OVERSIGHT BOARD
TO THE
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

AGENDA ITEM: C.1.
MEETING DATE: April 25, 2012, 11:00 a.m.

TO: Members of the Oversight Board

FROM: Curtis Cannon, Successor Agency Director, (805) 385-7407
Kymberly Horner, Interim Redevelopment Services Manager, Successor Agency, (805) 385-7407

1. SUBJECT

Election of Oversight Board Chairperson and Vice Chairperson.

2. RECOMMENDED ACTION(S)

Elect a Chairperson and Vice Chairperson.

3. DISCUSSION

On June 29, 2011, the State of California enacted Assembly Bill X1 26 (ABx1 26) and Assembly Bill X1 27 (ABx1 27), both trailer bills to the main state budget (Senate Bill 87). The Governor signed ABx1 26 and ABx1 27 as a means to address the State's fiscal emergency declared by the Governor. Briefly, ABx1 26 dissolves redevelopment agencies and designates successor agencies to "wind-up" activities of the former redevelopment agencies. ABx1 27 allows redevelopment agencies to continue activities if they made certain payments to the State.

In July 2011, the California Redevelopment Association (CRA) filed a lawsuit with the California Supreme Court (Court) claiming that the two pieces of legislation are unconstitutional. On December 29, 2011, the Court issued its final opinion in the litigation. The Court upheld ABx1 26 as constitutional and struck down ABx1 27 as unconstitutional.

As of February 1, 2012, all redevelopment agencies were dissolved and a Successor Agency was created for each former redevelopment agency.

The wind down process of the former City of Oxnard Community Development Commission is now underway. The City Council of the City of Oxnard took action at its January 10, 2012 meeting to serve as the Successor Agency to the Commission. Part of the wind down process is formation of this Oversight Board.

A subsequent item on this agenda further describes the Oversight Board, its role and responsibilities. Health and Safety Code section 34179(a) requires that the Board elect a

Chairperson. Staff also recommends election of a Vice-Chairperson to act if the Chairperson is unavailable or unable to act. This election, which requires a majority vote of the seven member Board for each position, is the first item of Board business.

4. ATTACHMENTS

1. Resolution electing Chairperson and Vice-Chairperson

RESOLUTION NO. ____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY ELECTING A CHAIRPERSON AND VICE-CHAIRPERSON

WHEREAS, the City of Oxnard Community Development Commission ("Agency") was a Community Development Commission in the City of Oxnard ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, ABx1 26 ("AB 26") and ABx1 27 ("AB 27") were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with section 34161) and Part 1.85 (commencing with section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code"); and

WHEREAS, the California Redevelopment Association and League of California Cities filed a *lawsuit in the Supreme Court of California (California Redevelopment Association, et al. v. Matosantos, et al.,* Case No. S194861) alleging that AB 26 and AB 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding AB 26, invalidating AB 27, and holding that AB 26 may be severed from AB 27 and enforced independently; and

WHEREAS, the Supreme Court generally revised the effective dates and deadlines for performance of obligations in Part 1.85 arising before May 1, 2012, to take effect four months later; and

WHEREAS, as a result of the Supreme Court's decision, on February 1, 2012, all redevelopment agencies were dissolved and replaced by successor agencies established pursuant to Health and Safety Code section 34173; and

WHEREAS, the City Council of the City adopted Resolution No. 14,135 on January 10, 2012, pursuant to Part 1.85, electing for the City to serve as the successor agency to the Agency upon the dissolution of the Agency under AB 26 ("Successor Agency"); and,

WHEREAS, AB 26 adds to the Redevelopment Law Health and Safety Code section 34179, et seq., providing for establishment of an Oversight Board to oversee certain actions of successor agencies and carry out other directions of AB 26;

WHEREAS; the Oversight Board of the Oxnard Community Development Commission Successor Agency ("Board") has been created by the appointment under

Health and Safety Code section 34179(a) of members sufficient to constitute a quorum; and;

WHEREAS; the Board desires to elect a Chairperson and Vice-Chairperson.

NOW, THEREFORE, the Board of Directors DOES HEREBY FIND, DETERMINE, RESOLVE, AND ORDER as follows:

SECTION 1. Election of Officers. The Chairperson of the Board is _____. The Vice-Chairperson is _____.

SECTION 2. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the Board at its meeting held on the ____ day of _____ 2012, by the following vote:

AYES: BOARD MEMBERS:
NOES: BOARD MEMBERS
ABSENT: BOARD MEMBERS:

_____

ATTEST:

_____
Daniel Martinez, Oxnard City Clerk
as Successor Agency Clerk