

RESOLUTION NO. OB 2012-05

RESOLUTION OF THE OVERSIGHT BOARD FOR THE CITY OF EAST PALO ALTO, IN ITS CAPACITY AS SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF EAST PALO ALTO, APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET FOR THE PERIOD ENDING DECEMBER 31, 2012, MAKING RELATED FINDINGS AND DECLARATIONS, AND TAKING RELATED ACTIONS IN CONNECTION THEREWITH.

Whereas, the California state legislature enacted Assembly Bill x1 26 (the "Dissolution Act") to dissolve redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.); and

Whereas, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding ABx1 26 the Dissolution Act largely constitutional; and

Whereas, under the Dissolution Act and the California Supreme Court's decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency of the City of East Palo Alto (the "Dissolved RDA"), were dissolved on February 1, 2012; and

Whereas, on January 10, 2012 and pursuant to Health and Safety Code Section 34173, the East Palo Alto City Council ("City Council") adopted resolution 4226 declaring that the City of East Palo Alto, a municipal corporation, (the "City") would act as the successor agency (the "Successor Agency") for the Dissolved RDA; and

Whereas, under the Dissolution Act, the City, in its capacity as Successor Agency, must prepare an administrative budget for its general administrative costs and expenses during the period from July 1, 2012 through December 31, 2012 (the "Second Administrative Budget"), from which is documented the Successor Agency's administrative cost allowance for Fiscal Year 2012-13, as defined and prescribed in Health and Safety Code Section 34171(b) (the "FY 2012-13 Administrative Cost Allowance");

Whereas, under the Dissolution Act, the First Administrative Budget must be submitted to the Successor Agency's oversight board (the "Oversight Board") for the Oversight Board's approval and to thereby enable the Successor Agency to pay for specified administrative costs; and

Whereas, pursuant to the Dissolution Act, the duly-constituted Oversight Board for the Successor Agency met at a duly-noticed public meeting on April 30, 2012 to review and consider the Second Administrative Budget, among other approvals; and

Whereas, after reviewing the Second Administrative Budget presented to and recommended for approval to the Oversight Board by Successor Agency staff, and after reviewing written and oral comments from the public relating thereto, the Oversight Board desires to approve the First Administrative Budget and to make the following accompanying findings, resolutions and determinations;

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency for the Dissolved RDA, hereby finds, resolves, and determines as follows:

1. The foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

2. That under 34177(j), the Second Administrative Budget must be submitted by the Successor Agency for approval by the Oversight Board.

3. That the Oversight Board hereby approves the Second Administrative Budget in the form presented to the Oversight Board and attached hereto as Exhibit A, and authorizes the Successor Agency to incur costs for the general administrative activities and functions described in the Second Administrative Budget.

4. That the Oversight Board finds that the Second Administrative Budget supports an FY 2012-13 Administrative Cost Allowance to the Successor Agency in the minimum authorized amount of \$250,000.

5. The Successor Agency is authorized and directed to enter into any agreements and amendments to agreements necessary to implement the Second Administrative Budget herein approved by the Oversight Board.

6. The Oversight Board authorizes and directs the Successor Agency staff to take all actions necessary under the Dissolution Act to post the Second Administrative Budget on the Successor Agency website, transmit the Second Administrative Budget to the Auditor-Controller of the County of San Mateo and to the State Controller and the State Department of Finance, and to take any other actions necessary to ensure the validity of the Second Administrative Budget as approved by the Oversight Board in this Resolution.

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

ADOPTED April 30, 2012 by the Members of the Oversight Board of the Successor Agency for the Redevelopment Agency of the City of East Palo Alto, by the following vote, to wit:

AYES: 7 AYES, Unanimous Vote

NOES:

ABSTAIN:

ABSENT:



Chair



Oversight Board Secretary
Approved as to form, OSB Counsel

Exhibit A

City of East Palo Alto, in its capacity as Successor Agency, for the Former Redevelopment Agency of the City of East Palo Alto Second Administrative Budget, July 1, 2012 - June 30, 2013		
		Budgeted Cost
Personnel - Economic Development Division Manager		\$ 40,375
Management and administrative Support (per Cost Allocation Plan)		\$ 176,611
Services and supplies		
Legal and consulting fees	\$ 30,000	
Audit Fees	\$ 2,300	
Operating supplies and services	\$ 714	
Total Service and supplies		\$ 33,014
Total Administrative Budget		<u>\$ 250,000</u>