

[FORM OF SUBMITTAL OF SUCCESSOR AGENCY AGENDA ITEM]

COUNTYWIDE OVERSIGHT BOARD

COUNTY OF MERCED

TO: COUNTYWIDE OVERSIGHT BOARD MEMBERS

FROM: SUCCESSOR AGENCY TO THE [INSERT SPONSORING COMMUNITY NAME] REDEVELOPMENT AGENCY

SUBJECT: RESOLUTION NO. 20__ - __ A RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR THE COUNTY OF MERCED APPROVING [INSERT ACTION] IN ACCORDANCE WITH HEALTH & SAFETY CODE SECTION _____

MEETING DATE: _____, 20__

Background and Overview:

The former Redevelopment Agency for [Insert Sponsoring Community] (“Former Agency”) desires that the Countywide Oversight Board for the County of Merced approve _____.

Pursuant to Assembly Bill No. 1X 26, as modified by Assembly Bill No. 1484 and as further modified by Senate Bill No. 107, which added Parts 1.8 and 1.85 to Division 24 of the Health and Safety Code (“Dissolution Act”), the Agency was dissolved on February 1, 2012 and the Successor agency to the Redevelopment Agency for [Insert Sponsoring Community] (“Successor Agency”) was vested with all authority, rights, powers, duties and obligations of the Agency, including the Agreement.

[Insert Background Narrative]

Successor Agency staff recommends adoption of Resolution No. 20 - , A Resolution of the Countywide Oversight Board for the County of Merced Approving [Insert Action].

Impact on Taxing Entities:

[Insert narrative of fiscal impact on taxing entities.]

Recommendation:

That the Countywide Oversight Board:

1. Adopt Resolution No. 20 - A Resolution of the Countywide Oversight Board for the County of Merced Approving [Insert Action] in accordance with Health & Safety Code Section _____; and
2. Direct [Insert Successor Agency] staff to submit Resolution No. 20 - to the Department of Finance for review and approval pursuant to Section 34179(h) of the Health and Safety Code, as applicable.

Attachments:

Resolution No. 20 -

[FORM OB RESOLUTION TO BE SUBMITTED BY SUCCESSOR AGENCY]

RESOLUTION NO. 2018- [OB to complete]

A RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD OF THE COUNTY OF MERCED APPROVING THE _____ BY/FOR THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF _____ IN ACCORDANCE WITH HEALTH & SAFETY CODE SECTION _____

WHEREAS, on June 29, 2011, the Legislature of the State of California (the "State") adopted Assembly Bill x1 26 ("AB 26"), which amended provisions of the State's Community Redevelopment Law (Health & Safety Code sections 33000 et seq.); and

WHEREAS, pursuant to AB 26 and the State Supreme Court decision in *California Redevelopment Association, et al. v. Ana Matasantos, et al.*, which upheld AB 26 (together with AB 1484, as amended to date, the "Dissolution Law"), the former Redevelopment Agency of the City of _____ was dissolved on February 1, 2012; and

WHEREAS, pursuant to the Dissolution Law, the City of _____ became the Successor Agency to the Redevelopment Agency of the City of _____ ("Successor Agency") effective February 1, 2012; and

WHEREAS, the Oversight Board to the Successor Agency was in existence in accordance with the Dissolution Law until June 30, 2018. Effective July 1, 2018, the Countywide Oversight Board of the County of Merced ("Oversight Board") has been established in accordance with Health & Safety Code section 34179(j) to approve certain successor agency actions pursuant to Health & Safety Code section 34180 and to direct the successor agencies in certain other actions pursuant to Health & Safety Code section 34181; and

WHEREAS, Section _____ of the Dissolution Law permits _____; and

WHEREAS, on _____, 2018, by Resolution No. 2018-__ (attached), the Successor Agency approved _____; and

WHEREAS, the Successor Agency has requested that the Oversight Board approve _____; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE COUNTYWIDE OVERSIGHT BOARD OF THE COUNTY OF MERCED DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. The Oversight Board hereby approves _____ and authorizes the Successor Agency to _____ in accordance with Health and Safety Code section _____.

SECTION 3. The Successor Agency is further authorized to enter into such agreements or other documents as may be required to implement the foregoing and to take such other actions on behalf of the Successor Agency with respect to the foregoing as may be necessary in accordance with applicable law.

SECTION 4. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 5. The Successor Agency is hereby directed to submit a signed copy of this Resolution, including all attachments and related staff reports to the Department of Finance in accordance with the Dissolution Law. The Successor Agency is further directed to promptly provide the Oversight Board Chair, Oversight Board counsel, and Oversight Board staff with copies of all correspondence to and from the Department of Finance with respect to this Oversight Board Resolution.

SECTION 6. This Resolution shall take effect from and after the date of its passage and adoption in accordance with, and subject to, all applicable requirements of the Dissolution Law.

[continued on next page]

PASSED, APPROVED AND ADOPTED at a regular meeting of the Countywide Oversight Board of the County of Merced, held this ____th day of _____, 2018.

Chairperson, Merced Countywide
Oversight Board

ATTEST:

Secretary

Attachments:

Exhibit A – _____
Exhibit B – _____