

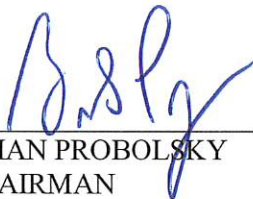
The foregoing was passed and adopted by the following vote of the Orange Countywide Oversight Board on TUESDAY, September 22, 2020:

YES: CHARLES BARFIELD, STEVE FRANKS, CHRIS GAARDER, STEVE JONES, BRIAN PROBOLSKY, DEAN WEST, PHILLIP E. YARBROUGH

NOES:

EXCUSED:

ABSTAINED:

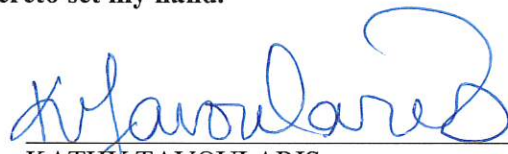


BRIAN PROBOLSKY
CHAIRMAN

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, KATHY TAVOULARIS, Clerk of the Orange Countywide Oversight Board, Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange Countywide Oversight Board.

IN WITNESS WHEREOF, I have hereto set my hand.



KATHY TAVOULARIS
Clerk
Orange Countywide Oversight Board

Resolution No: 20-033

Agenda Date: Tuesday, September 22, 2020

Item No: 10a

RESOLUTION NO. 20-033

IN THE MATTER OF APPROVING THE TRANSFER OF CERTAIN REAL PROPERTY TO NEW AGE BROOKHURST LLC IN ACCORDANCE WITH THE LONG RANGE PROPERTY MANAGEMENT PLAN AND THE DISSOLUTION LAWS

WHEREAS, the Successor Agency to the Garden Grove Agency for Community Development (“Successor Agency”) is a public body corporate and politic, organized and operating under Parts 1.8 and 1.85 of Division 24 of the California Health and Safety Code, and the successor the former Garden Grove Agency for Community Development (“former Agency”) that was previously a community redevelopment agency, organized and existing pursuant to the Community Redevelopment Law, Health and Safety Code Section 33000, et seq. (“CRL”); and

WHEREAS, Assembly Bill 1x26 (“AB 1x26”) added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code and which laws were modified, in part, and determined constitutional by the California Supreme Court in the petition *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 (“*Matosantos Decision*”), which laws and court opinion caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies; thereafter, such laws were amended further by Assembly Bill 1484 (“AB 1484”) (together AB 1x26, the *Matosantos Decision*, and AB 1484 are referred to as the “Dissolution Laws”); and

WHEREAS, as of February 1, 2012 the former Agency was dissolved pursuant to the Dissolution Laws and as a separate public entity, corporate and politic the Successor Agency administers the enforceable obligations of the former Agency and otherwise unwinds the former Agency's affairs, all subject to the review and approval by a seven-member oversight board (“Oversight Board”); and

WHEREAS, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a “long-range property management plan” (also referred to herein as the “LRPMP”) addressing the future disposition and use of all real property of the former Agency no later than six months following the issuance to the Successor Agency of a finding of completion by the State Department of Finance (“DOF”) pursuant to Health and Safety Code Section 34179.7; and

WHEREAS, the DOF issued a finding of completion to the Successor Agency on May 15, 2013; and

WHEREAS, the Successor Agency prepared an LRPMP and the LRPMP prepared by the Successor Agency was approved by the Oversight Board and the DOF; and

WHEREAS, the approved LRPMP designates the subject real property (identified in lines 8 through 16, 19 and 20 on the matrix attached to the LRPMP) (the “Property”) as the Phase II property to be conveyed in accordance with the Disposition and Development Agreement by and between the former Agency and New Age Brookhurst LLC (“New Age”), dated November 24, 2010 and in accordance with LRPMP to New Age; and

WHEREAS, the Agency will transfer the Properties, identified as 15, 16, 19, and 20 on the LRPMP and Matrix to New Age on or before December 31, 2020 and 8 through 16, 19, and 20 on or before December 31, 2022; and

WHEREAS, the conveyance of the Property to New Age complies with the CRL, the Dissolution Laws and the LRPMP.

NOW, THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTYWIDE OVERSIGHT BOARD:

SECTION 1. The Recitals set forth above are true and correct and are incorporated into the Resolution by this reference.

SECTION 2. The Countywide Oversight Board hereby approves and authorizes the conveyance of the Property in accordance with the approved LRPMP.

SECTION 3. The Chair of the Countywide Oversight Board shall sign the passage and adoption of this Resolution and thereupon the same shall take effect and be in force.

SECTION 4. The Successor Agency Director is hereby directed to transmit this Resolution to DOF.

SECTION 6. The approval of this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

SECTION 7. If any provision of this Resolution or the application of any such provision to any person or circumstance is held valid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 8. This Resolution shall be effective immediately upon adoption.

SECTION 9. The Clerk of the Oversight Board shall certify to the adoption of this Resolution.