



City of Carson Report to Redevelopment Agency

January 17, 2012
New Business Consent

SUBJECT: CONSIDERATION OF RESOLUTION NO. 12-07 REGARDING FORGIVENESS OF LOANS TO PUBLIC BODIES AS REQUIRED BY ASSEMBLY BILL 936

Submitted by Clifford W. Graves
Economic Development General Manager

Approved by David C. Biggs
Executive Director

I. SUMMARY

The subject of this report is the adoption of Resolution No. 12-07 (Exhibit No. 1) regarding the forgiveness of loans to public bodies as required by California Health and Safety Code Section 33354.8/Assembly Bill (AB) 936 (Exhibit No. 2). AB 936 requires the Carson Redevelopment Agency (Agency) to adopt the subject resolution after January 1, 2012 and prior to February 1, 2012.

II. RECOMMENDATION

WAIVE further reading and ADOPT Resolution No. 12-07, "A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CARSON, CALIFORNIA, REGARDING FORGIVENESS OF LOANS TO PUBLIC BODIES AS REQUIRED BY AB 936."

III. ALTERNATIVES

1. MODIFY and APPROVE Resolution No. 12-07 as the Agency Board may require.
2. TAKE another action the Agency Board deems appropriate.

IV. BACKGROUND

On December 20, 2011, the Agency Board adopted Resolution No. 11-061 (Exhibit No. 3) to meet the requirements of AB 936. Further analysis of the legislation revealed that Resolution No. 11-061 should have been adopted after January 1, 2012. Therefore, to comply with the timing requirements of AB 936, staff recommends that the Agency Board adopt Resolution No. 12-07, which makes identical findings, determinations and declarations as the former Resolution No. 11-061. The Agency will transmit a copy of Resolution No. 12-07 to the California State Controller within 10 days of adoption.

V. FISCAL IMPACT

None.

6

VI. EXHIBITS

- 1. Resolution No. 12-07. (pgs. 3-4)
- 2. AB 936. (pgs. 5-6)
- 3. Minutes December 20, 2011, Item No. 2. (pg. 7)

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 Redevelopment Agency

Date _____ Action _____

RESOLUTION NO. 12-07

A RESOLUTION OF THE REDEVELOPMENT
AGENCY OF THE CITY OF CARSON, CALIFORNIA,
REGARDING FORGIVENESS OF LOANS TO PUBLIC
BODIES AS REQUIRED BY AB 936

WHEREAS, California Health & Safety Code Section 33354.8 requires the adoption, on or before February 1, 2012, of a resolution stating whether or not the repayment, wholly or partially, of a loan, advance, or indebtedness owed by a public body to a redevelopment agency or by a redevelopment agency to a public body, has been forgiven during the period of time commencing January 1, 2010, through December 31, 2011; and

WHEREAS, during the period of time commencing January 1, 2010, through December 31, 2011, there were no loans, advances or indebtedness from the Redevelopment Agency of the city of Carson (Agency) to any public body outstanding; and

WHEREAS, during the period of time commencing January 1, 2010, through December 31, 2011, there were no loans, advances or indebtedness from any public body to the Agency that were forgiven wholly or partially.

NOW, THEREFORE, based on the evidence presented to the Agency, including the written staff report and oral testimony on this matter, the Agency does hereby find, determine and resolve as follows:

Section 1. During the period of time from January 1, 2010, through December 31, 2011, the Agency did not forgive, wholly or partially, any loans to any public body.

Section 2. During the period of time from January 1, 2010, through December 31, 2011, no public body forgave, wholly or partially, any loans to the Agency.

Section 3. The Agency Secretary shall transmit a copy of this resolution to the City Council of the city of Carson and to the Office of the State Controller within 10 days of the adoption of this resolution.

Section 4. The Agency Secretary shall certify as to the adoption of this resolution and shall cause the same to be processed in the manner required by law.



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

Chairman Jim Dear

ATTEST:

Agency Secretary Helen S. Kawagoe

APPROVED AS TO FORM:

Agency Counsel

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.



**ITEM NO. (2) CONSIDERATION OF RESOLUTION NO. 11-61 REGARDING
FORGIVENESS OF LOANS TO PUBLIC BODIES AS REQUIRED BY
ASSEMBLY BILL 936 (ECONOMIC DEVELOPMENT)**

RECOMMENDATION for the Redevelopment Agency:

1. WAIVE further reading and ADOPT Resolution No. 11-61, "A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CARSON, CALIFORNIA, REGARDING FORGIVENESS OF LOANS TO PUBLIC BODIES AS REQUIRED BY AB 936."

ACTION: Item No. 2 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina
Noes: None
Abstain: None
Absent: None

