

**RESOLUTION NO. 13-02-OB**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE WOODLAND REDEVELOPMENT AGENCY APPROVING THE CONVEYANCE AND TRANSFER OF HOUSING ASSETS AND FUNCTIONS, ITS RIGHTS, POWERS, DUTIES, AND OBLIGATIONS TO THE CITY OF WOODLAND PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 34176, 34177 AND 34181**

**WHEREAS**, the City of Woodland is a municipal corporation and general law city under the Constitution of the State of California; and

**WHEREAS**, pursuant to Health and Safety Code section 34173(d), the City Council of the City of Woodland elected to become the Successor Agency to the dissolved Woodland Redevelopment Agency (“Agency”), by approving and adopting Resolution No. 6043 on January 10, 2012; and

**WHEREAS**, Health and Safety Code section 34176 permits a city that authorized the creation of the Agency to elect may retain the housing assets and functions previously performed by the Agency, and all of its rights, powers, duties, and obligations; and

**WHEREAS**, pursuant to the Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.), the City Council of the City of Woodland approved and adopted Ordinance No. 1129 on July 5, 1988, which created the Redevelopment Agency of the City of Woodland; and

**WHEREAS**, on December 29, 2011, In California Redevelopment Association v. Matosantos Case, The California Supreme Court upheld AB X1 26, which dissolved all redevelopment agencies in California on February 1, 2012; and

**WHEREAS**, Prior to the dissolution of the Agency and the establishment of the Successor Agency, the City Council of the City of Woodland in accordance with to Health and Safety Code section 34176, elected to retain the housing assets and functions previously performed by the Agency, and elected to transfer all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the City of Woodland, excluding any amounts on deposit in the Low and Moderate Income Housing Fund, as specified in City Council Resolution No. 6044 approved and adopted on January 10, 2012; and

**WHEREAS**, pursuant to Health and Safety Code section 34177, the Successor Agency is required to effectuate the transfer of housing functions and assets to the appropriate entity designated pursuant to Health and Safety Code section 34176; and

**WHEREAS**, pursuant to the City Council Resolution No. 6044, approved and adopted on January 10, 2012, the housing assets and functions, via operation of law, were assigned prior to the Successor Agency establishment; and therefore, the Successor Agency has no housing assets in its possession to transfer; and

**WHEREAS**, pursuant to Health and Safety Code section 34181 (c), the Oversight Board is to direct the Successor Agency to transfer housing responsibilities and all rights, powers, duties and obligations along with any amounts on deposit in the Low and Moderate Income Housing Fund to the appropriate entity pursuant to Health and Safety Code section 34176.

**WHEREAS**, a list of Agency housing assets to be approved and validated for conveyance and transfer by the Oversight Board to the City of Woodland is attached to this Resolution as Exhibit A; and

**WHEREAS**, pursuant to Health and Safety Code section 34177 (d), the Successor Agency is required to remit only the unencumbered balances of Agency funds to the county-auditor controller, including the unencumbered balance of the Low and Moderate Income Housing Fund (“Housing Fund”); and

**WHEREAS**, pursuant to Health and Safety Code section 34177 (l), the Successor Agency has submitted, for Oversight Board approval, a Recognized Obligation Payment Schedule (“ROPS”) setting forth the debts and obligations of the dissolved Agency which need to be paid, including debts and obligations of the dissolved Agency which need to be paid, including debts and obligations related to housing projects to be paid from the Housing Fund; and

**WHEREAS**, the City of Woodland’s receipt of all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the Agency includes the authority to operate the Agency Programs and Program Funds, which includes program income, loans receivables, loan portfolios, and any other related funding sources as long as those funding sources are not any amount on deposit in the Housing Fund pursuant to Health and Safety Code Section 34176.

**NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF WOODLAND DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The transfer of housing assets and functions through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. Designation and Direction to Transfer Housing Assets and Functions, Including Authority over Agency Programs and Funding Sources. The Oversight Board hereby designates and validates the conveyance and transfer of the housing assets, which includes program income, loan receivables, loan portfolios, and any other related funding sources set forth in Exhibit A attached to this Resolution as the housing assets of the dissolved Agency to be transferred to the City of Woodland, and directs the transfer of all rights, powers, liabilities, duties and obligations associated with the housing activities of the dissolved Agency, to the City of Woodland, including the authority to implement the Agency Programs, pursuant to Health and Safety Code sections 34176,34177, and 34181.

Section 4. Transfer of Encumbered Funds from the Housing Fund for Housing Projects. The Oversight Board hereby directs the Successor Agency to transfer the encumbered funds from the Housing Fund designated for housing projects set forth in the ROPS, all as provide in Exhibit A attached to this Resolution, the City of Woodland, pursuant to Health and Safety Code section 34181.

Section 5. Transfer of Signing and Implementation Authority for Agency Programs to Authority's Executive Director. The Oversight Board hereby directs the transfer of the authority to the City Council of the City of Woodland and/or their designee to sign Agency Program documents and to implement the Agency Programs, pursuant to Health and Safety Code section 34181.

Section 6. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 7. Certification. The City Clerk of the City of Woodland, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

Section 8. Effective Date. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for three (3) business days, pending a request for review by the State of California Department of Finance.

**PASSED, APPROVED AND ADOPTED THIS 26<sup>th</sup> day of February, 2013.**

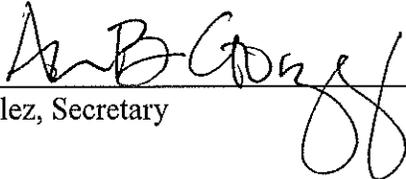
**AYES:** Board Members McKinney, Davies, Rexroad and Ramos

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Board Members Goodman, Flory and Sandy

  
Skip Davies, Mayor

**ATTEST:**   
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Ana Gonzalez, Secretary

**EXHIBIT A**

**Housing Asset Transfer Inventory**

**[Attached behind this page]**