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April 13, 2012

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VVEDA FILES LAWSUIT AGAINST THE STATE OF CALIFORNIA

Named parties include the State Controller, State Finance Director and the San Bernardino County Auditor Controller

Victorville, CA – On April 12th, 2012, the Victor Valley Economic Development Authority (VVEDA) filed a lawsuit in California Supreme Court contending that the State of California’s adoption and implementation of Assembly Bill x1 26 (AB x1 26) does not apply to VVEDA and that State and County administrators are erroneously interpreting provisions of AB x1 26. AB x1 26 was approved in the Legislature last year and signed into law by the Governor on June 28th, 2011 and causes for the dissolution of California redevelopment agencies. AB x1 26 was challenged by the California Redevelopment Association (CRA) and the League of California Cities based on constitutional grounds and upheld by the Supreme Court last December.

“VVEDA is filing its lawsuit based on grounds not included in the CRA complaint and raises question as to the applicability of AB x1 26 to VVEDA as VVEDA is not a redevelopment agency”, says Keith Metzler, Executive Director to VVEDA. The lawsuit contends that VVEDA was formed as a Joint Powers Authority under the Joint Powers Act, which is a separate and distinct provision of law from those laws that govern the formation of redevelopment agencies. The lawsuit also contends that because VVEDA was formed as a reuse agency to transact business in direct response to a federal military base closure program, that AB x1 26 should be preempted by federal authority.

In the lawsuit, VVEDA is seeking six (6) causes of action including Declaratory Relief, Injunctive Relief

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and a Writ of Mandate. If VVEDA prevails, it expects to have its redevelopment tax increment funding restored so that it can meet its contractual obligations to its member agencies and the Southern California Logistics Airport.

About the Victor Valley Economic Development Authority (VVEDA):

VVEDA is a Joint Powers of Authority formed in 1989 by the Town of Apple Valley, Cities of Hesperia, Victorville and the County of San Bernardino. VVEDA was formed to serve as the reuse agency responsible from transitioning the former George Air Force Base which closed in December of 1992. VVEDA adopted a redevelopment plan pursuant to special legislation in 1990 providing it with tax increment to be used to within the project area, including at SCLA. In 1997, VVEDA ceded ownership and the development responsibilities of SCLA to the City of Victorville, which it owns and operates as the Southern California Logistics Airport Authority. The City of Adelanto became a member of VVEDA in 2000.