

RESOLUTION NO. OB 2012-006

**RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
TO THE TOWN OF LOS GATOS REDEVELOPMENT AGENCY APPROVING THE
SANTA CLARA COUNTY AUDITOR-CONTROLLER'S DUE DILIGENCE REVIEW
REPORT FOR THE HOUSING ASSETS OF THE FORMER TOWN OF LOS GATOS
REDEVELOPMENT AGENCY AND AUTHORIZING THE TRANSMITTALS
PURSUANT TO HEALTH & SAFETY CODE SECTIONS 34179.5 AND 34179.6**

RECITALS

WHEREAS, Part 1.85 of the Health and Safety Code, commencing with Section 34170, dissolved the former Town of Los Gatos Redevelopment Agency and the Town of Los Gatos elected to serve as the successor agency for the former Agency ("Successor Agency"); and

WHEREAS, Health and Safety Code Section 34177(d) requires the Successor Agency, among other statutory duties, to employ a licensed accountant approved by the County Auditor-Controller with experience and expertise in local government accounting to conduct a due-diligence review to determine the unobligated balances available for transfer to taxing entities; and

WHEREAS, the Successor Agency agreed to allow the Santa Clara County Auditor-Controller to retain Macias Gini & O'Connell, LLP (MGO), a licensed accountant with experience and expertise in local government, to conduct a due-diligence review; and

WHEREAS, the review of all Low- and Moderate-Income Housing Funds (LMIHF) was due by October 1, 2012; and

WHEREAS, MGO and the County Auditor-Controller completed its due-diligence review of the LMIHF and provided a report to the Successor Agency on October 1, 2012; and

WHEREAS, the Successor Agency submitted the due-diligence report of the LMIHF to the Department of Finance, State Controller, County Administrative Officer, County Auditor-Controller, and Oversight Board as required by Health and Safety Code Section 34177.6; and

WHEREAS, the Oversight Board convened a public comment session regarding the due-diligence review of LMIHF on October 4, 2012; and

WHEREAS, the Oversight Board has reviewed and approved a determination of the amount of cash and cash equivalents that are available for disbursement to the taxing entities from the LMIHF in accordance with Health and Safety Code Section 34179.5;

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board that the above Recitals are adopted as part of this resolution and are true; and

BE IT FURTHER RESOLVED that the Oversight Board hereby approves the Housing Fund Due Diligence Review report for LMIHF dated October 1, 2012, in the form on file with the Successor Agency and posted on the County of Santa Clara Auditor-Controller's website; and

BE IT FURTHER RESOLVED that the Oversight Board determines the unobligated balance available for disbursement to the taxing entities is \$6,431,339, plus accrued interest and subject to the Department of Finance's approval, shall be transmitted to the Santa Clara County Auditor-Controller for allocation to affected taxing entities pursuant to the terms of AB 1484 and the California Redevelopment Dissolution Act.

BE IT FURTHER RESOLVED that the Oversight Board hereby authorizes and directs the Successor Agency staff to take all necessary actions under the Dissolution Act and AB 1484 to file, post, mail or otherwise deliver electronically all notices and transmittals necessary or convenient in connection with the approval of the Housing Fund Due Diligence Review and take any other actions necessary to ensure the validity of the Housing Fund Due Diligence Review. In addition, the Oversight Board authorizes the Successor Agency staff to make any payment required under Health & Safety Code Section 34179.6 and pursuant to the findings of this Resolution.

PASSED AND ADOPTED at a regular meeting of the Oversight Board for the Successor Agency of the Redevelopment Agency of the Town of Los Gatos held on the 12th day of October, 2012 by the following vote:

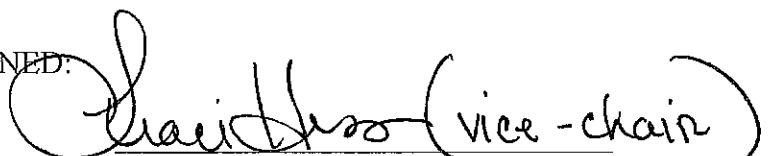
AYES: Ed Maduli, Mike Rock, Pamela Jacobs, Barbara Spector, Thomas Woodruff, Rebecca Haggerty, and Vice-Chair Traci Hess

NAYS:

ABSENT:

ABSTAIN:

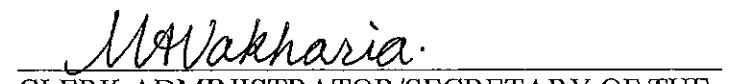
SIGNED:



Traci Hess (vice-chair)

CHAIR OF THE OVERSIGHT
BOARD FOR REDEVELOPMENT
AGENCY OF THE TOWN OF LOS
GATOS

ATTEST:



MaVakharia

CLERK ADMINISTRATOR/SECRETARY OF THE
OVERSIGHT BOARD AND SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY OF THE