

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9094-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AFFIRMING THE MAYOR'S SELECTION AND APPOINTMENT OF TWO MEMBERS TO THE OVERSIGHT BOARD PURSUANT TO SECTION 34179 OF THE DISSOLUTION ACT

WHEREAS, the Garden Grove Agency for Community Development ("Agency") was established as a community redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health & Safety Code Section 33000, et seq. ("CRL"), and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Garden Grove ("City");

WHEREAS, Assembly Bill X1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code, which laws cause the dissolution and wind down of all redevelopment agencies ("Dissolution Act");

WHEREAS, on December 29, 2011, in the petition California Redevelopment Association v. Matosantos, Case No. S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of and on February 1, 2012, under the dates in the Dissolution Act that were reformed and extended thereby ("Supreme Court Decision");

WHEREAS, the Agency is now a dissolved community redevelopment agency pursuant to the Dissolution Act;

WHEREAS, by a Resolution considered and approved by the City Council at an open public meeting the City chose to become and serve as the "Successor Agency" to the dissolved Agency under the Dissolution Act;

WHEREAS, as of and on and after February 1, 2012, the City serves as the "Successor Agency" will perform its functions as the Successor Agency under the Dissolution Act to administer the enforceable obligations of the Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member Oversight Board formed thereunder;

WHEREAS, Section 34179 of the Dissolution Act provides that each successor agency shall have an oversight board composed of seven members, of which one of the seven members is appointed by Mayor of the City and a second member is also appointed by the Mayor representing the employees of the former Agency from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the Successor Agency at that time;

WHEREAS, pursuant to Section 34179 the Oversight Board shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities

that benefit from distributions of property tax and other revenues pursuant to Section 34188 of Part 1.85 of the Dissolution Act;

WHEREAS, the Mayor desires to make two appointments and by this Resolution appoints the following members to the Oversight Board: (1) the Mayor appoints himself as one member; and (2) Paul Guerrero as the former Agency employee member;

WHEREAS, by this Resolution the City Council intends to affirm the Mayor's appointments;

WHEREAS, once appointed the seven members, the oversight board will elect one of their members as the Chair and will report the name of the Chair and other members to the Department of Finance on or before May 1, 2012;

WHEREAS, these appointments will be posted on the City's website relating to the Successor Agency; and

WHEREAS, pursuant to Section 34179 each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

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

Section 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

Section 2. The Mayor hereby appoints to the oversight board the following two members: (a) the Mayor appoints himself as one member; and (b) Paul Guerrero as the former Agency employee member.

Section 3. The City Council hereby affirms the Mayor's appointments of two members to the Oversight Board pursuant to Section 34179.

Section 4. The City Manager or his authorized designee shall cause this Resolution to be forwarded to the following: Successor Agency, Oversight Board, County Auditor-Controller, Department of Finance, and State Controller's Office.

Section 5. The City Manager or his authorized designee shall cause information about the Mayor's appointments to be posted on the City's website relating to Successor Agency notices.

Adopted this 14<sup>th</sup> day of February 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 a meeting held on the 14<sup>th</sup> day of February 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