

RESOLUTION OBSA-006

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE SOLANA BEACH REDEVELOPMENT AGENCY RETAINING KANE, BALLMER & BERKMAN FOR AS-NEEDED LEGAL COUNSEL TO THE OVERSIGHT BOARD.

WHEREAS, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding ABx1 26 (the "Dissolution Act") largely constitutional; and

WHEREAS, under the Dissolution Act and the California Supreme Court's decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Solana Beach Redevelopment Agency (the "Dissolved RDA"), were dissolved on February 1, 2012; and

WHEREAS, on January 11, 2012, the City Council (the "City Council") of the City of Solana Beach (the "City") adopted a resolution accepting for the City the role of Successor Agency to the Dissolved RDA (the "Successor Agency"); and

WHEREAS, under the Dissolution Act, each Successor Agency shall have an Oversight Board with fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property taxes and other revenues pursuant to Section 34188; and

WHEREAS, pursuant to the Dissolution Act, the duly constituted Oversight Board met at a duly noticed public meeting on April 12, 2012 to discharge its duties under the Dissolution Act; and

WHEREAS, the Oversight Board determined that retaining an as-needed legal counsel is necessary in order to carry out its duties and responsibilities under the Dissolution Act; and

WHEREAS, the Successor Agency shall pay for all of the costs of meetings of the oversight board under the Dissolution Act; and

WHEREAS, the Oversight Board has determined that the law firm of Kane, Ballmer & Berkman is qualified by experience and is able to perform the services desired by the Oversight Board; and

WHEREAS, Kendall D. Berkey from Kane, Ballmer & Berkman is willing to serve as the designated attorney to perform legal services desired by the Oversight Board.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency for the Dissolved RDA hereby finds, resolves, and determines as follows:

SECTION 1. The foregoing recitals are true and correct.


SECTION 2. The Oversight Board retains the services of Kane, Ballmer & Berkman for as-needed legal counsel.

SECTION 3. Kendall D. Berkey is the designated attorney to perform the legal services desired by the Oversight Board.

SECTION 4. Pursuant to the Dissolution Act, the Successor Agency is responsible for paying the fees and costs associated with the Oversight Board's retention of legal counsel subject to the Solana Beach Municipal Code Chapter 3.08.

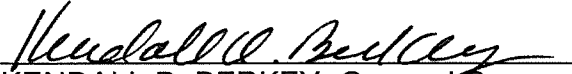
PASSED AND ADOPTED this 12th day of April, 2012, at a special scheduled meeting of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency by the following vote:

AYES: Board of Directors – Golich, Sheres, Ott, Armstrong, Coughlin,
Deaver, Estrella
NOES: Board of Directors - None
ABSENT: Board of Directors - None
ABSTAIN: Board of Directors - None



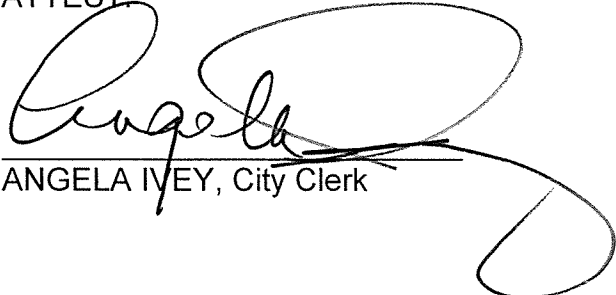
THOMAS GOLICH, Chair

APPROVED AS TO FORM:



KENDALL D. BERKEY, General Counsel

ATTEST:



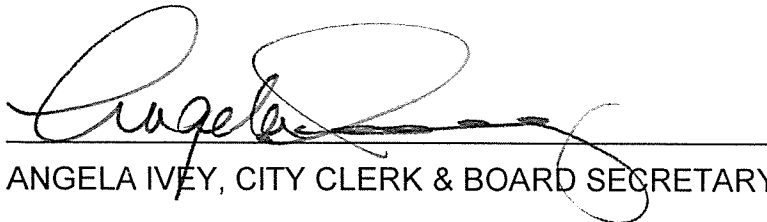
ANGELA IVEY, City Clerk



CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.
CITY OF SOLANA BEACH)

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, and Secretary of the Successor Agency to the Solana Beach Redevelopment Agency, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution OBSA-006** *appointing Kane, Ballmer, & Berkman as Legal Counsel subject to the Professional Services Agreement approval by the Successor Agency* as duly passed and adopted at a Special Meeting of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency held on the 12th day of April 2012 and the original is on file in the City Clerk's Office.


ANGELA IVEY, CITY CLERK & BOARD SECRETARY

Date of this Certification: 4-13-2012

