

RESOLUTION NO. 12-01

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY AFFIRMING THE SELECTION OF OFFICERS, DESIGNATING A SECRETARY, AND DESIGNATING POINTS OF CONTACT FOR THE DEPARTMENT OF FINANCE REVIEW REQUESTS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34179, DIVISION 24, PART 1.85

WHEREAS, the City of Montclair Redevelopment Agency ("Agency") was established as a redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.* ("CRL"), and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Montclair ("City"); and

WHEREAS, Assembly Bill X1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which laws cause the dissolution and wind down of all redevelopment agencies ("Dissolution Act"); and

WHEREAS, on December 29, 2011, in the petition *California Redevelopment Association v. Matosantos*, Case No. S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of and on February 1, 2012 under the dates in the Dissolution Act that were reformed and extended thereby; and

WHEREAS, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act; and

WHEREAS, by resolution considered and approved by the City Council at an open public meeting the City chose to become and serve as the "Successor Agency" to the dissolved Agency under the Dissolution Act; and

WHEREAS, as of and on and after February 1, 2012, the City serves and acts as the Successor Agency and is performing its functions as the successor agency under the Dissolution Act to administer the enforceable obligations of the Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member oversight board ("Oversight Board"); and

WHEREAS, Section 34179 of the Dissolution Act provides that the Successor Agency shall have an Oversight Board composed of seven members; and

WHEREAS, Section 34179 provides that the Oversight Board has fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of Part 1.85 of the Dissolution Act; and

WHEREAS, pursuant to Section 34179, the Successor Agency's Oversight Board has been formed and the initial meeting has occurred on April 25, 2012; and

WHEREAS, at its initial meeting, the Oversight Board members have been sworn in as public officials and the Chairman and Vice Chairperson have been selected by a majority vote of the Oversight Board; and

WHEREAS, the Oversight Board desires to designate its Secretary and clerk, who is a member of the Successor Agency staff, specifically the Deputy City Clerk of the City of Montclair or in her absence her authorized designee; and

WHEREAS, by this Resolution, the Oversight Board affirms its actions designating the Chairman and Vice Chairperson of the Oversight Board and designation of Secretary; and

WHEREAS, the names of these officers and all members of the Oversight Board will be posted on the City internet website related to the Successor Agency; and

WHEREAS, by this Resolution, the Oversight Board desires to designate the identified point of contact for the Department of Finance ("DOF") review requests.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board to the Successor Agency of the City of Montclair Redevelopment Agency does hereby find and determine as follows:

Section 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

Section 2. The Chairman of the Oversight Board is William Ruh.

Section 3. The Vice Chairman of the Oversight Board is Tenice Johnson.

Section 4. The Secretary of the Oversight Board is the Deputy City Clerk or her designee.

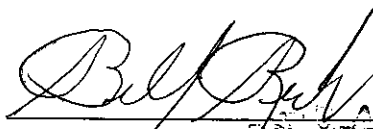
Section 5. The Oversight Board hereby designates the (1) City Manager of the City of Montclair, in his capacity as Executive Director of the Successor Agency; (2) the Director of Redevelopment/Public Works; and (3) the Interim Finance Director as points of contact for the DOF with regard to requests for review of or questions regarding the Oversight Board's and/or Successor Agency's actions, the enforceable obligations, Recognized Obligation Payment Schedule, and other matters related to the Dissolution Act.

Section 6. This Resolution shall be effective immediately upon adoption.


Section 7. The Secretary of the Successor Agency shall cause this Resolution to be forwarded to the County Auditor-Controller, DOF, and State Controller's Office.

Section 8. The Secretary of the Successor Agency shall cause the information about the Oversight Board's appointments to be posted on the City's website related to the Successor Agency notices.

APPROVED AND ADOPTED this 25th day of April, 2012.



Chairman

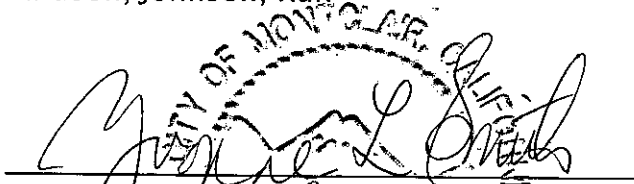


Secretary

ATTEST:

I, Yvonne L. Smith, Secretary of the Oversight Board of the Successor Agency to the City of Montclair Redevelopment Agency, DO HEREBY CERTIFY that Resolution No. 12-01 was duly adopted by the Oversight Board of Directors at a regular meeting thereof held on the 25th day of April, 2012, and that it was adopted by the following vote, to-wit:

- AYES: Catlin, Erickson, Kulbeck, Richardson, Johnson, Ruh
- NOES: None
- ABSTAIN: None
- ABSENT: Stallings



Yvonne L. Smith
Secretary

