

RESOLUTION NUMBER 4472

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DETERMINING THAT THE CITY OF PERRIS DOES NOT ELECT TO RETAIN THE HOUSING ASSETS AND FUNCTIONS OF THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF PERRIS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE § 34176 AND THEREBY TRANSFERS SUCH HOUSING FUNCTIONS AND ASSETS TO THE CITY OF PERRIS HOUSING AUTHORITY

WHEREAS, the Redevelopment Agency of the City of Perris (“Redevelopment Agency”) is a public body, corporate and politic, organized and existing under the California Community Redevelopment Law (Health & Safety Code §§ 33000 *et seq.*); and

WHEREAS, the City of Perris is a municipal corporation and a general law city organized and existing under the Constitution of the State of California (“City”); and

WHEREAS, on December 29, 2011, the California Supreme Court issued its opinion in the case *California Redevelopment Association, et al. v. Ana Matosantos, etc., et al.*, Case No. S196861, and upheld the validity of Assembly Bill 1x26 (“AB1x26”) and invalidated Assembly Bill 1x27; and

WHEREAS, the Court’s decision results in the implementation of AB1x26 which dissolves all the redevelopment agencies in the State of California as of February 1, 2012; and

WHEREAS, the City is, by operation of law, the Successor Agency to the Redevelopment Agency for purposes of winding-down the Redevelopment Agency under AB1x26; and

WHEREAS, pursuant to a provision of AB1x26, codified as Health and Safety Code Section 34176, the City as Successor Agency may elect to retain the housing assets and functions of the dissolved Redevelopment Agency; and

WHEREAS, the City Council, having considered the matter, has determined, in its legislative discretion that the City does not elect to retain the housing assets and functions of the dissolved Redevelopment Agency and instead designates the City of Perris Housing Authority as the agency to receive the housing assets and functions of the dissolved Redevelopment Agency and to assign such assets and functions over to the City of Perris Housing Authority; and

WHEREAS, the City as Successor Agency, and pursuant to Health and Safety Code Section 34176, 33013, and 33433, and in accordance with a Resolution adopted thereto, hereby transfers and conveys housing assets to the City of Perris Housing Authority which includes, but not limited to, the sale of property located at 1728 Campanella Drive, Perris, CA 92571, which was acquired and renovated by the dissolved Redevelopment Agency through the Foreclosure Homeownership Program; and

NOW, THEREFORE, the City Council of the City of Perris, and Successor Agency to the Redevelopment Agency, resolves as follows:

Section 1. The foregoing Recitals are true and correct and are incorporated herein.

Section 2. The City Council hereby affirmatively determines that the City of Perris elects to designate the City of Perris Housing Authority as the agency to receive the housing assets and functions of the dissolved Redevelopment Agency, and City shall not retain the housing assets and functions of the dissolved Redevelopment Agency of the City of Perris.

Section 3. The City Council hereby transfers and assigns such housing assets and functions of the dissolved Redevelopment Agency of the City of Perris to the City of Perris Housing Authority. By adopting this Resolution, the City, Redevelopment Agency and/or City of Perris Housing Authority do not in any way waive or relinquish any claims or legal challenges to the validity of AB1x26 either on its face or as-applied.

Section 4. The City Manager and his authorized designees are hereby authorized and directed to take such other and further actions and sign such other and further documents as is necessary and proper to implement this Resolution on behalf of the City.

ADOPTED, SIGNED and APPROVED this 14th day of February, 2012

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy Haughney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I Judy Haughney, duly elected City Clerk of the City of Perris do hereby certify that the foregoing Resolution Number 4472 was duly and regularly adopted by the City Council of the City of Perris at a regular public meeting thereof held on the 14th day of February 2012, by the following vote:

AYES: Landers, Evans, Rogers, Busch
NOES:
ABSENT: Yarbrough
ABSTAIN:

City Clerk, Judy Haughney