

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 01/17/2012 by the following vote:

AYES: ☐

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2012/29

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA TO SERVE AS THE SUCCESSOR AGENCY OF THE CONTRA COSTA COUNTY REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34171(j) AND SECTION 34173, AND TO ELECT TO RETAIN THE HOUSING ASSETS AND FUNCTIONS PREVIOUSLY PERFORMED BY THE CONTRA COSTA COUNTY REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34176

WHEREAS, Assembly Bill 1X 26 (the "Dissolution Act") and Assembly Bill 1X 27 (the "Alternative Redevelopment Program Act") were enacted on June 28, 2011, to significantly modify the Community Redevelopment Law (Health & Safety Code §33000, et seq.; the "Redevelopment Law"); and

WHEREAS, on August 11, 2011, the California Supreme Court agreed to review the California Redevelopment Association and League of California Cities' petition challenging the constitutionality of the Redevelopment Restructuring Acts; and

WHEREAS, on December 29, 2011, the California Supreme Court ruled that the Dissolution Act is largely constitutional and the Alternative Redevelopment Program Act is unconstitutional; and

WHEREAS, the Court's decision means that all California redevelopment agencies will dissolve on February 1, 2012 pursuant to the Dissolution Act; and

WHEREAS, the Dissolution Act provides that the county that authorized the creation of the redevelopment agency shall be the "successor agency" to the dissolved redevelopment agency unless the county elects not to serve as the successor agency under Section 34173(d)(1) of the Redevelopment Law; and

WHEREAS, Section 34176(a) of the Redevelopment Law provides that the county that authorized the creation of a redevelopment agency may elect to retain the housing assets and functions previously performed by the former redevelopment agency; and

WHEREAS, the County of Contra Costa (the County) desires to elect to retain the housing assets and functions previously performed by the Agency in accordance with Section 34176 of the Redevelopment Law.

WHEREAS, On December 2, 2011, the RDA filed a validation action to validate the RDA's adoption of Resolution 2011/417. Resolution 2011/417, which was adopted on October 4, 2011, authorized the execution of supplements to loan agreements between the RDA and the County of Contra Costa Public Financing Authority (PFA). Execution of the loan agreement supplements is necessary to implement the PFA's Bond Redemption, Purchase and Defeasance Program. The purpose of the lawsuit is to obtain a court order that will validate those loan agreement supplements.

NOW, THEREFORE, BE IT RESOLVED, that the County hereby accepts the designation of, and hereby declares its intent to serve as, the successor agency to the Agency in accordance with Section 34171(j) and Section 34173 of the Redevelopment Law.

BE IT FURTHER RESOLVED, the County hereby elects to retain the housing assets and functions previously performed by the Agency in accordance with Section 34176 of the Redevelopment Law.

BE IT FURTHER RESOLVED, that the County Administrator or the County Administrator's designee is hereby directed to file a copy of this resolution with the County Auditor-Controller.

BE IT FURTHER RESOLVED, that the County Administrator or the County Administrator's designee is hereby authorized to take such additional actions, and to execute all documents necessary and appropriate, for the County to transfer the assets of the

Agency to the County in its capacity as successor agency to the Agency pursuant to Sections 34175 of the Redevelopment Law and successor housing agency pursuant 34176 of the Redevelopment Law.

BE IT FURTHER RESOLVED, that the County, in its capacity as the successor agency to the RDA, is authorized to continue the RDA's validation action to validate the RDA's adoption of Resolution 2011/417 and specified supplements to loan agreements.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Steven Goetz, 335-1240

ATTESTED: January 17, 2012

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: