


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 JUL -5 PM 2:25

APPROVED AS TO FORM AND LEGALITY

By: 
Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 84017 C.M.S.

A RESOLUTION ESTABLISHING THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND AND PROVIDING FOR ITS GOVERNANCE

WHEREAS, ABx1 26 was enacted by the state legislature and signed by the governor as of June 29, 2011; and

WHEREAS, ABx1 26 dissolved redevelopment agencies; and

WHEREAS, California Health and Safety Code Sections 34171(j) and 34173, added by ABx1 26, originally provided that a city that authorized the creation of a redevelopment agency will serve as the successor agency to the redevelopment agency, unless the city elects not to serve as the successor agency; and

WHEREAS, on January 10, 2012, the City Council adopted Resolution No. 83679 C.M.S. electing for the City of Oakland to serve as successor agency to the Redevelopment Agency of the City of Oakland upon Redevelopment Agency dissolution, and the City has been serving in this role following Redevelopment Agency dissolution on February 1, 2012; and

WHEREAS, AB 1484, enacted on June 27, 2012 amended ABX1 26 to provide that successor agencies are separate public entities from their sponsoring cities; and

WHEREAS, the City of Oakland wishes to establish and acknowledge the Oakland Redevelopment Successor Agency as the successor agency to the Redevelopment Agency of the City of Oakland under ABx1 26, as amended, separate and distinct from the City, and provide for its governance; now, therefore, be it

RESOLVED: That the City Council hereby establishes and acknowledges the "Oakland Redevelopment Successor Agency" as the successor agency to the Redevelopment Agency of the City of Oakland under California Health and Safety Code Sections 34171(j) and 34173 as amended; and be it further

RESOLVED: That the Oakland Redevelopment Successor Agency shall be a separate public entity from the City of Oakland; and be it further

RESOLVED: That the members of the City Council of the City of Oakland shall act as members of the governing board of the Oakland Redevelopment Successor Agency; and be it further

RESOLVED: That the officers of the Oakland Redevelopment Successor Agency shall be as established by the Oakland Redevelopment Successor Agency's governing board; and be it further

RESOLVED: That the City of Oakland hereby transfers the authority to exercise all functions and powers of a successor agency under law, and all rights, duties, and obligations of a successor agency under law, to the Oakland Redevelopment Successor Agency; and be it further

RESOLVED: That the City of Oakland hereby transfers control of all assets, properties, contracts, leases, books and records, buildings and equipment, cash and cash equivalents, and accounts receivable of the former Redevelopment Agency of the City of Oakland (other than housing assets transferred to the successor housing agency under California Health and Safety Code Section 34176) transferred to the City of Oakland as original successor agency, to the Oakland Redevelopment Successor Agency; and be it further

RESOLVED: That the City of Oakland hereby pledges its support and cooperation to the Oakland Redevelopment Successor Agency, including the use of City officers, personnel, facilities, and other resources to support the Oakland Redevelopment Successor Agency's governance and operations, and be it further

RESOLVED: That the City of Oakland hereby waives any conflict of interest between the City Attorney's representation of the City of Oakland and the City Attorney's representation of the Oakland Redevelopment Successor Agency as its General Counsel; and be it further

RESOLVED: That the City Council finds that this action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) (organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment) and CEQA Guidelines Section 15061(b)(3) (no potential for significant effect on the environment); and be it further

RESOLVED: That the City Administrator and his or her designees are hereby authorized to take whatever action is necessary with respect to the establishment, governance, and operations of the Oakland Redevelopment Successor Agency consistent with this Resolution and its basic purposes.

JUL 17 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, ~~BRUNNER~~, DE LA FUENTE, ~~KAPLAN~~, KERNIGHAN, ~~NADDEL~~, SCHAAF,
AND PRESIDENT REID -5

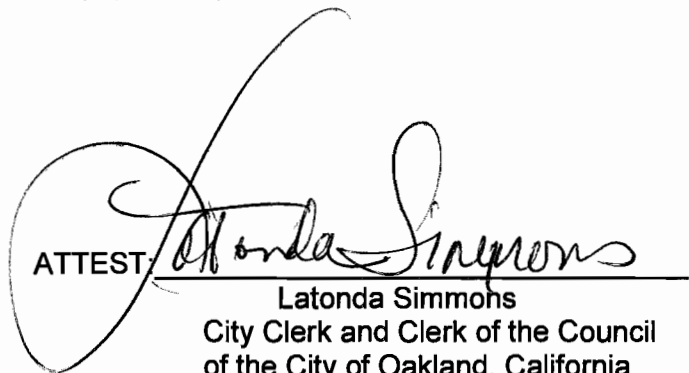
NOES- 0

Abstain- Brunner-1

ABSTENTION- 0

Excused- Nadel, Kaplan-2

ATTEST



Latonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California