

RESOLUTION NO. 2012-06

RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY OF THE FORMER LEMOORE REDEVELOPMENT AGENCY RATIFYING THE TRANSFER OF THE HOUSING ASSETS AND FUNCTIONS ASSOCIATED WITH THE HOUSING ACTIVITIES OF THE FORMER LEMOORE REDEVELOPMENT AGENCY TO THE CITY OF LEMOORE HOUSING AUTHORITY, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34176

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**WHEREAS**, by implementation of AB X1 26, which amended provisions of the California Redevelopment Law (Health & Safety Code § 33000 *et seq.*) (“CRL”), and the California Supreme Court’s decision in California Redevelopment Association v. Matosantos, as of February 1, 2012, the Lemoore Redevelopment Agency (“Redevelopment Agency”) was dissolved, the Successor Agency to the Lemoore Redevelopment Agency (“Successor Agency”) came into existence, and the requirement for the appointment of an Oversight Board to the Successor Agency to the Lemoore Redevelopment Agency (“Oversight Board”) became effective; and

**WHEREAS**, on January 31, 2012, the City Council of the City of Lemoore (“City”) approved Resolution No. 2012-03, providing that the City would serve as the Successor Agency, but elected not to retain the responsibility for performing housing functions performed by the Redevelopment Agency and that upon dissolution of the Redevelopment Agency, all housing assets, along with responsibilities, rights, powers, duties and obligations associated therewith would be transferred to the City of Lemoore Housing Authority (“Housing Authority”) as the Housing Successor in accordance with Section 34176 of the CRL (as added by Part 1.85); and

**WHEREAS**, Section 34181(c) of the CRL (as added by Part 1.85) provides that the Oversight Board shall direct the Successor Agency to transfer housing responsibilities and all rights, powers, duties, and obligations to the appropriate entity pursuant to Section 34176.

**NOW, THEREFORE, BE IT RESOLVED** that the Oversight Board for the Successor Agency of the Former Lemoore Redevelopment Agency hereby determines and finds that, consistent Section 34176 of the CRL (as added by Part 1.85), as of February 1, 2012, the housing assets, as set forth in Exhibit A attached hereto, were transferred from the Redevelopment Agency to the Housing Authority and that the Housing Authority accepted the housing assets and may exercise all rights and obligations relating to the housing assets, including, but not limited to, entering into new contracts, amending existing contracts, applying and using proceeds from the housing assets, and disposing of the housing assets, and such actions by the Housing Authority shall not be subject to review or approval by this Oversight Board under the authority or duties set forth in Sections 34180 and 34181 of the CRL (as added by Part 1.85).

**BE IT FURTHER RESOLVED** that pursuant to Section 34181 (c) of the CRL (as added by Part 1.85), the Oversight Board ratifies the transfer of the housing assets set forth in Exhibit A,

and the functions associated with the housing activities previously performed by the Redevelopment Agency in accordance with Section 34176 of the CRL (as added by Part 1.85).

**BE IT FURTHER RESOLVED** that the City Manager of the City of Lemoore as Successor Agency of the former Lemoore Redevelopment Agency, or his or her designee, is hereby authorized to file a copy of this Resolution with the Kings County Auditor-Controller in accordance with Part 1.85.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon its adoption.

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I hereby certify that the foregoing Resolution was duly passed and adopted by the Board of Directors of the Oversight Board for the Successor Agency to the Former Lemoore Redevelopment Agency, Kings County, State of California, at a meeting thereof held on June 28, 2012, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

APPROVED: \_\_\_\_\_  
John Plourde, Chairman

ATTEST: \_\_\_\_\_  
Mary Jane French  
Board Clerk