

**PLACER COUNTY**  
**REDEVELOPMENT AGENCY**

**MEMORANDUM**

**TO:** Honorable Members of the Board of Supervisors  
**FROM:** Richard Colwell, Chief Assistant CEO – Redevelopment Director *Richard Colwell*  
Rae James, Deputy Director  
**DATE:** July 10, 2007  
**SUBJECT:** Adopt a Resolution Making Certain Findings Required by Health and Safety Code Section 33445 for the Acquisition of a Permanent Water Line Easement for the Minnow Avenue Public Parking Lot and Authorize the Chief Assistant CEO-Redevelopment Director or Designee to Sign All Related Documents Subject to the Review of County Counsel.

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**ACTION REQUESTED:** Adopt a resolution making certain findings required by Health and Safety Code Section 33445 for the acquisition of a permanent water line easement for the Minnow Avenue Public Parking Lot (Lot) and authorize the Chief Assistant CEO-Redevelopment Director or designee to sign all related documents subject to the review of County Counsel.

**BACKGROUND:** On February 22, 2005, your Board approved the purchase of a vacant parcel (APNs 090-091-058, 059, and 060) in Kings Beach. The Lot will provide public parking for 21 vehicles.

As part of the development of the Lot the Redevelopment Agency (Agency) will need access to water in order to maintain the proposed landscape. The existing water line will need to be extended across property owned by Grant Wolf, Inc. The Agency requires a permanent water line easement to install and maintain the water line. The property owner has agreed to grant the easement in consideration of a \$1,000 purchase price and with the Agency paying 100% of the closing costs. The Agency is requesting your Board to authorize payment of a maximum amount of \$2,000 to cover these expenses. In another item on this agenda the proposed easement agreement is attached.

In order to use tax increment proceeds to acquire land, California Redevelopment Law (Health and Safety Code Section 33445 et seq.) requires that the local legislative body consent to the acquisition by its redevelopment agency and make the following three findings:

- a) that the public improvements are of benefit to the Project Area or the immediate neighborhood of the Project Area;
- b) that no other reasonable means of financing such public improvements are available to the community; and
- c) that the Agency's contribution to the cost of the public improvement will assist in elimination of one or more blighting conditions in the Project Area.

**FISCAL IMPACT:** The purchase price of the easement is \$1,000 and with closing costs, the total dollar amount of this acquisition is estimated to be no more than \$2,000. The Agency has sufficient North Lake Tahoe Redevelopment tax increment proceeds to make this purchase. There will be no impact on the County General Fund.

**ENVIRONMENTAL STATUS:** The environmental review process is complete for the Lot and a Mitigated Negative Declaration has been issued.

**FINDINGS:** Under California Redevelopment Law (Health & Safety Code Section 33000 et seq.), before the Agency can expend funds for acquisition of land for public improvements, such as this easement for the installation, operation and maintenance of a water line to serve a public parking lot, the Agency and the Board of Supervisors must make specified findings pursuant to Health and Safety Code Section 33445.

The Agency is in constant pursuit of implementing and accomplishing the stated goals of the Redevelopment Plan for the North Lake Tahoe Project Area (Redevelopment Plan). Health and Safety Code Section 33031(a)(2) identifies as a blighting condition factors that inhibit the economic viability of buildings or lots, such as lack of parking. Section 323 of the Redevelopment Plan specifically authorizes the Agency to install public parking facilities. The Agency's 2006-2011 North Lake Tahoe Implementation Plan identifies the installation of public parking in Kings Beach as a goal and a program of the Implementation Plan. The installation of additional public parking should assist local properties to attract additional customers and clients, which will result in a positive effect on blighting influences in the North Lake Tahoe Redevelopment Project Area (Project Area). With respect to the future Lot, there is currently no water line in the vicinity of the real property to service the landscaping that will be installed in and around the parking lot. The acquisition of this water line easement will allow the installation of a water line to irrigate the landscaping which is part of the overall construction plan of the Lot, which in turn will provide additional public parking in the Project Area thereby supporting the goals of the North Lake Tahoe Redevelopment and Implementation Plans.

The County has no other reasonable means of financing the estimated cost of the water line easement acquisition. The County budget has allocated resources to other funding priorities and does not have available funding to allocate for the acquisition of this easement, and, therefore, it is appropriate for the Agency to fund the acquisition of the water line easement to service the landscaping that will be installed in and around this new public parking lot.

**RECOMMENDATION:** Adopt a resolution making certain findings required by Health and Safety Code Section 33445 for the acquisition of a permanent water line easement for the Lot and authorize the Chief Assistant CEO-Redevelopment Director or designee to sign all related documents subject to the review of County Counsel.

Attachment: Resolution

cc: Karin Schwab, Agency Counsel

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**Before the Placer County  
Board of Supervisors  
County of Placer, State of California**

**In the matter of:**

**Adopt a Resolution Making Certain Findings Required by Health and Safety Code Section 33445 for the Acquisition of a Permanent Water Line Easement for the Minnow Avenue Public Parking Lot and Authorize the Chief Assistant CEO-Redevelopment Director or Designee to Sign All Related Documents Subject to the Review of County Counsel.**

**Resol. No:.....**

**Ord. No:.....**

**First Reading: .....**

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held July 10, 2007,

by the following vote on roll call:

**Ayes:**

**Noes:**

**Absent:**

**Signed and approved by me after its passage.**

**Attest:  
Clerk of said Board**

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**Chair, Board of Supervisors**

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**BE IT RESOLVED** by the Board of Supervisors as follows:

WHEREAS, the Redevelopment Plan for the North Lake Tahoe Redevelopment Project Area (Redevelopment Plan) was adopted by the Placer County Board of Supervisors on July 16, 1996 by Ordinance No. 4753-B and as subsequently amended from time to time; and

WHEREAS, the Redevelopment Agency of Placer County (Agency) is vested with responsibility pursuant to the Community Redevelopment Law (Part I of Division 24 of the Health and Safety

Code of the State of California) to implement the Redevelopment Plan in the North Lake Tahoe Redevelopment Project Area (Project Area); and

WHEREAS, the Agency intends to purchase a permanent water line easement from Grant Wolf, Inc. for use within the Project Area in order to develop a public parking lot; and

WHEREAS, the California Environmental Quality Act process is complete on the Minnow Avenue Public Parking lot, and a Mitigated Negative Declaration was issued and considered by the Agency; and

WHEREAS, Agency assistance in land purchase and parking improvements is contemplated and provided for in Section 323 of the Redevelopment Plan and in the Agency's Implementation Plan for the Project Area adopted pursuant to Health and Safety Code section 33490.

NOW, THEREFORE, BE IT RESOLVED that based on information presented, the Board of Supervisors determines as follows:

1. The above recitals are incorporated here in full and the Board of Supervisors finds the same to be true and correct, and the Board of Supervisors has based the findings and actions set forth in this Resolution, in part, on such recitals.
2. The Board of Supervisors finds and determines that (a) Agency assistance for acquisition of a water line easement for a public parking lot will be of benefit to the Project Area; (b) there are no other reasonable means of financing the acquisition of a water line easement for the public parking lot; and (c) the payment of Agency funds for acquisition a permanent water line easement for the public parking lot (i) will assist in the elimination of one or more blighting conditions in the Project Area and (ii) is consistent with the Implementation Plan adopted by the Agency pursuant to Section 33490 of the Law. A summary of the factual and analytical basis used by the Board of Supervisors in making these findings and determinations is set forth in the staff report.
3. The Board of Supervisors consents to the payment by the Agency for the acquisition of a permanent water line easement on APN 090-192-058, 059, 060 for an amount up to \$2,000 anticipated to be paid from North Lake Tahoe Redevelopment Area Tax Increment Proceeds.
4. The Board of Supervisors authorizes the Chief Assistant CEO-Redevelopment Director or designee to execute all necessary documents to carry out this acquisition.
5. This Resolution shall take immediate effect from and after its passage and approval.