

ATTACHMENT A

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA,
STATE OF CALIFORNIA**

RESOLUTION ELECTING TO)
RETAIN THE HOUSING ASSETS) Resolution No. 12-_____
AND FUNCTIONS PREVIOUSLY)
PERFORMED BY THE COUNTY)
OF SANTA BARBARA REDEVELOPMENT)
AGENCY PURSUANT TO HEALTH AND)
SAFETY CODE SECTION 34176(a))

WHEREAS, on November 27, 1990, the Santa Barbara County Board of Supervisors adopted the Redevelopment Plan for the Isla Vista Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency of the County of Santa Barbara (“Agency”) has been engaged in activities to execute and implement the Redevelopment Plan pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, et seq.)(“CRL”); and

WHEREAS, pursuant to Section 33334.2 of the CRL, not less than 20% of all tax increment funds which are allocated to the Agency are set aside by the Agency in a Low and Moderate Income Housing Fund and used by the Agency for the purpose of increasing, improving and preserving the community’s supply of very low, low and moderate income housing available at affordable housing costs to people and families of very low, low and moderate income; and

WHEREAS, in accordance with the CRL, the Agency has used housing set-aside funds to purchase certain properties located within the Project Area and to loan funds for the development of very low, low and moderate income housing; and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature enacted and the Governor signed, companion bills ABX1 26 and ABX1 27, requiring that each redevelopment agency be dissolved under ABX1 26 unless the community that created it enters a “Alternative Voluntary Redevelopment Program” under ABX1 27; and

WHEREAS, an action challenging the constitutionality of ABX1 26 and ABX1 27 was brought on behalf of cities and redevelopment agencies in the case of California Redevelopment Association et al v. Matosantos (S194861) (“Matosantos case”) and the California Supreme Court stayed portions of ABX1 26 and ABX1 27; and

WHEREAS, California Health and Safety Code Section 34176(a), which authorized the County to retain the Agency’s housing assets and functions was subject to the stay that was imposed in the Matosantos case by the California Supreme Court’s orders of August 11, 2011

and August 18, 2011; and

WHEREAS, because of uncertainty surrounding how deadlines in ABX1 26 would be impacted by the Matosantos case, the County passed a resolution electing to retain the Agency's housing assets and functions on September 6, 2011 despite the stay, in order to evidence its intent to retain those assets and functions; and

WHEREAS, on December 29, 2011 the California Supreme Court rendered a decision in the Matosantos case whereby it upheld most of ABX1 26, including those provisions requiring the dissolution of all redevelopment agencies and struck down ABX1 27; and

WHEREAS, as part of its decision in the Matosantos case, the Supreme Court removed its stay and continued certain dates including the date for the County to retain the Agency's housing assets and functions under California Health and Safety Code Section 34176(a) to February 1, 2012; and

WHEREAS, because the prior resolution was passed during the Court's stay of Health and Safety Code Section 34176(a) and the stay has now been removed, the County wishes to adopt a new resolution to elect to retain the Agency's Housing assets and functions; and

WHEREAS, the County of Santa Barbara's control and use of the Agency's housing functions and related assets are important to the County's success in providing affordable housing; and

WHEREAS, in response to ABX1 26 and as specifically allowed in that section of ABX1 26 codified in California Health and Safety Code Section 34176(a), the County of Santa Barbara Board of Supervisors has determined that it is in the best interest of the residents of the County for the County to retain the Agency's housing functions and all related assets subject to the conditions set forth in this resolution; and

WHEREAS, the Santa Barbara County Board of Supervisors has determined that the proposed action is in accord with the public purposes and provisions of applicable State and local laws.

NOW, THEREFORE BE IT FOUND AND RESOLVED AS FOLLOWS:

1. The above recitations are true and correct.
2. The Board of Supervisors of the County of Santa Barbara hereby elects to retain all of the housing assets, functions, and powers previously performed by the Agency as set forth in California Health and Safety Code Section 34176(a).
3. This resolution shall become effective on the day of its adoption.
4. The Board of Supervisors finds, under CEQA Guideline Sections 15378(b)(4) and 15378(b)(5), that this Resolution is exempt from the requirements of the CEQA in that it is not a "project," but instead consists of organizational or administrative activities of government that

will not result in direct or indirect physical changes to the environment and/or the continuation of a governmental funding mechanism for potential projects and programs and does not commit funds to any specific project or program. The Board of Supervisors of the County of Santa Barbara, therefore directs that a Notice of Exemption be filed with the County Clerk of the County of Santa Barbara in accordance with CEQA Guidelines.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara of the State of California, this ___ day of _____ 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

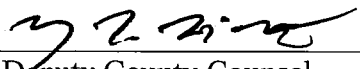
COUNTY OF SANTA BARBARA
BOARD OF SUPERVISORS

By: _____
DOREEN FARR, CHAIR
BOARD OF SUPERVISORS

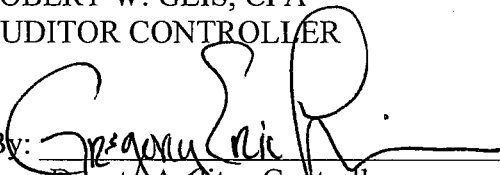
ATTEST:
CHANDRA L. WALLAR
CLERK OF THE BOARD

By: _____

APPROVED AS TO LEGAL FORM:
DENNIS A. MARSHALL
COUNTY COUNSEL

By: 
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA
AUDITOR CONTROLLER

By: 
Deputy Auditor-Controller
Advanced Policy Division
GREGORY ERIC LEVIN