

RESOLUTION NO. 24

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE DISSOLVED SHAFTER COMMUNITY DEVELOPMENT AGENCY
DIRECTING THE SUCCESSOR AGENCY TO TRANSFER HOUSING ASSETS OF
THE FORMER SHAFTER COMMUNITY DEVELOPMENT AGENCY TO THE
CITY OF SHAFTER AS THE HOUSING SUCCESSOR PURSUANT TO HEALTH
AND SAFETY CODE SECTION 34181(C)**

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Shafter elected to be the Successor Agency to the Shafter Community Development Agency (“Successor Agency”) on January 9, 2012 by way of Resolution No. 2202; and

WHEREAS, pursuant to Health and Safety Code Section 34176(a)(1), the City of Shafter (“City”) elected to retain the housing assets and functions previously performed by the former Shafter Community Development Agency (“Housing Successor”) on January 9, 2012 by way of Resolution No. 2203; and

WHEREAS, the real properties listed on Exhibit “A” were purchased by, and maintained in, the Shafter Community Development Agency (“Agency”) Low and Moderate Income Housing Fund for the purpose of developing low and moderate income housing; and

WHEREAS, on March 15, 2011, the Agency transferred the real properties listed on Exhibit “A” to the City of Shafter, and

WHEREAS, upon receipt, the City of Shafter placed all properties listed on Exhibit “A” in a special fund restricted for Low and Moderate Income Housing purposes, and

WHEREAS, Health and Safety Code Section 34181(c) requires the Oversight Board of the Successor Agency (“Oversight Board”) to transfer the housing assets of the former Agency to the Housing Successor pursuant to Health and Safety Code Section 34176; and

WHEREAS, the Oversight Board reviewed the Low and Moderate Income Housing Fund properties listed on Exhibit “A” and approved the transfer of these properties to the Housing Successor pursuant to Health and Safety Code Sections 34181(c) and 34176 on January 24, 2014, by way of Resolution No. 16; and

WHEREAS, the California Department of Finance reviewed Oversight Board Resolution No. 16 and determined that it was unnecessary and not legally valid because the Oversight Board does not have the legal authority to retroactively make determination on the former Redevelopment Agency actions taken prior to redevelopment dissolution and prior to the Oversight Board’s existence; and

WHEREAS, the California State Controller has reviewed the asset transfers of the Agency, including those properties listed on Exhibit “A”, pursuant to Health and Safety Code Section 34167.5 (“Asset Transfer Review”); and

WHEREAS, based upon that Asset Transfer Review and the Determination of the Department of Finance regarding Oversight Board Resolution No. 16, the California State

Controller has instructed the City to return those properties listed on Exhibit "A" to the Successor Agency so that the Oversight Board can review those assets and, upon determining that they are Housing Assets pursuant to Health and Safety Code Section 34176(e), direct the Successor Agency to transfer them to the City of Shafter as the Housing Successor pursuant to Health and Safety Code Section 34181(c); and

WHEREAS, on August 5, 2014 the City Council adopted Resolution No. 2352 ordering the transfer of the assets listed on Exhibit "A" back to the Successor Agency; and

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISOLVED SHAFTER COMMUNITY DEVELOPMENT AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Review of Low and Moderate Income Housing Fund properties. That the Oversight Board has reviewed the properties listed on Exhibit "A" and finds that they are Housing Assets as defined by Health and Safety Code Section 34176(e).

Section 3. Transfer of Properties to the Housing Successor. In accordance with Health and Safety Code Section 34181(c), the Oversight Board hereby directs the Successor Agency to transfer all Housing Assets listed on Exhibit "A" to the City of Shafter as the Housing Successor.

Section 4. Execution and transmittal. The Chairperson and Vice Chairperson are hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law.


Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 6th day of August, 2014.



Scott Hurlbert, Chairperson

ATTEST:



Yazmina Pallares, Deputy City Clerk

Oversight Board Resolution 24
Exhibit "A"

| <i>ASSESSORS PARCEL NUMBER</i> | <i>TYPE OF PROPERTY</i> | <i>BOOK VALUE</i> |
|--------------------------------|-------------------------|-----------------------|
| 028-252-22 | Residential Lot | \$101,184.45 |
| 028-252-21 | Residential Lot | 12,505.31 |
| 026-720-02 | Residential Lot | 90,343.54 |
| 026-720-03 | Residential Lot | 90,343.54 |
| 026-720-04 | Residential Lot | 90,343.54 |
| 026-720-05 | Residential Lot | 90,343.54 |
| 026-720-06 | Residential Lot | 90,343.54 |
| 026-720-07 | Residential Lot | 90,343.54 |
| 026-720-08 | Residential Lot | 90,343.54 |
| 026-720-09 | Residential Lot | 90,343.54 |
| 026-720-10 | Residential Lot | 90,343.54 |
| 026-720-11 | Residential Lot | 90,343.54 |
| 026-720-12 | Residential Lot | 90,343.54 |
| 026-720-13 | Residential Lot | 90,343.53 |
| 026-720-14 | Residential Lot | 90,343.53 |
| 028-251-07 | Residential Lot | 75,227.25 |
| 028-251-08 | Residential Lot | 75,227.24 |
| TOTAL | | \$1,438,610.25 |


CERTIFICATE OF GOVERNING BODY'S ACTION

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, HEREBY CERTIFY that the above and foregoing Resolution No. 24 was duly passed and adopted by the Oversight Board of the Successor Agency to the Dissolved Shafter Community Development Agency at its special meeting held on the 6th day of August, 2014, by the following vote:

AYES: Bray, Hurlbert, Rodriguez, Slayton, and Zervis.
NOES: None.
ABSENT: Feichter and Hitchcock.
ABSTAINING: None.

DATED: August 6, 2014



Yazmina Pallares, Deputy City Clerk