

OVERSIGHT BOARD RESOLUTION NUMBER OB-2012-40

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE CITY OF SAN DIEGO REDEVELOPMENT SUCCESSOR AGENCY ACCEPTING THE ACCOUNTANT'S REPORT APPLYING AGREED-UPON PROCEDURES TO THE SUCCESSOR AGENCY, INCLUDING THE DETERMINATION OF THE AMOUNT OF CASH AND CASH EQUIVALENTS IN THE LOW AND MODERATE INCOME HOUSING FUND THAT ARE AVAILABLE FOR DISBURSEMENT TO LOCAL TAXING ENTITIES.

WHEREAS, the former Redevelopment Agency of the City of San Diego (Former RDA) administered the implementation of various redevelopment projects, programs, and activities within designated redevelopment project areas throughout the City of San Diego (City); and

WHEREAS, in accordance with Assembly Bill x1 26 (AB 26), the Former RDA dissolved as of February 1, 2012, at which time the City of San Diego, solely in its capacity as the designated successor agency to the Former RDA (Successor Agency), assumed the Former RDA's assets and obligations; and

WHEREAS, the Successor Agency is required to administer the winding down of the Former RDA's operations and to ensure compliance with the Former RDA's obligations in accordance with AB 26, as amended by Assembly Bill 1484 (AB 1484); and

WHEREAS, California Health and Safety Code section 34179.5 requires the performance of two due diligence reviews applying agreed-upon procedures, including a review of account balances in the Low and Moderate Income Housing Fund (Housing DDR) and a review of non-housing account balances, in order to determine the unobligated balances available for transfer to the local taxing entities; and

WHEREAS, pursuant to California Health and Safety Code section 34179.5(a), the Successor Agency selected, and the San Diego County Auditor-Controller (County Auditor) approved, the independent accounting firm of Macias Gini & O'Connell, LLP (MGO) to complete each due diligence review of the Successor Agency; and

WHEREAS, MGO has completed the report (MGO Report) applying the agreed-upon procedures for the Housing DDR in accordance with California Health and Safety Code section 34179.5, a copy of which is included as Attachment A to the accompanying staff report; and

WHEREAS, the MGO Report has determined that the amount of cash and cash equivalents in the Low and Moderate Income Housing Fund that are available for disbursement to the taxing entities is zero dollars; and

WHEREAS, as required by California Health and Safety Code section 34179.6(b), the Oversight Board held a public comment session regarding the MGO Report and the Housing DDR on December 4, 2012, and held a public hearing for an approval vote regarding the results of the Housing DDR on the date of this Resolution, as shown below; and

WHEREAS, the County Auditor received a copy of the MGO Report in advance of the public comment session held on December 4, 2012, and has not provided any opinions for the Oversight Board's consideration with respect to the contents of the MGO Report.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board as follows:

1. The Oversight Board accepts the MGO Report, including the determination that the amount of cash and cash equivalents in the Low and Moderate Income Housing Fund that are available for disbursement to the taxing entities, as determined according to the method provided in California Health and Safety Code section 34179.5, is equal to zero dollars.

2. The Oversight Board directs Successor Agency staff to transmit a copy of this Resolution, together with a copy of the MGO Report, to the DOF and the County Auditor.

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on December 11, 2012.



Chair, Oversight Board