

Resolution No.

SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF STOCKTON

RESOLUTION RECOMMENDING THE STOCKTON SUCCESSOR AGENCY OVERSIGHT BOARD APPROVE THE LONG RANGE PROPERTY MANAGEMENT PLAN

The Redevelopment Agency (“Redevelopment Agency”) for the City of Stockton (“City”) was duly created pursuant to the California Community Redevelopment Law (Part 1 [commencing with § 33000] of Division 24 of the California Health and Safety Code) (“Redevelopment Law”); and

On June 28, 2011, the Governor of California signed into law Assembly Bill x1 26 (“AB x1 26”) and Assembly Bill 27 (“AB27”) making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with § 34161) and Part 1.85 (commencing with § 34170) (“Part 1.85”) to Division 24 of the California Health and Safety Code (“Health and Safety Code”); and

On December 29, 2011, the Supreme Court upheld AB x1 26 as constitutional and invalidated AB27 (*California Redevelopment Association, et al. v. Matosantos, et al.*, Case No. S194861) and generally reformed and revised the effective dates and deadlines for performance of obligations under Health and Safety Code Part 1.85; and

As a result of the ruling, on February 1, 2012, all California redevelopment agencies were dissolved and each city or county was allowed to establish itself as the successor agency to its redevelopment agency pursuant to Health and Safety Code section 34173; and

On August 23, 2011, pursuant to Part 1.85, the Stockton City Council adopted Resolution No. 11-0251, allowing the City to serve as the successor agency to the former Redevelopment Agency of the City of Stockton (“Successor Agency”) upon dissolution of the Redevelopment Agency; and

Successor agencies are tasked with paying, performing, and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies; and

Pursuant to Health and Safety Code section 34175(b), on February 1, 2012, all assets and properties of the Redevelopment Agency were transferred to the Successor Agency; and

On July 27, 2012, the Governor of California signed into law Assembly Bill 1484 (“AB1484”) which imposes new tasks, deadlines, and penalties on successor agencies and their sponsoring City and/or County; and

Pursuant to Health and Safety Code section 34177, with Stockton Successor Agency Oversight Board (“Oversight Board”) approval, Successor Agencies are tasked with winding down the affairs of the former Redevelopment Agency which includes disposing of assets expeditiously and in a manner aimed at maximizing value; and

Pursuant to Health and Safety Code section 34191.5(b), the Successor Agency must prepare a long range property management plan which addresses the disposition and use of the real properties of the former Redevelopment Agency, and which must be submitted to the Oversight Board and the State Department of Finance (“DOF”) for approval no later than six months following the issuance by DOF to the Successor Agency of a finding of completion pursuant to Health and Safety Code section 34179.7; and

Pursuant to Health and Safety Code section 34179.7, a finding of completion was issued by DOF to the Successor Agency on October 30, 2014; and

Pursuant to Health and Safety Code section 34191.5(b), a long range property management plan has been prepared and details the disposition and use of the former Redevelopment Agency properties owned and controlled by the Successor Agency; and

This Resolution has been reviewed with respect to applicability of the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines (Cal. Code Regs. tit. 14, § 15000 et seq., hereafter the “Guidelines”), and the City’s environmental guidelines; and

This Resolution is not a “project” for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines; and

All of the prerequisites with respect to the approval of this Resolution have been met; now therefore,

BE IT RESOLVED BY THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The foregoing is true and correct and is a substantive part of this Resolution and all prerequisites to its adoption have occurred.
2. The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB x1 26 or AB 1484 through administrative or judicial proceedings.

3. The Successor Agency hereby recommends that the Oversight Board approve the long range property management plan.

4. The Executive Director, or designee, is hereby authorized and directed to submit the long range property management plan in accordance with Health and Safety Code section 34191.5(b).

5. The Successor Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.

6. This Resolution shall take effect upon the date of its adoption.

7. The Executive Director, or designee, is hereby authorized to take such actions as are necessary and appropriate to comply with Health and Safety Code section 34191.5(b) and to carry out the purpose and intent of this Resolution.

PASSED, APPROVED and ADOPTED April 7, 2015.

ANTHONY SILVA, Chairperson
of the Successor Agency to the
former Redevelopment Agency of
the City of Stockton

ATTEST:

BONNIE PAIGE, Secretary
of the Successor Agency of the
former Redevelopment Agency to
the City of Stockton