

RESOLUTION NO. 2013-05

RESOLUTION OF THE LEMOORE OVERSIGHT BOARD FOR THE LEMOORE SUCCESSOR AGENCY TO THE FORMER LEMOORE REDEVELOPMENT AGENCY AUTHORIZING THE LEMOORE SUCCESSOR AGENCY TO TRANSFER TITLE OF SIX GOVERNMENTAL PURPOSE PROPERTIES TO THE CITY OF LEMOORE PURSUANT TO HEALTH & SAFETY CODE SECTIONS 34181(a).

WHEREAS, by implementation of AB X1 26 (“AB 26”), which amended provisions of the California Redevelopment Law (Health & Safety Code (“HSC”) § 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 February 1, 2012 all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Redevelopment Agency transferred to the control of the Successor Agency by operation of law; and

WHEREAS, AB 1484 was passed by the California State Legislature and was signed into law by the Governor on June 27, 2012 modifying the provisions of AB 26; and

WHEREAS, HSC Section 34177(e) requires successor agencies to dispose of assets and properties of the former redevelopment agency as directed by the oversight board; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of certain assets pursuant to Section 34181(a); and

WHEREAS, HSC Section 34181(a) states that the oversight board shall direct the successor agency to transfer ownership of those assets of the former redevelopment agency that were constructed and used for governmental purposes such as roads, school buildings, parks and fire stations, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction of such assets; and

WHEREAS, the Successor Agency has identified certain Redevelopment Agency properties, as shown in Exhibit A, that are being used for or intended for governmental purposes; and

WHEREAS, the Oversight Board desires to transfer the public use properties to the City of Lemoore provided that the properties achieve their intended public purpose for the foreseeable future.

NOW, THEREFORE, BE IT RESOLVED that upon acknowledgement by the City of Lemoore that the properties will continue to be used for public purposes for the foreseeable future, the Lemoore Oversight Board for the Lemoore Successor Agency of the former Lemoore Redevelopment Agency hereby directs the Successor Agency to transfer the titles of former

Redevelopment Agency properties intended for governmental purposes, listed in Exhibit A, to the City of Lemoore for no consideration.

BE IT FURTHER RESOLVED that the City Manager of the City of Lemoore as Successor Agency to the former Lemoore Redevelopment Agency, or designee, is hereby authorized to take such actions as are necessary and appropriate to implement this Resolution.

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

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PASSED, APPROVED, AND ADOPTED by the Lemoore Oversight Board for the Lemoore Successor Agency to the former Lemoore Redevelopment Agency at a Special Meeting this 9th day of May 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

John F. Murray, Chairperson

ATTEST:

Kristie R. Baley, Board Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, KRISTIE BALEY, Board Clerk of the Lemoore Oversight Board for the Lemoore Successor Agency to the former Lemoore Redevelopment Agency, do hereby certify the forgoing Resolution of the Lemoore Oversight Board for the Lemoore Successor Agency to the former Lemoore Redevelopment Agency was duly passed and adopted at a Special Meeting of the Lemoore Oversight Board held on May 9, 2013.

DATED: May 9, 2013

Kristie R. Baley, Board Clerk