 5/5/10
Departmental Concurrence

Dept't Recomm.: ☐ Consent ☒ Policy
Per Exec. Ofc.: ☐ Consent ☒ Policy

Prev. Agn. Ref.: 4.6 of 12/22/09; 3.35, 4.1 of 4/20/10

District: 4

Agenda Number:

4.3

RECOMMENDED MOTION: (Continued)

3. After receiving public testimony from all interested parties, close the public hearing for the Redevelopment Plan for the Desert Communities Project Area, Amendment No. 3: Detachment of Territory from the Palm Desert Sub-Area. If written objections are received, continue this item and direct staff to prepare written responses to the objections for consideration at the Board of Supervisors meeting on June 8, 2010;
4. Adopt the attached Resolution No. RDA 2010-030 of the Redevelopment Agency for the County of Riverside Adopting the Negative Declaration for the Proposed Amendment No. 3 to the Redevelopment Plan for the Desert Communities Project Area, on the Detachment of Territory from the Palm Desert Sub-Area; and
5. Approve the attached Redevelopment Plan for the Desert Communities Project Area, Amendment No. 3: Detachment of Territory from the Palm Desert Sub-Area.

BACKGROUND:

On September 15, 2009, the Redevelopment Agency for the County of Riverside (Agency) and the County of Riverside entered into an *Agreement to Amend Redevelopment Plan* with the City of La Quinta (City) and the La Quinta Redevelopment Agency to remove two parcels identified as assessor's parcel numbers 609-040-07 and 609-040-023 (Property) from the Palm Desert Sub-Area of the Desert Communities Project Area (DCPA).

The Property was annexed by the City in October 2007 and purchased by the City in October 2008. With the purchase of the Property by the City, the Property now has a zero tax base and no longer generates any revenue for the DCPA. The Agency has determined, based on the results of an Independent Fiscal Consultant Report (Report), that the removal of the Property from the DCPA will not have a materially adverse effect on bonds secured by the tax increment from the DCPA. The removal of the Property is expected to result in the removal of the associated valuation from the DCPA's base year assessed valuation, and thereby is expected to increase the incremental assessed valuation and associated tax increment from the DCPA. The Report concludes that the removal of the Property from the DCPA is expected to have a positive effect on the tax increment revenue providing security for the bonds.

The La Quinta Redevelopment Agency is interested in the detachment of the Property so that the La Quinta Redevelopment Agency may add the Property to their redevelopment project area and use the parcels to meet their state-mandated inclusionary housing requirements.

On December 22, 2009, Resolution No. 2009-040 was approved. This Resolution provided a notice of intent for the detachment of the Property from the DCPA and authorized the transmittal of this notification to affected public agencies.

On April 20, 2010, the Board of Supervisors adopted Resolution No. 2010-107 through Agenda Items 3.35 and 4.1, which set May 18, 2010 as the date for the Joint Public Hearing and approval of the Negative Declaration for the Detachment of Territory.

All property owners, residents, businesses, and affected taxing agencies in the Palm Desert Sub-Area of the DCPA were notified via mail of the Joint Public Hearing. In addition, a Notice of Joint Public Hearing was published in the *Desert Sun* newspaper on April 25, May 2, and May 9, 2010.

Redevelopment Agency

Joint Public Hearing for the proposed Redevelopment Plan for the Desert Communities Project Area,
Amendment No. 3: Detachment of Territory from the Palm Desert Sub-Area

May 6, 2010

Page 3

The following actions are recommended to be taken in order:

1. Agency Forwards Report to Board of Supervisors

The *Report to Board* is to be approved by the Board of Directors, then transmitted to the Board of Supervisors following the adoption of the attached resolutions. This action should be taken prior to the public hearing, and may be taken as part of the consent calendar. Resolution No. RDA 2010-029 *does not* approve the Redevelopment Plan, nor does it adopt the Negative Declaration/Initial Study. The purpose of the resolution is to formally transmit the *Report to Board* from the Agency to the Board of Supervisors for discussion purposes.

2. Agency Adopts the Negative Declaration/Initial Study (Agency)

The Agency, as the body originating the proposed amended Redevelopment Plan, may adopt the Negative Declaration prepared for the Amendment Area via Resolution No. RDA 2010-030. The resolution includes certain findings with respect to the Negative Declaration and the environmental impacts described therein.

Staff recommends that the Board of Directors adopt the attached Redevelopment Plan for the Desert Communities Project Area, Amendment No. 3: Detachment of Territory from the Palm Desert Sub-Area.

1 **BOARD OF DIRECTORS**

REDEVELOPMENT AGENCY

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3 **RESOLUTION NO. RDA 2010-029**

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5 **APPROVING AND TRANSMITTING ITS REPORT ON THE PROPOSED**
6 **AMENDMENT NO. 3 TO THE REDEVELOPMENT PLAN FOR THE**
7 **DESERT COMMUNITIES PROJECT AREA, ON THE DETACHMENT**
8 **OF TERRITORY FROM THE PALM DESERT SUB-AREA, FROM THE**
9 **REDEVELOPMENT AGENCY TO THE BOARD OF SUPERVISORS**

10 **WHEREAS**, the Redevelopment Agency for the County of Riverside (the "Agency")
11 has prepared the Proposed Amendment No. 3 to the Redevelopment Plan for the Desert
12 Communities Project Area (the "Redevelopment Plan"), for detachment of territory from the
13 Palm Desert Sub-Area, (the "Detachment") in compliance with the California Community
14 Redevelopment Law (Health and Safety Code, Sections 33000, et seq.; the "CCRL"); and

15 **WHEREAS**, Section 33352 of the CCRL states that every redevelopment plan
16 submitted by a redevelopment agency to the legislative body shall be accompanied by a report
17 on the plan; and

18 **WHEREAS**, the Agency has prepared its report (the "Report to the Board of
19 Supervisors") as required by law.

20 **NOW, THEREFORE**, it is hereby resolved by the Redevelopment Agency for the
21 County of Riverside as follows:

22 1. Pursuant to Section 33352 of the CCRL, the Agency has prepared its Report to the
23 Board of Supervisors for the Detachment, submitted under separate cover and made a part
24 hereof by this reference.

25 2. The Agency hereby approves its Report to the Board of Supervisors on the
26 Detachment.

27 3. The Executive Director of the Agency is hereby authorized and directed to transmit
28 the Report and the Redevelopment Plan to the Board of Supervisors of the County of
Riverside.

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1 **BOARD OF DIRECTORS**

REDEVELOPMENT AGENCY

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4 **RESOLUTION NO. RDA 2010-030**

5 **ADOPTING THE NEGATIVE DECLARATION FOR THE AMENDMENT**
6 **NO. 3 TO THE REDEVELOPMENT PLAN FOR THE DESERT**
7 **COMMUNITIES PROJECT AREA, ON THE DETACHMENT OF**
8 **TERRITORY FROM THE PALM DESERT SUB-AREA**

9 **WHEREAS**, the Redevelopment Agency for the County of Riverside (the "Agency")
10 has initiated proceedings to adopt Amendment No. 3 (the "Amendment") to the
11 Redevelopment Plan for the Desert Communities Project Area (the "Project") for the
12 detachment of territory from the Palm Desert Sub-Area (the "Detachment"); and

13 **WHEREAS**, the California Community Redevelopment Law (Health and Safety Code
14 Section 33000 *et seq.*; the "CCRL") authorizes the adoption of redevelopment plans and
15 redevelopment plan amendments; and

16 **WHEREAS**, the purpose of the proposed Amendment is to detach certain territory
17 from the boundaries of the Palm Desert Sub-Area of the Desert Communities Project Area; and

18 **WHEREAS**, the Agency has prepared a Negative Declaration (the "Negative
19 Declaration") on the proposed Amendment pursuant to the California Environmental Quality
20 Act, Public Resources Code Sections 21000, *et seq.* ("CEQA"), and the Guidelines for
21 Implementation of the California Environmental Quality Act, Title 14, California Code of
22 Regulations, Sections 15000, *et seq.* (the "CEQA Guidelines"); and

23 **WHEREAS**, all actions required to be taken by applicable law related to the
24 preparation, circulation, and review of the proposed Negative Declaration have been taken; and

25 **WHEREAS**, pursuant to notice duly given, the Board of Supervisors and the Agency
26 have held a full and fair public hearing on the proposed Amendment and the proposed
27 Negative Declaration; and
28

1 **WHEREAS**, the Agency has independently reviewed the proposed Negative
2 Declaration and did not receive any comments on the proposed Negative Declaration for the
3 proposed Amendment.

4 **NOW, THEREFORE**, it is hereby resolved by the Redevelopment Agency for the
5 County of Riverside as follows:

6 1. The Agency hereby finds that the Negative Declaration for the proposed Amendment
7 to the Project has been completed in compliance with CEQA and the CEQA Guidelines, and
8 that the Agency has reviewed and considered the Negative Declaration and the information
9 contained therein prior to deciding whether to approve the Amendment, and finds that the
10 Negative Declaration reflects the independent judgment of the Agency.

11 2. A public hearing has been held on the Amendment to the Project and its associated
12 Negative Declaration. The Agency has not received comments on the proposed Negative
13 Declaration. These actions having been taken, the proposed Negative Declaration is hereby
14 adopted for the Amendment to the Project and is incorporated herein by reference.

15 3. The Agency hereby finds that on the basis of its review of the Initial Study, the
16 Negative Declaration, and the lack of comments on the Negative Declaration and Initial Study,
17 that there is no substantial evidence in light of the whole record before the Agency that the
18 Amendment may have a significant effect on the environment.

19 4. The Executive Director of the Agency, in cooperation with the Clerk of the Board of
20 Supervisors, is hereby authorized and directed to file with the County Clerk of the County of
21 Riverside, a Notice of Determination, pursuant to Title 14 California Code of Regulations
22 Section 15075, if the Negative Declaration is approved.

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27 S:\RDACOM\RDADMN\RDAPlan Amendments\Palm Desert Detachment\Form 11s and Resolutions\JPH F11s\BOD Reso RDA 2010-030 Adopting Negative
28 Declaration.doc