

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

955



**FROM:** Successor Agency to the Redevelopment Agency

**SUBMITTAL DATE:**  
August 16, 2012

**SUBJECT:** Historic Downtown Murrieta Street Improvement Project – Second Amendment

**RECOMMENDED MOTION:** That the Board of Supervisors approve and authorize the Chairman of the Board to execute the attached second amendment to the agreement between the County of Riverside acting in its capacity as Successor Agency to the Redevelopment Agency and the City of Murrieta for the Historic Downtown Murrieta Street Improvement Project.

**BACKGROUND:** On August 15, 2006, the Board of Directors approved an agreement between the Redevelopment Agency for the County of Riverside and the City of Murrieta for the Historic Downtown Street Improvement Project in the amount of \$1,300,000 to fund improvements. On April 5, 2011, the Board of Directors approved an amendment to extend the agreement to August 15, 2012, to allow additional time to complete the project.

(Continued)

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 529,679	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

**COMPANION ITEM ON BOARD AGENDA:** No

<b>SOURCE OF FUNDS:</b> Murrieta Sub-Area of Project Area 1-1986 Redevelopment Capital Improvement Bond Proceeds (previously approved budget)	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE  
BY:   
Jennifer L. Sargent

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS OF THE SUCCESSOR AGENCY TO  
THE REDEVELOPMENT AGENCY**

On motion of Supervisor Tavaglione, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

**Ayes:** Buster, Tavaglione, Benoit and Ashley  
**Nays:** None  
**Absent:** Stone  
**Date:** August 28, 2012  
**xc:** RDA, EDA, Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref.: 4.1 of 4/5/11; 4.1 of 8/15/06

District: 3/3

Agenda Number:

4.6

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

FISCAL PROCEDURES APPROVED  
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER  
 BY:   
 ANITA C. WILLIS  
 DATE: 7-2-12  
 FORM APPROVED COUNTY COUNSEL  
 BY:   
 ANITA C. WILLIS

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

**BACKGROUND:** (Continued)

The City of Murrieta is in the process of completing the second phase by August 15, 2012, however invoices relating to the project may not be submitted until after August 15, 2012. The City has asked for an extension of 120-days from August 15, 2012, to ensure that all invoices for the project have been submitted and can be reimbursed by the county.

The original agreement is reflected in the Recognized Obligation Payment Schedule (ROPS), which has been approved by the Oversight Board and the California Department of Finance. Staff recommends the approval of the second amendment to the agreement.

Attached:

- Second Amendment to the Historic Downtown Murrieta Street Improvement Project with the City of Murrieta

RESOLUTION NO. 12 - 2945

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA, AUTHORIZING A SECOND AMENDMENT TO THE AGREEMENT WITH THE COUNTY OF RIVERSIDE AS SUCCESSOR AGENCY FOR HISTORIC DOWNTOWN IMPROVEMENTS

WHEREAS, on June 6, 2006, the City of Murrieta ("City") entered into an agreement ("Agreement") with the County of Riverside Redevelopment Agency ("Agency") for the Historic Downtown, Plum and Juniper Streets Improvement Project and Revitalization Program Sound System ("Project"); and

WHEREAS, on April 5, 2011, the City entered into a First Amendment to the Agreement with the Agency for the project to extend the completion date to August 15, 2012; and

WHEREAS, the County of Riverside ("County") is the successor in interest to the Agency pursuant to the provisions of Section 34173 of the California Health and Safety Code; and

WHEREAS, the City and the County have determined that there is a great need to provide redevelopment funds to improve and eliminate economic blight in the newly rehabilitated Historic Downtown area by installing a sound system; and

WHEREAS, Section 13 of the Agreement provides for an extension upon written consent of both parties should additional time be needed to complete the work; and

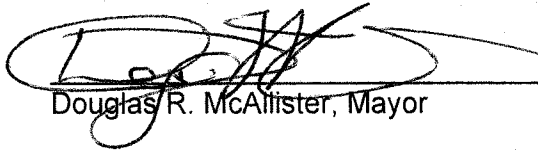
WHEREAS, the City and the County desire to extend the time of performance of the Agreement for an additional 120 days to provide for additional time for the purchase and installation of a sound system as described in the Agreement; and

WHEREAS, sufficient funds are available from the County to pay for the sound system,

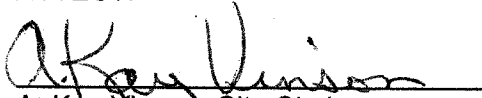
NOW, THEREFORE, BE IT RESOLVED, by the City Council of Murrieta, California, as follows:

1. That the Second Amendment to the Agreement with the County of Riverside as Successor Agency (attached as Attachment 2 to the Agenda Report) provides that the term of the Agreement shall be increased for an additional 120 days, is approved.
2. That the funding for this sound system is provided by the County of Riverside as Successor Agency.
3. That all other terms and conditions of the Agreement remain unmodified and in full force and effect.
4. That the City Manager is hereby authorized and directed to execute the amendment on behalf of the City.


PASSED, APPROVED, AND ADOPTED this 3<sup>rd</sup> day of July, 2012.

  
Douglas R. McAllister, Mayor

ATTEST:

  
A. Kay Vinson, City Clerk

APPROVED AS TO FORM:

  
Leslie E. Devaney, City Attorney

I, A. Kay Vinson, City Clerk of the City of Murrieta, California, do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the City Council on the 3<sup>rd</sup> day of July, 2012, by the following roll call vote:

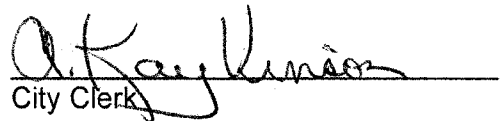
AYES: Bennett, Gibbs, Lane, Long and McAllister

NOES: None

ABSENT: None

ABSTAIN: None

The foregoing instrument is a correct copy of the original on file in this office.

  
City Clerk

ATTEST: July 18, 2012

  
City Clerk, Murrieta, California

By: \_\_\_\_\_

1                                   **SECOND AMENDMENT TO THE AGREEMENT**  
2                                   **BY AND BETWEEN THE COUNTY OF RIVERSIDE**  
3                                   **AS SUCCESSOR AGENCY AND THE CITY OF MURRIETA**  
4                                   **FOR THE HISTORIC DOWNTOWN, PLUM AND JUNIPER STREETS IMPROVMENT**  
5                                   **PROJECT AND REVITALIZATION PROGRAM SOUND SYSTEM**

6                   **THIS SECOND AMENDMENT TO AGREEMENT** is made and entered into this  
7                   August 28, 2012 by and between the **COUNTY OF RIVERSIDE**, a political  
8                   subdivision of the State of California acting in its capacity as Successor Agency to the  
9                   Redevelopment Agency for the County of Riverside (hereinafter "COUNTY"), and the  
10                  City of Murrieta (hereinafter "CITY").

11                                   **RECITALS**

12                  **WHEREAS**, COUNTY is the successor in interest to the Redevelopment Agency  
13                  for the County of Riverside pursuant to the provisions of Section 34173 of the California  
14                  Health and Safety Code, acting in its capacity as Successor Agency;

15                  **WHEREAS**, the Redevelopment Agency for the County of Riverside (Former  
16                  RDA) was a redevelopment agency duly created, established and authorized to  
17                  transact business and exercise its powers, all under and pursuant to the provisions of  
18                  the Community Redevelopment Law, which is Part 1 of Division 24 of the California  
19                  Health and Safety Code (commencing with Section 33000 et seq.); the Former RDA  
20                  was terminated as of February 1, 2012 pursuant to Section 34172;

21                  **WHEREAS**, the Former RDA and the City entered into an agreement on August  
22                  15, 2006;

23                  **WHEREAS**, the Former RDA and the City extended the time of performance in  
24                  the First Amendment on April 5, 2011 to August 15, 2012; and

25                  **WHEREAS**, the County and the City desire to extend the time of performance of  
26                  the First Amendment for an additional 120 days from August 15, 2012 to December 13,  
27                  2012;

28                  ///

                  ///

AUG 28 2012 4.6

1           **NOW THEREFORE**, in consideration of the mutual covenants contained herein  
2 and providing that all other sections not amended remain intact, the parties hereto  
3 agree as follows:

- 4
- 5           1. The term of the Agreement shall be extended for an additional 120 days  
6           from August 15, 2012 to December 13, 2012, the expiration of the  
7           agreement.
  - 8           2. All other terms and conditions of the Agreement remain unmodified and in  
9           full force and effect.
  - 10          3. The Second Amendment is not binding until approved by the Board of  
11          Supervisors acting in its capacity as Successor Agency.

12

13                    (REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1           **IN WITNESS WHEREOF**, the County of Riverside, acting in its capacity of  
2 Successor Agency to the Redevelopment Agency for the County of Riverside, and the  
3 City of Murrieta has executed this agreement as of the date first above written.  
4

5 **COUNTY OF RIVERSIDE ACTING IN ITS**  
6 **CAPACITY AS SUCCESSOR AGENCY**  
7 **TO THE REDEVELOPMENT AGENCY**

8   
9 \_\_\_\_\_  
10 John Favagione, Chairman  
Board of Supervisors


11 **APPROVED AS TO FORM:**  
12 Pamela J. Walls  
13 County Counsel

14   
15 \_\_\_\_\_  
16 Anita C. Willis, Deputy

17 **ATTEST:**  
18 Kecia Harper-Ihem  
19 Clerk of the Board

20  
21   
22 \_\_\_\_\_  
23 Deputy

**CITY OF MURRIETA**

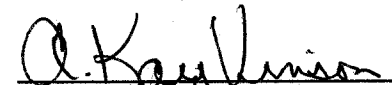
  
\_\_\_\_\_  
Rick Dudley, City Manager

  
\_\_\_\_\_  
Douglas McAllister  
Mayor

**APPROVED AS TO FORM:**  
City Attorney

  
\_\_\_\_\_  
Leslie E. Devaney

**ATTEST:**  
City Clerk

  
\_\_\_\_\_  
A. Kay Vinson  
July 3, 2012