

RESOLUTION NUMBER R- 307373

DATE OF FINAL PASSAGE APR 23 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN DIEGO RATIFYING THE MAYOR'S TWO
APPOINTMENTS TO THE OVERSIGHT BOARD
CONCERNING REDEVELOPMENT MATTERS.

WHEREAS, from its formation in 1958 until its elimination on February 1, 2012, the Redevelopment Agency of the City of San Diego (Former RDA) administered the implementation of various redevelopment projects, programs, and activities within designated redevelopment project areas throughout the City of San Diego (City), and there are presently fourteen such project areas; and

WHEREAS, the Former RDA dissolved as of February 1, 2012, in accordance with a deadline for elimination of all redevelopment agencies throughout California set forth in Assembly Bill x1 26 (AB 26), as modified by the California Supreme Court in a final opinion issued on December 29, 2011, in litigation designated as Case No. S194861; and

WHEREAS, pursuant to Resolution No. R-307238 adopted effective January 12, 2012, the City Council of the City of San Diego (Council) designated the City to serve as the successor agency to the Former RDA and to retain the Former RDA's housing assets and assume the Former RDA's housing responsibilities, all pursuant to the dissolution provisions in Part 1.85 of AB 26 (Dissolution Provisions); and

WHEREAS, at the time of the Former RDA's dissolution, the City, in its capacity as the successor agency to the Former RDA (Successor Agency), became vested with all of the Former RDA's authority, rights, powers, duties, and obligations under the California Community Redevelopment Law and, by operation of law, received all assets, properties, contracts, leases,

books and records, buildings, and equipment of the Former RDA for administration pursuant to the Dissolution Provisions; and

WHEREAS, the Dissolution Provisions generally require the Successor Agency to administer the winding down of the Former RDA's affairs in an expeditious manner; and

WHEREAS, California Health and Safety Code section 34179 contemplates the formation of a seven-member oversight board (Oversight Board) no later than May 1, 2012, to oversee certain actions and decisions of the Successor Agency in accordance with the Dissolution Provisions; and

WHEREAS, California Health and Safety Code section 34179(a) allows the Mayor to make unilateral appointments of two members of the Oversight Board, including one "at-large" representative of the City and one representative of the Former RDA's employees from the recognized employee organization comprising the largest number of such employees who are employed by the Successor Agency at the time of the Mayor's appointment; and

WHEREAS, as described in Resolution No. R-307276 adopted effective February 17, 2012, the current Mayor has voluntarily agreed to modify the appointment process under California Health and Safety Code section 34179(a) to include the Council's ratification of the Mayor's two appointees to the Oversight Board by a majority vote; and

WHEREAS, each of the Mayor's appointees to the Oversight Board shall serve at the pleasure of the Mayor and may be removed at any time by the Mayor with or without cause;

NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. The Mayor's appointments of Mark Nelson to serve as the City's at-large representative on the Oversight Board and Michael Zucchet to serve as the Successor Agency's employee representative on the Oversight Board are hereby confirmed.

2. The Mayor or designee shall cause a copy of this Resolution to be forwarded to the following entities: Successor Agency, Oversight Board, San Diego County Auditor-Controller, State Department of Finance, and State Controller.

3. The Mayor or designee shall cause information about the Mayor's appointments to be posted on the official internet website related to activities of the Successor Agency.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Catherine M. Bradley
Catherine M. Bradley
Chief Deputy City Attorney

CB:sc
04/05/2012
Or.Dept:Mayor
Doc.No.: 347060

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 10 2012.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 4-23-12
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor