

COPY

RESOLUTION NO. 12-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA ELECTING NOT TO SERVE AS SUCCESSOR AGENCY TO THE REDEVELOPEMENT AGENCY OF THE CITY OF BISHOP PURSUANT TO CALIFORNIA HEALTH & SAFETY CODE §34173(d)(1)

WHEREAS, the City has heretofore authorized the formation of the Redevelopment Agency of the City of Bishop ("Bishop RDA"); and

WHEREAS, the Bishop RDA was formed and remains in existence as of the date of this Resolution; and

WHEREAS, the California Legislature heretofore passed, and the Governor signed into law, Assembly Bill ABX1-26 dissolving all Redevelopment Agencies in the State of California; and

WHEREAS, on December 29, 2011 Assembly Bill ABX1-26 was found to be constitutional by the California Supreme Court in California Redevelopment Association v. Matosantos; and

WHEREAS, the Bishop RDA is not a tax-increment Redevelopment Agency; and

WHEREAS, the Bishop RDA has no assets, debts, obligations, employees, or active projects, and is in effect dormant; and

WHEREAS, Assembly Bill ABX1-26, as affected by the California Supreme Court's order of December 29, 2011, dissolves all Redevelopment Agencies in the State of California on February 1, 2012 except for purposes of winding up; and

WHEREAS, Assembly Bill ABX1-26 requires any city which has formed a Redevelopment Agency to serve as a *Successor Agency* for purposes of winding down its Redevelopment Agency, unless such city has adopted a Resolution electing not to serve as such *Successor Agency* and delivers a copy of such Resolution to the County Auditor on or before January 13, 2012 pursuant to California Health & Safety Code §34173(d)(1); and

WHEREAS, any *Successor Agency* has only the powers necessary to wind down ongoing affairs of the dissolved Redevelopment Agency, and has no powers to enter into new redevelopment projects; and

WHEREAS, any city which acts as a *Successor Agency*, will incur significant costs in acting as such *Successor Agency*, including the creation and funding of an all administrative and overhead costs of an *Oversight Board* composed of seven (7) members, which members include a member of the County Board of Supervisors; a member of the largest special district within the Redevelopment Agency's jurisdiction; a member of the County Board of Education; a member appointed by the Chancellor of the California Community College System; a member of the public

at large appointed by the County Board of Supervisors; and a member of the employees of the former Redevelopment Agency pursuant to California Health & Safety §34179; and

WHEREAS, no Redevelopment Agency or *Successor Agency* may commence any new project on or after June 29, 2011 and for this reason neither the Bishop RDA nor the City, acting as *Successor Agency*, may act as a *pass-through* entity or in any other manner respecting a new project after that date;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BISHOP FINDS that it is not in the best interest of the City, or its citizens, to act as *Successor Agency* to the Bishop RDA, and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BISHOP RESOLVES THAT:

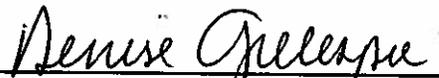
- Section 1: Pursuant to California Health & Safety Code §34173(d)(1), the City of Bishop elects not to serve as *Successor Agency* to the dissolving Bishop RDA;
- Section 2: The City Clerk is ordered to deliver a certified copy of this Resolution to the Inyo County Auditor on or before January 13, 2012.

PASSED, APPROVED AND ADOPTED this 9th day of January, 2012.



LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, Interim City Clerk


By: Denise Gillespie, Assistant City Clerk

STATE OF CALIFORNIA}
COUNTY OF INYO }

I, Denise Gillespie, Assistant City Clerk for the City of Bishop, do hereby certify that the whole number of members of the City County of said City of Bishop is five (5); that the foregoing Resolution No. 12-02 was duly passed and adopted by said City Council; approved and signed by the Mayor of said City; and attested by the City Clerk of said City, all at a regular meeting of said City Council held on January 9, 2012, and that the same was so passed and adopted by the following roll call vote.

AYES: Griffiths, Ellis, Cullen, Stottlemyre, Smith
ABSENT: None
NOES: None
ABSTAIN: None

Witness, my hand and the seal of the City of Bishop this 10th day of January, 2012.



Denise Gillespie

Denise Gillespie
Assistant City Clerk
CITY OF BISHOP

RC
AUDITOR-CONTROLLER
INYO COUNTY

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