

OVERSIGHT BOARD RESOLUTION NO. OB-18

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY OF THE CITY OF FRESNO RATIFYING THE
KEARNEY PALMS POLICE SUBSTATION AGREEMENT**

WHEREAS, pursuant to AB X1 26 (which became effective at the end of June 2011), as modified by the California Supreme Court's decision in *California Redevelopment Association, et. al. v. Matosantos, et. al.* (53 Cal. 4th 231 (2011)), the Redevelopment Agency of the City of Fresno ("Former RDA") was dissolved as of February 1, 2012 and the Successor Agency was constituted; and

WHEREAS, AB 1484 (which became effective at the end of June 2012) amended and supplemented AB X1 26 (AB X1 26 and AB 1484, together, being referred to below as the "Dissolution Law"); and

WHEREAS, prior to the Former RDA's dissolution, the Former RDA entered into the Kearney Palms Police Substation Agreement dated November 28, 2008 ("Substation Agreement"); and

WHEREAS, section 34178(a) of the Dissolution Law provides that the Substation Agreement became inoperative on February 1, 2012; and

WHEREAS, the Oversight Board desires to approve the Successor Agency's re-entry and ratification of the Substation Agreement in accordance with section 34178(a); and

WHEREAS, lease payments under the Substation Agreement have been distributed to the taxing entities and will continue to be for the term of the lease; and

WHEREAS, the Substation Agreement is an enforceable obligation that will result in the transfer of the substation assets to the City for a government purpose at the end of the lease term.

NOW THEREFORE BE IT RESOLVED BY OVERSIGHT BOARD AS FOLLOWS:

Section 1. In accord with section 34178(a), the Board approves the Successor Agency's re-entry into and ratification of the Substation Agreement.

Section 2. The Successor Agency is directed to transfer the substation assets, for the governmental purpose of a police substation, to the City pursuant to the terms of the Substation Agreement, following payment of the quarterly rent for a total of 80 quarters (20 years), in accordance with section 34181(a).

Section 3. This Resolution shall be effective in accordance with CRL section 34179(h).

ADOPTED by the Oversight Board this 4th day of September, 2014.


TERRY BRADLEY
Chair of the Board

I, YVONNE SPENCE, City Clerk/Clerk of the Oversight Board hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the Oversight Board for the City of Fresno as Successor Agency to the Redevelopment Agency of the City of Fresno at its meeting held on the 4th day of September, 2014, by the following vote, to wit:

AYES : Hodges, Hofmann, Lima, Poochigian, Vagim, Westerlund
NOES :
ABSENT : Bradley
ABSTAIN :

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Fresno, California, this 23rd day of September, 2014.


Yvonne Spence
City Clerk/Clerk of the Oversight Board

KBD:elb [65462elb/kbd]