

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9089-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLINING THAT THE CITY ASSUME THE HOUSING ASSETS AND FUNCTIONS OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND RECOMMENDING THAT THE GARDEN GROVE HOUSING AUTHORITY ASSUME THE HOUSING ASSETS AND FUNCTIONS PREVIOUSLY PERFORMED BY THE AGENCY PURSUANT TO HEALTH & SAFETY CODE SECTION 34176

WHEREAS, the Garden Grove Agency for Community Development ("Agency") was formed to execute and implement the Redevelopment Plans for the Garden Grove Community Project and the Buena Clinton Project, pursuant to the provisions of the California Community Redevelopment Law, Health & Safety Code Section 33000, et seq. ("CRL");

WHEREAS, the City of Garden Grove is a municipal corporation of the State of California ("City");

WHEREAS, on December 29, 2011, in California Redevelopment Association v. Matosantos, Case No. S194861, the California Supreme Court upheld AB X1 26, which dissolves all of the redevelopment agencies in California, and invalidated AB X1 27, which would have allowed redevelopment agencies to remain in existence if they opted in to the "Voluntary Alternative Redevelopment Program" ("Program");

WHEREAS, the City opted into the Program by Ordinance soon after the passage of AB X1 26;

WHEREAS, because the constitutionality of both AB X1 26 and AB XI 27 was in doubt, the City also, by Resolution, affirmatively elected to serve as the successor agency to the Agency pursuant to CRL Section 34173(d)(1);

WHEREAS, pursuant to CRL Section 34176, the City may elect to assume the housing assets and functions previously performed by the Agency or may allow transfer of those assets and functions to the Garden Grove Housing Authority; and

WHEREAS, the City Council declines to assume such housing assets and functions and states its desire that the Garden Grove Housing Authority assume all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the former Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDEN GROVE:

Section 1. The above recitals are true and correct, are a substantive part of this Resolution, and are adopted as the findings of the City Council.

Section 2. Pursuant to CRL Section 34176, enacted by AB X1 26, the City Council hereby declines to assume the housing assets and functions of the Agency

and designates the Garden Grove Housing Authority to assume the housing assets and functions previously performed by the Agency, including all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the former Agency.

Section 3. The City Manager is hereby authorized and directed to take such other and further actions, and sign such other and further documents, as are necessary and proper in order to implement this Resolution on behalf of the City.

Section 4. The City Clerk shall certify to the adoption of this Resolution.

Adopted this 17th day of January 2012.

ATTEST:

/s/ WILLIAM J. DALTON
MAYOR

/s/ KATHLEEN BAILOR, CMC
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at an Adjourned Regular Meeting held on the 17th day of January 2012, by the following vote:

AYES: COUNCIL MEMBERS: (5) BEARD, BROADWATER, JONES, NGUYEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ KATHLEEN BAILOR, CMC
CITY CLERK