

RESOLUTION NO. 7452

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO MAKING AN ELECTION IN CONNECTION WITH SERVING AS A SUCCESSOR AGENCY UNDER PART 1.85 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

RECITALS:

A. The San Fernando Redevelopment Agency (the "Agency") is a redevelopment agency in the City of San Fernando (the "City"), created pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "Redevelopment Law").

B. The City Council of the City (the "City Council") adopted Ordinance No. 918, approving and adopting the redevelopment plan for the Project Area 1; adopted Ordinance No. 1032, approving and adopting the redevelopment plan for the Project Area 2; adopted Ordinance No. 1050, approving and adopting the redevelopment plan for the Project Area 3; adopted Ordinance No. 1219, approving and adopting the redevelopment plan for Project Area 3a; adopted Ordinance No. 1316, approving and adopting the redevelopment plan for Project Area 1a; and adopted Ordinance No. 1447, approving and adopting the redevelopment plan for the Project Area 4. From time to time, the City Council has amended such redevelopment plans for each project area. The Agency is undertaking a program to redevelop the Project Areas (Ordinance No. 1600).

C. AB X1 26 was signed by the Governor of California on June, 29, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) to Division 24 of the California Health and Safety Code. Commencing upon the effectiveness of AB X1 26, AB X1 26 suspends most redevelopment agency activities and, among other things, prohibits redevelopment agencies from incurring indebtedness or entering into or modifying contracts.

D. Effective October 1, 2011, AB X1 26 dissolves all existing redevelopment agencies and redevelopment agency components of community development agencies, provides for the designation of successor agencies as successor entities to former redevelopment agencies, and provides that except for those provisions of the Redevelopment Law that are repealed, restricted, or revised pursuant to AB X1 26, all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies under the Redevelopment Law, are vested in the successor agencies. AB X1 26 imposes numerous requirements on the successor agencies and subjects successor agency actions to the review of oversight boards established pursuant to the provisions of Part 1.85.

E. Pursuant to Health and Safety Code Section 34173 a city that authorized the creation of a redevelopment agency may elect to serve, or not to serve, as the successor agency under Part 1.85.

F. AB X1 27 was signed by the Governor of California on June 29, 2011, adding Part 1.9 (commencing with Section 34192) to Division 24 of the California Health and Safety Code. Part 1.9 establishes an Alternative Voluntary Redevelopment Program whereby, notwithstanding the provisions of Part 1.8 and Part 1.85, a redevelopment agency will be authorized to continue to exist and carry out the provisions of the Redevelopment Law upon the enactment, prior to the applicable deadline established in Part 1.9 (with the earliest deadline being October 1, 2011), by the city council of the city which includes that redevelopment agency of an ordinance to comply with Part 1.9. Pursuant to Health and Safety Code Section 34192, if a city participates in the Alternative Voluntary Program and complies with all requirements and obligations contained in Part 1.9, the redevelopment agency in that city will be exempt from Part 1.8 and Part 1.85.

G. As of the date of adoption of this Resolution, the City Council has not completed the process for adopting an ordinance to participate in the Alternative Voluntary Redevelopment Program. Therefore, the City Council desires to adopt this Resolution making an election in connection with serving as a successor agency under Part 1.85 in the event the Agency is dissolved pursuant to Part 1.85.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. This Resolution is adopted pursuant to Health and Safety Code Section 34173.

Section 3. The City Council hereby elects to serve as a successor agency under Part 1.85 in the event the Agency is dissolved pursuant to Part 1.85.

Section 4. The City Clerk is hereby authorized and directed to file a certified copy of this Resolution with the County Auditor-Controller no later than September 1, 2011.

Section 5. The officers and staff of the City are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution, and any such actions previously taken by such officers are hereby ratified and confirmed.

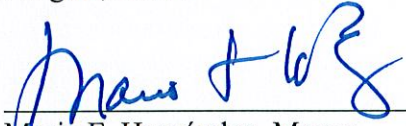
Section 6. The adoption of this Resolution is not intended and shall not constitute a waiver by the City of any right the City may have to challenge the legality of all or any portion of AB X1 26 or AB X1 27 through administrative or judicial proceedings.

Section 7. At such time as the Agency becomes exempt from Parts 1.8 and 1.85, this Resolution shall be of no further force or effect.

Section 8. This Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City's

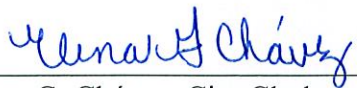
environmental guidelines. The City Council has determined that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment. (Guidelines Section 15378(b) (5)).

PASSED, APPROVED, AND ADOPTED this 15th day of August, 2011.



Mario F. Hernández, Mayor

ATTEST:



Elena G. Chávez, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I HEREBY CERTIFY that the foregoing Resolution was approved and adopted at a regular meeting of the City Council held on the 15th day of August, 2011, by the following vote to wit:

AYES: Hernández, Esqueda, De La Torre, Ballin, Lopez - 5

NOES: None

ABSENT: None



Elena G. Chávez, City Clerk