ITEM NO. 6

STAFF REPORT

SUCCESSOR AGENCY
CITY OF OCEANSIDE

DATE: January 15, 2013

TO: The Oversight Board of the City of Oceanside Successor Agency

FROM: Downtown Development Management

SUBJECT: **ADOPTION OF A RESOLUTION TO APPOINT TERI FERRO, THE CITY OF OCEANSIDE DIRECTOR OF FINANCIAL SERVICES, AS THE OFFICIAL POINT OF CONTACT TO THE STATE DEPARTMENT OF FINANCE**

SYNOPSIS

Adoption of a resolution to appoint Teri Ferro, the City of Oceanside Director of Financial Services as the official point of contact to the State Department of Finance.

BACKGROUND

AB 26 requires the Oversight Board to designate an official (Oversight Board Contact) to engage in communications with the State Department of Finance (DOF) regarding any review of the Oversight Board Actions.

ANALYSIS

The Health and Safety Code requires the Oversight Board to formally designate an official to whom the DOF may make inquiries regarding Oversight Board actions.

Staff recommends designating the City's Director of Financial Services as the contact person for the Oversight Board due to the resignation of the former Downtown Development Manager.

Once the Oversight Board designates an official, staff will transmit the appropriate contact information to the DOF.

All actions taken by the Oversight Board require transmittal to the DOF by electronic means. The DOF has five (5) business days to request review of Oversight Board actions. If the DOF does not request review, the Oversight Board action is deemed effective. If the DOF requests review, the DOF has forty (40) calendar days to approve the action or return it to the Oversight Board for reconsideration. For Oversight Board action involving the disposition of real property, the DOF may extend its review period to sixty (60) calendar days.

RECOMMENDATION

Adopt the resolution.

PREPARED BY:

Shan Balick
Associate Planner

REVIEWED BY:

John Mullen, City Attorney
John Helmer, Downtown Area Manager

Attachment: Resolution

RESOLUTION NO. 13-

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY OF THE CITY OF OCEANSIDE TO APPROVE THE APPOINTMENT OF THE CITY OF OCEANSIDE DIRECTOR OF FINANCIAL SERVICES AS POINT OF CONTACT TO THE STATE DEPARTMENT OF FINANCE

WHEREAS, AB X1 26 (2011-2012 1st Ex. Sess., the "Dissolution Act") was signed by the Governor of California on June 28, 2011, making certain changes to the California Community Redevelopment Law (Part 1 of Division 24 of the California Health and Safety "the Redevelopment Law") and the California Health and Safety Code including adding Part 1.8 and Part 1.85 to Division 24 of the Health and Safety Code; and

WHEREAS, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding the Dissolution Act largely constitutional and reformed certain deadlines set forth in the Dissolution Act; 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 City of Oceanside Redevelopment Agency (the Former Agency) was dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding the down the business and fiscal affairs of the former redevelopment agencies; and

WHEREAS, on January 10, 2012, the City Council of the City of Oceanside adopted Resolution No. 12-R0058-1, accepting for the City the role of Successor Agency to the Former Agency pursuant to Part 1.85 of the Dissolution Act; and

WHEREAS, the Dissolution Act was amended when the Governor signed Assembly Bill 1484 (AB 1484) on June 27, 2012, (reference hereinafter to the Dissolution Act means Assembly Bill X1 26 as amended by AB 1484); and

WHEREAS, the Oversight Board has been established for the Successor Agency (hereinafter referred to the as the "Oversight Board") and all seven (7) members have been appointed to the Oversight Board pursuant to Health and Safety Code Section 34179. The

duties and responsibilities of the Oversight Board are primarily set forth in Health and Safety Code Sections 34179 through 34181 of the Dissolution Act; and

WHEREAS, AB 26 requires the Oversight Board to designate an official (Oversight Board Contact) to engage in communications with the State Department of Finance (DOF) regarding any review of the Oversight Board Actions.

NOW, THEREFORE, the Oversight Board to the Successor Agency of the City of Oceanside does resolve as follows:

1. The foregoing Oversight Board recitals are true and correct and are a substantive part of this Resolution.

2. The Oversight Board hereby approves the City of Oceanside Director of Financial Services as the point of contact to the State Department of Finance.

3. The Successor Agency staff contact shall promptly notify the State Department of Finance regarding this designation and shall provide all necessary contact information including telephone number and e-mail address to the State Department of Finance.

BE IT FURTHER RESOLVED that, a copy of this resolution will be transmitted to the California State Department of Finance.

PASSED AND ADOPTED by the Oversite Board to the Successor Agency of the City of Oceanside _____ day of _____ by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
Chairman

ATTEST:

_____
Secretary