

2013 MAR -7 PM 4: 12

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.
Introduced by Vice Mayor Reid

**Resolution In Support of Assembly Bill 564 Prohibiting the
Department of Finance From Taking Any Future Action To Modify
The Enforceable Obligations After Review By The Oversight Board**

WHEREAS, Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined, and existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations, as defined, perform obligations required pursuant to any enforceable obligation, dispose of all assets of the former redevelopment agency, and to remit unencumbered balances of redevelopment agency funds, including housing funds, to the county auditor-controller for distribution to taxing entities, and existing law requires each successor agency to have an oversight board to approve certain actions of the successor agency, including the approval of an enforceable obligation, and existing law requires the Department of Finance to review the actions of an oversight board, and existing law prescribes when an action of an oversight board shall become effective, subject to approval by the Department of Finance, and

WHEREAS, Existing law provides that certain loan agreements entered into between a redevelopment agency and the city, county, or city and county that created the redevelopment agency are deemed enforceable obligations, and existing law provides that bond proceeds derived from bonds issued by a redevelopment agency on or before December 31, 2012, are to be used for the purposes for which the bonds are sold, and existing law provides that enforceable obligations may be satisfied by the creation of reserves for projects that are the subject of the enforceable obligation, as specified, and existing law provides that an expenditure made pursuant to these provisions constitutes the creation of excess bond proceeds obligations, and this bill would prohibit the Department of Finance from taking any future action to modify a transfer of property or the liquidation of property and the use of proceeds, as described above, if the transfer, liquidation, or use of proceeds is consistent with the approved plan of the successor agency, and

WHEREAS, Assembly Bill 564 would prohibit the Department of Finance from taking any future action to modify the enforceable obligations described above following the effective date of the approval of those enforceable obligations after review by the oversight board and the department, so be it

RESOLVED: That the Council of the City of Oakland proclaims its support for Assembly Bill 564 (Mullin) and authorizes the City Administrator to instruct the Legislative Lobbyist for the City to support the passage of Assembly Bill 564

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, SCHAAF, KALB, KAPLAN, REID, GALLO, MCELHANEY, AND PRESIDENT KERNIGHAN

NOES - ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
Of the City of Oakland, California

DRAFT