

RESOLUTION NO. R-2012-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, ELECTING TO RETAIN THE HOUSING ASSETS AND FUNCTIONS PREVIOUSLY PERFORMED BY THE REDEVELOPMENT AGENCY OF THE CITY OF PLACENTIA, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE § 34176

A. Recitals.

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

(ii). 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.

(iii). On December 29, 2011, the California Supreme Court ruled that the Dissolution Act is largely constitutional and the Alternative Redevelopment Program Act is unconstitutional.

(iv). The Court's decision means that all California redevelopment agencies will dissolve on February 1, 2012 pursuant to the Dissolution Act.

(v). § 34176(a) of the Redevelopment Law provides that the City that authorized the creation of a redevelopment agency may elect to retain the housing assets and functions previously performed by the former Redevelopment Agency.

(vi). The City of Placentia desires to elect to retain the housing assets and functions previously performed by the Agency in accordance with § 34176 of the Redevelopment Law.

(vii). All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

THIS DOCUMENT IS A FULL, TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST
Dania Moreno
CHIEF DEPUTY CITY CLERK OF THE CITY OF PLACENTIA
DATE 1/31/2012

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.

2. The City hereby accepts the designation, and hereby declares its intent, to serve as the successor housing authority for the former Redevelopment Agency in accordance with California Health & Safety Code § 34176.

3. The City reserves the right and ability, at any time in the future, to elect to not serve as the successor housing authority as provided in accordance with California Health & Safety Code § 34176 (b).

3. The City Administrator, or his or her designee, hereby is directed to file a copy of this resolution with the Orange County Auditor-Controller.

4. The City Administrator, or his or her designee, hereby is authorized to take such additional actions, and to execute all documents necessary and appropriate, for the City to transfer the assets of the Agency to the City, in its capacity as successor agency to the Agency, pursuant to § 34176 of the Redevelopment Law.

5. Notwithstanding the foregoing, in the event the California Legislature enacts legislation, or the effect or effective date(s) of the Redevelopment Restructuring Acts is delayed by court action, this Resolution shall be null and void.

PASSED, ADOPTED AND APPROVED this 17th day of January, 2012.


JEREMY B. YAMAGUCHI,
MAYOR

Attest:


PATRICK J. MELIA,
CITY CLERK

THIS DOCUMENT IS A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST 
CHIEF DEPUTY CITY CLERK OF THE CITY OF PLACENTIA

DATE 1/31/2012

STATE OF CALIFORNIA
COUNTY OF ORANGE

I, Patrick J. Melia, City Clerk of the City of Placentia, do hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Placentia held on the 17th day of January, 2012 by the following vote:

AYES: Aguirre, Nelson, Underhill, Wanke, Yamaguchi
NOES: None
ABSENT: None
ABSTAIN: None


PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM:


ANDREW V. ARCZYNSKI,
CITY ATTORNEY

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COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST 
CHIEF DEPUTY CITY CLERK OF THE CITY OF PLACENTIA

DATE 1/31/2012