

RESOLUTION NO. 12-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES,  
CALIFORNIA, APPOINTING MEMBERS TO THE REDEVELOPMENT DISSOLUTION  
OVERSIGHT BOARD

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WHEREAS, the City Council of the City of El Paso de Robles (“City”) approved and adopted the Redevelopment Plan for the Paso Robles Redevelopment Project Area (“Redevelopment Plan”) covering certain properties within the City (the “Project Area”); and

WHEREAS, the Paso Robles Redevelopment Agency (“Agency”) has been engaged in activities to execute and implement the Redevelopment Plan pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*) (“CRL”); and

WHEREAS, since adoption of the Redevelopment Plan, the Agency has undertaken redevelopment projects in the Project Area to eliminate blight, to improve public facilities and infrastructure, to renovate and construct affordable housing, and to enter into partnerships with private industries to create jobs and expand the local economy; and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature enacted, and the Governor signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to making certain payments; and

WHEREAS, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement; and

WHEREAS, on August 11, 2011, and modified on August 17, 2011, the Supreme Court stayed portions of AB 1X 26, and AB 1X 27 in its entirety during the pendency of the matter; and

WHEREAS, on December 29, 2011, the Supreme Court issued its final decision in the aforesaid litigation, upholding AB 1X 26, invalidating AB 1X 27, and extending all statutory deadlines under AB 1X 26, essentially dissolving all redevelopment agencies throughout the State effective February 1, 2012; and

WHEREAS, on January 17, 2012, as provided by AB 1X 26, the City Council adopted Resolution 12-005 Electing to Become the Successor Agency to the Redevelopment Agency; and

WHEREAS, AB 1X 26 further provides that, an “Oversight Board” shall be created for each dissolved redevelopment agency and that the membership of said board shall include one member to be appointed by the Mayor and one member who served as staff to the dissolved redevelopment agency; and

WHEREAS, at its meeting of January 17, 2012, the Mayor nominated Councilman Nick Gilman to serve as his representative to the Oversight Board; and

WHEREAS, it has been the practice of the City that all mayoral appointments be confirmed by an affirmative vote of the membership of City Council; and

WHEREAS, the former Agency staff member best suited to serve on the Oversight Board, by virtue of his experience with the Agency is the Community Development Director;

THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Mayoral Appointment. The City Council hereby confirms the Mayor's nomination of Councilman Nick Gilman to serve as his representative to the Oversight Board.

Section 3. Appointment of Staff Member. The City Council appoints the Community Development Director to serve on the Oversight Board in the capacity as the former Agency's staff member.

Section 4. Implementation. The City Council hereby authorizes and directs the City Manager to take any action and execute any documents necessary to carry out the purposes of this Resolution, including but not limited to notifying the San Luis Obispo County Auditor-Controller, the Controller of the State of California, and the California Department of Finance providing notice of the adoption of this Resolution and the City's election to be the successor agency to the Agency, in accordance with AB 1X 26.

Section 5. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

Section 6. Certification. The City Clerk shall certify to the adoption of this Resolution.

Section 7. Effective Date. This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council on the 17th day of January, 2012, by the following vote:

AYES: Hamon, Steinbeck, Strong, Picanco  
NOES:  
ABSENT:  
ABSTAIN: Gilman

ATTEST:

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Duane Picanco, Mayor

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Caryn Jackson, Deputy City Clerk

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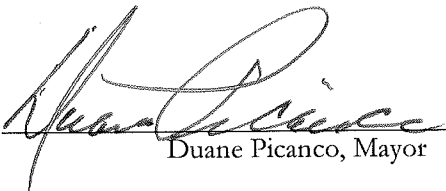
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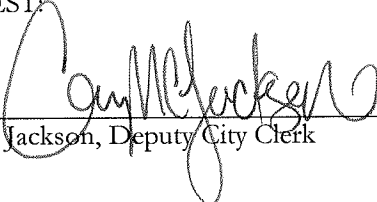
NOES:

ABSENT:

ABSTAIN: Gilman

  
Duane Picanco, Mayor

ATTEST:

  
Caryn Jackson, Deputy City Clerk