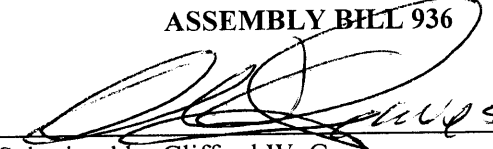


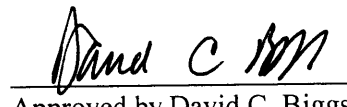


City of Carson Report to Mayor and City Council

January 17, 2012
New Business Consent

SUBJECT: CONSIDERATION OF RESOLUTION NO. 12-007 REGARDING FORGIVENESS OF LOANS TO THE CARSON REDEVELOPMENT AGENCY AS REQUIRED BY ASSEMBLY BILL 936


Submitted by Clifford W. Graves
Economic Development General Manager


Approved by David C. Biggs
City Manager

I. SUMMARY

The subject of this report is the adoption of Resolution No. 12-007 (Exhibit No. 1) regarding the forgiveness of loans to the Carson Redevelopment Agency as required by California Health and Safety Code Section 33354.8/Assembly Bill (AB) 936 (Exhibit No. 2). AB 936 requires the City Council to adopt the subject resolution by no later than February 1, 2012.

II. RECOMMENDATION

WAIVE further reading and ADOPT Resolution No. 12-007, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, MAKING A DECLARATION UNDER HEALTH AND SAFETY CODE §33354.8 THAT, DURING THE PERIOD FROM JANUARY 1, 2010 TO DECEMBER 31, 2011, THE CITY HAS NOT FORGIVEN THE REPAYMENT, WHOLLY OR PARTIALLY, OF ANY LOAN, ADVANCE, OR INDEBTEDNESS OWED TO THE CITY BY THE CARSON REDEVELOPMENT AGENCY."

III. ALTERNATIVES

1. MODIFY and APPROVE Resolution No. 12-007 as the City Council may require.
2. TAKE another action the City Council deems appropriate.

IV. BACKGROUND

AB 936 requires the City Council to adopt a resolution declaring whether or not, between January 1, 2010 and December 31, 2011, the city of Carson (City) has forgiven the repayment of a loan, advance, or indebtedness owed by the Carson Redevelopment Agency (Agency) to the City. The City Council must adopt the resolution by no later than February 1, 2012, and transmit a copy to the California State Controller within 10 days of adoption.

The City has not forgiven a loan, advance, or indebtedness owed by the Agency to the City, between January 1, 2010, and December 31, 2011. Therefore, staff recommends that the City Council adopt Resolution No. 12-007.

11

V. FISCAL IMPACT

None.

VI. EXHIBITS

- 1. Resolution No. 12-007. (pgs. 3-4)
- 2. AB 936. (pgs. 5-6)

Prepared by: William N. Watkins, Redevelopment Project Analyst

TO:Rev091911

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

Action taken by City Council

Date _____ Action _____

RESOLUTION NO. 12-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA MAKING A DECLARATION UNDER HEALTH AND SAFETY CODE § 33354.8 THAT, DURING THE PERIOD FROM JANUARY 1, 2010 TO DECEMBER 31, 2011, THE CITY HAS NOT FORGIVEN THE REPAYMENT, WHOLLY OR PARTIALLY, OF ANY LOAN, ADVANCE, OR INDEBTEDNESS OWED TO THE CITY BY THE CARSON REDEVELOPMENT AGENCY

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

WHEREAS, the Carson Redevelopment Agency, a public body, corporate and politic (Agency), is the redevelopment agency performing redevelopment functions within the territorial limits of the City pursuant to the California Community Redevelopment Law (Health & Safety Code §§ 33000, *et seq.*); and

WHEREAS, the California Community Redevelopment Law, pursuant to Health and Safety Code § 33354.8, requires that the City (a public body) adopt a resolution after January 1, 2012 and prior to February 1, 2012, declaring whether or not it has forgiven, during the period of time commencing January 1, 2010 and ending December 31, 2011, the repayment, wholly or partially, of a loan, advance, or indebtedness that has been owed by the Agency to the City; and

WHEREAS, Health and Safety Code § 33354.8 also requires that within ten (10) days after the adoption of the resolution, the City transmit a copy of the resolution to the California State Controller.

NOW, THEREFORE, the City Council of the city of Carson resolves as follows:

Section 1. Based upon the best knowledge of City staff and the City Council, during the period between January 1, 2010 and December 31, 2011, the City has not forgiven the repayment, wholly or partially, of a loan, advance, or indebtedness that has been owed by the Agency to the City.

Section 2. Not later than ten (10) days after the adoption of this Resolution, the City Clerk shall transmit a copy of this Resolution to the California State Controller.

PASSED, APPROVED and ADOPTED this ____ day of January, 2012.

Mayor Jim Dear

Attest:

City Clerk Helen S. Kawagoe

APPROVED AS TO FORM:

City Attorney

BILL NUMBER: AB 936 CHAPTERED
BILL TEXT

CHAPTER 226
FILED WITH SECRETARY OF STATE SEPTEMBER 6, 2011
APPROVED BY GOVERNOR SEPTEMBER 6, 2011
PASSED THE SENATE AUGUST 15, 2011
PASSED THE ASSEMBLY AUGUST 18, 2011
AMENDED IN SENATE JULY 12, 2011
AMENDED IN SENATE JUNE 22, 2011
AMENDED IN ASSEMBLY MAY 2, 2011

INTRODUCED BY Assembly Member Hueso

FEBRUARY 18, 2011

An act to add Article 4.4 (commencing with Section 33354.7) to Chapter 4 of Part 1 of Division 24 of the Health and Safety Code, relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

AB 936, Hueso. Redevelopment: debt forgiveness.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law requires the agencies, among other things, to comply with public hearing and notice requirements relating to, among other things, the adoption and amendment of redevelopment plans, the expenditure of funds, and the financing of projects.

This bill would require an agency or public body to adopt a resolution stating its intention to forgive the repayment of a loan, advance, or indebtedness owed by a public body to the agency or an agency to the public body prior to repayment forgiveness, as specified. The bill would also require the agency or public body, on or before February 1, 2012, to adopt a resolution declaring whether it has forgiven the repayment of a loan, advance, or indebtedness owed by a public body or an agency to the public body during a specified period.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 4.4 (commencing with Section 33354.7) is added to Chapter 4 of Part 1 of Division 24 of the Health and Safety Code, to read:

Article 4.4. Forgiveness of Debts and Loan

33354.7. (a) Before an agency or a public body forgives the repayment, wholly or partially, of a loan, advance, or indebtedness that is owed by a public body to the agency or an agency to the public body, the agency or public body forgiving the repayment shall adopt a resolution that states its intention to forgive the repayment.

(b) The resolution shall specify all of the following:

EXHIBIT NO. - 2



- (1) The name of the public body or agency.
- (2) The amount of the proposed forgiveness.
- (3) The terms of the loan, advance, or indebtedness.
- (4) The fiscal effect of the proposed forgiveness on the public body.
- (5) The fiscal effect of the proposed forgiveness on the agency.
- (6) The date on which the agency or public body intends to act on the proposed forgiveness which shall be no less than 15 days after the adoption of the resolution.

(c) The adoption of the resolution and the action that forgives repayment shall not be placed on the agency's or public body's consent calendar, but shall be adopted by a recorded rollcall vote.

33354.8. (a) On or before February 1, 2012, an agency or public body shall adopt a resolution that declares whether or not it has forgiven, during the period of time commencing January 1, 2010, through December 31, 2011, the repayment, wholly or partially, of a loan, advance, or indebtedness that has been owed by a public body to the agency or an agency to the public body.

(b) The resolution shall specify all of the following:

- (1) The name of the public body or agency.
 - (2) The amount of the forgiveness.
 - (3) The terms of the loan, advance, or indebtedness.
 - (4) The fiscal effect of the proposed forgiveness on the public body.
 - (5) The fiscal effect of the proposed forgiveness on the agency.
- (c) No less than 10 days after the adoption of the resolution, the agency or public body shall transmit a copy of the resolution to the legislative body and the Controller.

