

OVERSIGHT BOARD RESOLUTION NO. 2014 - 10

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF ROHNERT PARK AUTHORIZING AND DIRECTING THE TRANSFER OF ALL HOUSING ASSETS TO THE CITY OF ROHNERT PARK

WHEREAS, the California state legislature enacted Assembly Bills x1 26 and 1484 (together, the "Dissolution Act") to dissolve and unwind the affairs of redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.);

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

WHEREAS, the Dissolution Act, at Health and Safety Code Section 34176, also provides that the city, county, or city and county that authorized the creation of the redevelopment agency may also elect to retain the housing assets and functions previously performed by the former redevelopment agency;

WHEREAS, by adoption of Resolution No. 2012-10 adopted on January 10, 2012, the City Council of the City of Rohnert Park (the "City Council") declared that, effective February 1, 2012: (1) the City of Rohnert Park (the "City"), acting in a separate legal capacity and as a separate public entity pursuant to Health and Safety Code Section 34173(g), would act as successor agency (the "Successor Agency") for the Community Development Commission of the City of Rohnert Park (the "CDC"); and (2) the City of Rohnert Park would retain the housing assets and responsibility for performing housing functions previously performed by the CDC;

WHEREAS, pursuant to Health and Safety Code Section 34176(a), all rights, powers, duties, obligations, and housing assets (as defined in Section 34176(e)) have been or shall be transferred to the City;

WHEREAS, the City prepared and submitted for review by the Department of Finance ("DOF") the Housing Asset List required under Health and Safety Code Section 34176(a)(2) ("Housing Asset List") attached to the staff report accompanying this Resolution (the "Staff Report");

WHEREAS, the Housing Asset List constitutes a list of all "housing assets" of the CDC, as defined in Health and Safety Code Section 34176(e), including: real and personal property interests acquired for low- and moderate-income housing purposes; encumbered funds; loan and grant receivables for assistance provided by the Low and Moderate Income Housing Fund ("Housing Fund"); rents and payments from housing operations; and amounts owed to the Housing Fund as a result of previously deferred or borrowed Housing Fund deposits;

WHEREAS, DOF approved the City's Housing Asset List by letter dated August 29, 2012 ("DOF Letter"), which letter is attached to the Staff Report accompanying this Resolution;

WHEREAS, the Housing Asset List, DOF Letter and Staff Report provide supporting information upon which the actions set forth in this Resolution are based;

WHEREAS, upon dissolution on February 1, 2012, all housing assets as defined in Health and Safety Code Section 34176(e) transferred from the CDC to the City; and

WHEREAS, to the extent any housing assets have not so transferred, in accordance with Health and Safety Code Section 34181(c), the Oversight Board may authorize and direct the transfer of the housing asset to the entity taking over the housing functions of the City.

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF ROHNERT PARK DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Oversight Board hereby finds and determines that the foregoing recitals are true and correct, and together with the following documents and information form the basis for the approvals, authorizations, findings, and determinations set forth in this Resolution: (1) the Housing Asset List; (2) the DOF Letter; (3) the Staff Report; and (4) the information provided by the Successor Agency and City Staff and the public.

Section 2. In accordance with Health and Safety Code Section 34181(c), the Oversight Board does hereby authorize and direct the transfer of the housing assets in the Housing Asset List to the City, acting as the housing successor to the CDC pursuant to Health and Safety Code Section 34176(a)(1), and authorizes the Successor Agency to do everything necessary and appropriate to effectuate said transfer.

Section 3. The Successor Agency's Executive Director, or the Executive Director's designee, shall be authorized to take such additional actions, and to execute all documents necessary and appropriate (including the execution of any release, quitclaim deed or grant deed) to effectuate the transfer of the housing assets of the CDC to the City in satisfaction of Health and Safety Code Section 34176(a)(1).

Section 4. The transfer of the housing assets to the City is exempt from the requirements of the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) (as an action which it can be seen with certainty will not have a significant effect on the environment).

Section 5. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

PASSED AND ADOPTED at a duly noticed special meeting of the Oversight Board for the Successor Agency to the Community Development Commission of the City of Rohnert Park held on December 1, 2014, by the following vote of the members thereof:

AYES: (4) Board Members: Cerreta, Jolley, Masterson, Ponton

NOES: (0) Board Members: None

ABSENT: (3) Board Members: Mackenzie, Thompson, Zane

ABSTAIN: (0) Board Members: None

**OVERSIGHT BOARD FOR THE SUCCESSOR
AGENCY CITY OF ROHNERT PARK**



Marilyn Ponton, Chair

ATTEST:



Eydie Tacata, Clerk of the Board