

**OVERSIGHT BOARD
TO THE
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY**

**AGENDA ITEM: F.4.
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

Designation of an official to receive requests from the State Department of Finance ("DOF") for review of Oversight Board actions.

2. RECOMMENDED ACTION(S)

That the Board designate the Interim Redevelopment Services Manager of the Successor Agency, as an official to receive requests from the DOF for review of Oversight Board actions and direct such person to provide to the DOF a telephone number and email contact.

3. DISCUSSION

Health and Safety Code section 34179(h), provides that the DOF may review an Oversight Board action taken pursuant to ABx1 26. Oversight Board actions are not effective for three business days, pending a request for review from the DOF. Each Oversight Board is required to designate an official to whom the DOF may make requests and who shall provide the DOF with a telephone number and e-mail contact information for the purpose of communicating with the DOF pursuant to the subdivision (h) of section 34179.

The subdivision does not require that the contact be a member of the Oversight Board. The Successor Agency recommends that the official be the Interim Redevelopment Services Manager of Successor Agency.

5. ATTACHMENTS

1. Resolution designating an official to receive requests from the Department of Finance for review of Oversight Board actions.

RESOLUTION NO. ____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
OVERSIGHT BOARD TO THE OXNARD COMMUNITY DEVELOPMENT
COMMISSION SUCCESSOR AGENCY DESIGNATING AN OFFICIAL
TO RECEIVE REQUESTS FROM THE DEPARTMENT OF FINANCE
FOR REVIEW OF OVERSIGHT BOARD ACTIONS**

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;

WHEREAS; Health and Safety Code section 34179(h) provides that the Department of Finance may review Oversight Board actions taken pursuant to AB 26 and further provides that Oversight Boards designate an official to receive requests for review; and

WHEREAS; the Interim Redevelopment Services Manager of the Successor Agency is an appropriate official to serve as such contact;

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The Interim Redevelopment Services Manager of the Successor Agency is hereby designated as the official to receive requests from the State Department of Finance for review of Board actions, and the Interim Redevelopment Services Manager shall provide to the State Department of Finance telephone and email contact information.

SECTION 3. 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, Board Secretary

