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RESOLUTION NO. 2016-68

**A RESOLUTION OF THE ALBANY CITY COUNCIL APPROVING
DISSOLUTION OF THE ALBANY MUNICIPAL SERVICES JOINT
POWERS AUTHORITY EFFECTIVE ON DECEMBER 31, 2016**

WHEREAS, pursuant to ABx1 26 enacted in June 2011 (as amended by AB 1484 enacted in June 2012, and SB 107 enacted in December 2015 (collectively referred to as the "Redevelopment Dissolution Law"), the Albany Community Reinvestment Agency ("Former RDA") was dissolved effective on February 1, 2012; and

WHEREAS, the City of Albany has elected to serve as the Successor Agency to the Former RDA ("Successor Agency") for purposes of winding down the affairs of the Former RDA, pursuant to the direction of the appointed local Oversight Board and the State of California Department of Finance ("DOF"); and

WHEREAS, pursuant to the Redevelopment Dissolution Law (Health and Safety Code Section 34173(g)), the Successor Agency is a separate public entity from the City of Albany ("City"); and

WHEREAS, on October 14, 2015, the Successor Agency and the DOF entered into a Settlement Agreement resolving litigation between the Successor Agency and DOF which arose out of the redevelopment dissolution process; and

WHEREAS, pursuant to the Settlement Agreement, the Successor Agency must be dissolved no later than December 31, 2016; and

WHEREAS, on July 21, 1998, the City of Albany and the Former RDA entered into a Joint Powers Agreement creating the Albany Municipal Services Joint Powers Authority ("JPA") and on October 5, 1998, the City and JPA entered into an Operating Agreement; and

WHEREAS, pursuant to the Redevelopment Dissolution Law (Health and Safety Code Section 34178(b)(3)), upon dissolution of the Former RDA, the Successor Agency succeeded to the rights, duties and performance obligations of the Former RDA under the Joint Powers Agreement; and

1 **WHEREAS**, because under California law a JPA cannot exist with only one party,
2 the JPA will have to dissolve when the Successor Agency dissolves.

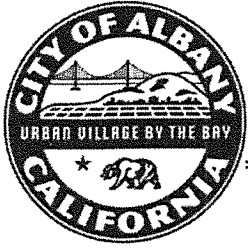
3 **NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of
4 Albany hereby approves the termination of the Albany Municipal Services Joint Powers
5 Agreement and Operating Agreement and the dissolution of the Albany Municipal
6 Services Joint Powers Authority effective on December 31, 2016.

7 **BE IT FURTHER RESOLVED**, that the City Attorney and City Manager are
8 hereby authorized to take all actions and execute further documents as necessary to
9 implement this Resolution.

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PETER MAASS, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2016-68

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,
the 3rd day of October, 2016, by the following votes:

AYES: Council Members Barnes, McQuaid, Nason, Pilch and Mayor Maass

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this
4th day of October, 2016.

Eileen Harrington
DEPUTY CITY CLERK