

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION  
DISTRICT BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisor John Tavaglione      **SUBMITTAL DATE:** February 28, 2012

**SUBJECT:** Authorization and Approval of Resolution No. F2012-04, Appointing Applicable Member to the Riverside County Redevelopment Successor Agency Oversight Board

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Authorize and approve Resolution No. F2012-04, Appointing Applicable Member to the Riverside County Redevelopment Successor Agency Oversight Board, consisting of Supervisor John Benoit to the Oversight Board for Riverside County's Redevelopment Agency Successor Agency; and
- 2) Authorize transmittal of notice of the appointment under the Board of Supervisor's discretion to the Department of Finance by the Chairman.

**BACKGROUND:** The ruling by the Supreme Court of California issued on December 29, 2011, validated AB 1x 26, which dissolves Redevelopment Agencies effective February 1, 2011. The companion bill, AB 1x 27, which would have allowed redevelopment agencies to continue to exist if they agreed to make voluntary payments to the State, was invalidated in the same ruling. Pursuant to California Health and Safety Code §34179, each county successor agency shall have an oversight board comprised of seven members.

**(Continued)**

  
John Tavaglione, Chairman  
Second District

**Supervisor John Tavaglione**

Authorization and Approval of Resolution No. F2012-04, Appointing Applicable Member to the Riverside County Redevelopment Successor Agency Oversight Board

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**BACKGROUND:** (Continued)

The seven members shall be selected as follows:

1. One member appointed by the Board of Supervisors;
2. One member of the public appointed by the County Board of Supervisors;
3. One member representing employees of the former redevelopment agency appointed by the Chairman of the Board of Supervisors, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time;
4. One member appointed by the largest special district by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to § 34188;
5. One member appointed by the County Superintendent of Education;
6. One member appointed by the Chancellor of the California Community Colleges; and,
7. One member selected by the largest city by acreage in the territorial jurisdiction of the former redevelopment agency;

The appointment within this submittal concerns the authorization to appoint based on the largest special district by property tax share. Based on information received from the Riverside County Auditor-Controller's Office, the Riverside County Flood Control and Water Conservation District is the largest special district by property tax share for the Successor Agency.

If approved by the Board, Supervisor John Benoit will serve as the Flood Control District Board appointee. This appointment to the county's Successor Agency oversight board will meet the Board of Supervisors' Flood Control District Board appointment obligation. If approved, notice of the appointment will be sent by the Chairman of the Board to the Department of Finance.

1                    RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
2                    CONSERVATION DISTRICT BOARD OF SUPERVISORS

3                    COUNTY OF RIVERSIDE

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5                    **RESOLUTION NO. F2012-04**

6                    **RESOLUTION APPOINTING APPLICABLE MEMBER TO THE**  
7                    **REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD**

8                    **WHEREAS**, on June 29, 2011, Governor Brown signed two State of California  
9 Assembly Bills, ABX1 26 and ABX1 27, which, respectively, dissolved redevelopment  
10 agencies throughout the state of California, and created an alternative voluntary  
11 redevelopment program that would allow agencies to continue redevelopment activity  
12 by voluntarily making a payment to the state;

13                    **WHEREAS**, on July 18, 2011, the California Redevelopment Association (CRA)  
14 and the League of California Cities (League) filed a petition which requested that the  
15 California Supreme Court (Court) overturn ABX1 26 and ABX1 27 on the grounds that  
16 the bills violated the California Constitution (*California Redevelopment Association v.*  
17 *Matosantos [Case]*);

18                    **WHEREAS**, the Court heard oral arguments in the Case on November 10,  
19 2011;

20                    **WHEREAS**, on December 29, 2011, the Court announced its decision on the  
21 Case to uphold ABX1 26 and strike down ABX1 27, thus eliminating redevelopment  
22 agencies;

23                    **WHEREAS**, on January 10, 2012, the Board of Supervisors accepted the  
24 designation as Successor Agency for the Redevelopment Agency for the County of  
25 Riverside;

26                    **WHEREAS**, pursuant to ABX1 26, Chapter 4, Section 34179, each successor  
27 agency shall have an oversight board composed of seven members;

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1           **WHEREAS**, pursuant to ABX1 26, Chapter 4, Section 34179, the largest  
2 special district by property tax share, with territory in the territorial jurisdiction of the  
3 former redevelopment agency, which is of the type of special district that is eligible to  
4 receive property tax revenues pursuant to § 34188, shall appoint one of the members  
5 of the oversight board;

6           **WHEREAS**, pursuant to ABX1 26, Chapter 4, Section 34179, the Auditor  
7 Controller for the County of Riverside has determined that the largest special district  
8 by property tax share, with territory in the territorial jurisdiction of the former  
9 redevelopment agency, which is of the type of special district that is eligible to receive  
10 property tax revenues pursuant to § 34188, is the Riverside County Flood Control and  
11 Water Conservation District;

12           **WHEREAS**, the Flood Control and Water Conservation District Board of  
13 Supervisors wishes to appoint a member to the oversight board of the Successor  
14 Agency for the Redevelopment Agency for the County of Riverside.

15           **NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED** by the  
16 Riverside County Flood Control and Water Conservation District Board of Supervisors  
17 as follows:

18           **Section 1. Appointment by the largest special district.** The Riverside  
19 County Flood Control and Water Conservation District Board of Supervisors appoints  
20 Supervisor John Benoit or designee to the oversight board as a representative of the  
21 Board of Supervisors.

22           **Section 2. Effective Date.** This resolution shall take effect as of February 28,  
23 2012.

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