

Resolution No. 11-0251

STOCKTON CITY COUNCIL

RESOLUTION THAT THE CITY OF STOCKTON ELECTS TO BECOME THE SUCCESSOR AGENCY TO THE STOCKTON REDEVELOPMENT AGENCY AND CHOOSES TO PERFORM HOUSING FUNCTIONS PREVIOUSLY PERFORMED BY THE STOCKTON REDEVELOPMENT AGENCY

Assembly Bill x1 26 (AB 26) and Assembly Bill x1 27 (AB 27) were passed by the State Legislature on June 15, 2011, and signed by the Governor on June 28, 2011; and

Among other things, AB 26 amends Sections 33500, 33501, 33607.5, and 33607.7 of the Health and Safety Code and adds Part 1.8 and Part 1.85 to the California Health and Safety Code; and

On August 11, 2011, the California Supreme Court granted a stay and later issued an amended stay on August 17, 2011, to prevent the operation of AB 26 and AB 27 (Stay), except for Part 1.8 of the Health and Safety Code (Health & Saf. Code, §§ 34161-34169.5); and

AB 26 outlines several actions which must be taken to dissolve redevelopment agencies including establishment of successor agencies to effectuate agency dissolution; and

AB 26 allows cities to elect to become successor agencies; and

AB 26 allows cities to elect to perform housing functions previously performed by redevelopment agencies; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. Without waiving its rights under the Stay, or any of its objections that certain or all of the provisions of AB 26 and AB 27 violate the State Constitution and other laws and are invalid and unenforceable, the City of Stockton hereby elects to become the Successor Agency to the Stockton Redevelopment Agency in accordance with Part 1.85 of AB 26.

2. Without waiving its rights under the Stay, or any of its objections that certain or all of the provisions of AB 26 and AB 27 violate the State Constitution and other laws and are invalid and unenforceable, the City of Stockton hereby elects to assume housing functions previously performed by the Stockton Redevelopment Agency in accordance with Part 1.85 of AB26.

3. All other legal prerequisites to the adoption of this Resolution have occurred.

City Atty: 
Review _____
Date August 18, 2011

4. The City Council hereby finds and determines that the foregoing recitals are true and correct.

5. The City Manager is hereby authorized to take such actions as are necessary and appropriate to comply with the Stay and to take such other actions that are necessary and appropriate to carry out the purpose and intent of this Resolution.

6. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED August 23, 2011.


ANN JOHNSTON
Mayor of the City of Stockton

ATTEST:


BONNIE PAIGE
City Clerk of the City of Stockton

