**MEETING DATE:**

**SUBMITTAL TO THE COUNTYWIDE OVERSIGHT BOARD FOR COUNTY OF RIVERSIDE**

, , 20



**FROM:** SUCCESSOR AGENCY TO THE [INSERT SPONSORING COMMUNITY NAME] REDEVELOPMENT AGENCY

**SUBJECT:** Resolution No. 20 - A Resolution of the Countywide Oversight Board for the County of Riverside Approving the Last and Final Recognized Obligation Payment Schedule for the [Insert Sponsoring Community Name] Successor Agency pursuant to Section 34191.6 of the Health and Safety Code; CEQA Exempt

**RECOMMENDED MOTION:** That the Countywide Oversight Board:

1. Find that the project is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines;
2. Adopt Resolution No. 20 - A Resolution of the Countywide Oversight Board for the County of Riverside Approving the Last and Final Recognized Obligation Payment Schedule for the [Insert Sponsoring Community Name] Successor Agency pursuant to Section 34191.6 of the Health and Safety Code and making related findings and declarations and taking related actions in connection therewith; and
3. Direct County Executive Office staff, on behalf of the Countywide Oversight Board, to submit Resolution No. 20 - to the Department of Finance for review and approval pursuant to Section 34191.6 and Section 34179(h) of the Health and Safety Code, as applicable.

**MINUTES OF THE COUNTYWIDE OVERSIGHT BOARD**

**BACKGROUND:**

The former Redevelopment Agency for [Insert Sponsoring Community] ("Former Agency") was formed, existed and exercised its powers pursuant to the Community Redevelopment law (California Health and Safety Code section 33000 et seq.).

Pursuant to Assembly Bill No. 1X 26, as modified by Assembly Bill No. 1484 enacted on June 27, 2012, and as further modified by Senate Bill No. 107 enacted September 22, 2015, which added or amended Parts 1.8 and 1.85 to Division 24 of the Health and Safety Code ("Dissolution Act"), the Former Agency was dissolved on February 1, 2012 and the Successor agency to the Redevelopment Agency for [Insert Sponsoring Community] ("Successor Agency") was vested with all authority, rights, powers, duties and obligations of the Former Agency.

Pursuant to Section 34191.6(a) of the Health and Safety Code, beginning January 1, 2016, successor agencies have the option to submit a last and final recognized obligation payment schedule if all the following conditions are met:

1. The remaining debt of a successor agency is limited to administrative costs and payments pursuant to enforceable obligations with defined payment schedules including, but not limited to, debt service, loan agreements, and contracts.
2. All remaining obligations have been previously listed on a Recognized Obligation Payment Schedule and approved for payment by the Department pursuant to Sections 34177(m) or 34177(o) of the Health and Safety Code.
3. The successor agency is not a party to outstanding or unresolved litigation, except as specified in Section 34.191.6(a)(3) of the Health and Safety Code.

The Successor Agency staff has prepared the proposed Last and Final Recognized Obligation Payment Schedule (the "Last and Final ROPS"), substantially in the form shown in Attachment "A", attached hereto and incorporated herein by this reference.

[Insert Background Narrative to prove conditions in Section 34191.6(a) have been satisfied.]

The City Council of [Insert Sponsoring Community] acting in its capacity as the governing board of the Successor Agency, approved the Last and Final ROPS by adoption of Resolution No.

. In satisfaction of Section 34177(l)(2)(B), a copy of the attached Last and Final ROPS has been submitted to the county administrative officer, the county auditor-controller and the Department and has been posted on the Successor Agency's website.

Under Resolution No. , the Successor Agency's governing board represents and warrants that it examined all of the items on the Last and Final ROPS and finds that the Successor Agency has satisfied all of the conditions set forth in Section 34191.6 of the Health and Safety Code Section and that each of them is necessary for the continued maintenance and

preservation of property owned by the Successor Agency until disposition in accordance with the Dissolution Act, the continued administration of the ongoing enforceable obligations, or the expeditious wind-down of the affairs of the Former Agency by the Successor Agency.

Pursuant to Section 34191.6 of the Health and Safety Code, the Last and Final ROPS must be submitted to the Countywide Oversight Board for the Countywide Oversight Board's approval. If approved by the Countywide Oversight Board, the Last and Final ROPS will be submitted to Department of Finance for approval. At the same time as the Successor Agency submits the Last and Final ROPS for Department of Finance approval, the Successor Agency is required to submit a copy of the oversight board-approved Last and Final Recognized Obligation Payment Schedule to the county administrative officer, the county auditor-controller, and post it to the successor agency's Internet Web site.

The Department of Finance will have 100 days from the date received to approve or deny the successor agency's request. The Department of Finance may make any amendments or changes to the Last and Final ROPS, provided the amendments or changes are agreed to by the Successor Agency in writing. If the Successor Agency and the Department of Finance cannot come to an agreement on the proposed amendments or changes to the Last and Final ROPS, the Department of Finance is required to issue a letter denying the Last and Final ROPS.

If approved by the Department of Finance, the Last and Final ROPS shall become effective on the first day of the subsequent Redevelopment Property Tax Trust Fund distribution period. If the Last and Final ROPS is approved less than 15 days before the date of the property tax distribution dates of January 2 and July 1, the Last and Final ROPS shall not be effective until the subsequent Redevelopment Property Tax Trust Fund distribution period.

Pursuant to the California Environmental Quality Act (CEQA), based upon a review of the evidence and information presented on the matter as it relates to the adoption of the Last and Final ROPS, the Countywide Oversight Board has determined that such approval is categorically exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines because there is no possibility that the activities in question will have a significant impact on the environment and the amendment is merely the adoption of annual budget; it will not require any construction activities and will not lead to any direct or reasonably foreseeable indirect physical environmental impacts.

Successor Agency staff recommends adoption of Resolution No. 20 - , a Resolution of the Countywide Oversight Board for the County of Riverside Successor Agency Approving the Last and Final Recognized Obligation Payment Schedule for the [Insert Sponsoring Community Name] Successor Agency pursuant to Section 34191.6 of the Health and Safety Code and making related findings and declarations and taking related actions in connection therewith.

**IMPACT ON TAXING ENTITIES**

[Insert narrative of fiscal impact on taxing entities.]

Attachment:

Resolution No. 20 -

# COUNTYWIDE OVERSIGHT BOARD

* 1. **FOR THE COUNTY OF RIVERSIDE**

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# SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR

**[INSERT SPONSORING COMMUNITY NAME]**

6 **RESOLUTION NO. 20 -**

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# 8 RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR COUNTY OF RIVERSIDE APPROVING THE LAST AND FINAL

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# RECOGNIZED OBLIGATON PAYMENT SCHEDULE FOR THE

1. **[INSERT SPONSORING COMMUNITY NAME] SUCCESSOR AGENCY**
2. **PURSUANT TO SECTION 34191.6 OF THE HEALTH AND SAFETY**
3. **CODE AND MAKING RELATED FINDINGS AND DECLARATIONS**
4. **AND TAKING RELATED ACTIONS IN CONNECTION THEREWITH**

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15 **WHEREAS**, the Redevelopment Agency for [Insert Sponsoring Community] (the "Former Agency") was formed, existed and exercised its powers pursuant to the Community

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Redevelopment law (California Health and Safety Code section 33000 et seq. the "CRL");

1. **WHEREAS**, the California state legislature enacted Assembly Bill 1x 26, as modified by
2. Assembly Bill No. 1484 enacted on June 27, 2012, as further modified by Senate Bill No. 107
3. enacted on September 22, 2015, as such may be further amended (collectively, the "Dissolution
4. Act"), adding or amending Parts 1.8 and 1.85 to Division 24 of the Health and Safety Code, to
5. dissolve redevelopment agencies formed under the CRL;

**WHEREAS**, pursuant to Section 34173 of the Health and Safety Code, effective February

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1, 2012 the Successor Agency to [Insert Name of Dissolved Redevelopment Agency], a separate

1. legal entity (the "Successor Agency") was formed to and charged with paying the enforceable
2. obligations, disposing of the properties and other assets, and unwinding the affairs of the dissolved
3. Former Agency;
4. **WHEREAS**, upon dissolution of the Former Agency, all authority, rights, powers, duties
5. and obligations previously vested with the Former Agency (except for the Former Agency's housing assets and functions) under the CRL vested in the Successor Agency, which was declared

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1. a separate legal entity effective June 27, 2012;
2. **WHEREAS**, Section 34179(j) of the Health and Safety Code provides for the appointment
3. of a countywide oversight board (the "Countywide Oversight Board") with specific duties to approve certain Successor Agency actions pursuant to Section 34180 of the Health and Safety

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Code and to direct the Successor Agency in certain other actions pursuant to Section 34181 of the

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Health and Safety Code;

1. **WHEREAS**, Section 34191.6 of the Health and Safety Code, beginning January 1, 2016,
2. successor agencies have the option to submit a last and final recognized obligation payment
3. schedule if all the following conditions are met:
4. (1) The remaining debt of a successor agency is limited to administrative costs and
5. payments pursuant to enforceable obligations with defined payment schedules including, but not limited to, debt service, loan agreements, and contracts;

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(2) All remaining obligations have been previously listed on a Recognized Obligation

1. Payment Schedule and approved for payment by the Department of Finance (the "Department")
2. pursuant to Sections 34177(m) or 34177(o) of the Health and Safety Code;
3. (3) The successor agency is not a party to outstanding or unresolved litigation, except as
4. specified in Section 34.191.6(a)(3) of the Health and Safety Code;
5. **WHEREAS**, the Successor Agency staff has prepared the proposed Last and Final Recognized Obligation Payment Schedule (the "Last and Final ROPS"), substantially in the form

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shown in Attachment "A", attached hereto and incorporated herein by this reference;

1. **WHEREAS**, the City Council of [Insert Sponsoring Community] acting in its capacity as
2. the governing board of the Successor Agency, approved the proposed Last and Final ROPS by
3. adoption of Resolution No. , shown in Attachment "B", attached hereto and
4. incorporated herein by this reference;
5. **WHEREAS**, the Department issued a Finding of Completion to the Successor Agency pursuant to Section 34179.7 of the Health and Safety Code, as shown in Attachment "C", attached

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hereto and incorporated herein by this reference;

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**WHEREAS**, under Resolution No. , the Successor Agency's governing board

1. represents and warrants that it examined all of the items on the proposed Last and Final ROPS and
2. finds that all of the conditions set forth in Section 34191.6 of the Health and Safety Code Section
3. have been satisfied and further finds that each of them is necessary for the continued maintenance
4. and preservation of property owned by the Successor Agency until disposition in accordance with

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1. the Dissolution Act, the continued administration of the ongoing enforceable obligations, or the
2. expeditious wind-down of the affairs of the Former Agency by the Successor Agency;
3. **WHEREAS**, pursuant to Section 34191.6(c) of the Health and Safety Code, the Department may make any amendments or changes to the Last and Final ROPS, provided the

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amendments or changes are agreed to by the Successor Agency in writing;

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**WHEREAS**, if approved by the Countywide Oversight Board and the Department, the

1. Last and Final ROPS is expected to take effect starting the Redevelopment Property Tax Trust
2. Fund distribution period scheduled [January 1, 20 or July 1, 20 ], or the subsequent
3. Redevelopment Property Tax Trust Fund distribution period if the Department approves the Last
4. and Final ROPS less than fifteen (15) days prior to the Redevelopment Property Tax Trust Fund
5. distribution period scheduled [January 1, 20 or July 1, 20 ];

**WHEREAS**, the accompanying staff report, and attachments, attached hereto and

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incorporated herein by this reference, provide the supporting information upon which the actions

12 set forth in this Resolution are based. 13

# NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND

1. **ORDERED** by the Countywide Oversight Board, in regular meeting assembled on [Insert Date],
2. 20 in the meeting room located on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, as follows**:**

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* 1. The Countywide Oversight Board hereby finds, resolves, and determines that the

1. foregoing recitals are true and correct and are incorporated herein by reference, and,
2. together with information provided by the [Insert name of Successor Agency] staff and
3. the public, form the basis for the approvals, findings, resolutions, and determinations
4. set forth below.
5. 2. Pursuant to the California Environmental Quality Act (CEQA), based upon a review of the evidence and information presented on the matter as it relates to the adoption of the

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Last and Final ROPS, the Countywide Oversight Board has determined that such

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approval is categorically exempt from CEQA pursuant to State CEQA Guidelines

1. Section 15061(b)(3) because there is no possibility that the approval in question will
2. have a significant impact on the environment and the amendment is merely the adoption
3. of annual budget; it will not require any construction activities and will not lead to any
4. direct or reasonably foreseeable indirect physical environmental impacts;

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* 1. 3. That the Successor Agency's Executive Director's designee is directed to file a Notice
  2. of Exemption with respect to the actions approved under this Resolution in accordance
  3. with CEQA.

4. Under Section 34191.6(a) of the Health and Safety Code, the Countywide Oversight

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Board must approve the establishment of the last and final recognized obligation

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payment schedules of the Successor Agency.

1. 5. The Countywide Oversight Board hereby approves the Last and Final ROPS attached
2. hereto as Attachment A (the "Approved Last and Final ROPS"). In connection with
3. such approval, the Countywide Oversight Board makes the specific findings set forth
4. below.
5. 6. The Countywide Oversight Board Chairperson, Successor Agency Executive Director, and Countywide Oversight Board General Counsel are collectively authorized to make

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any technical or clerical corrections to the Approved Last and Final ROPS prior to

1. filing with the Department.
2. 7. The Countywide Oversight Board hereby authorizes and directs the Executive Director
3. of the [Insert Successor Agency Name] ("Successor Agency's Director")], or the
4. Successor Agency's Director's designees, to take all actions and sign any and all
5. documents necessary to implement and effectuate the actions approved by this Resolution as determined necessary by the Successor Agency's Director, or the

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Successor Agency's Director's designee. The Countywide Oversight Board hereby

1. further authorizes and directs the Successor Agency's Executive Director, or Successor
2. Agency's Director's designee, to execute all documents on behalf of the Successor
3. Agency, and to administer the Successor Agency's obligations and duties to be
4. performed pursuant to this Resolution.
5. 8. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions

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or applications of this Resolution that can be given effect without the invalid provision

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or application, and to this end the provisions of this Resolution are severable. The

1. Countywide Oversight Board declares that the Countywide Oversight Board would
2. have adopted this Resolution irrespective of the invalidity of any particular portion of
3. this Resolution.
4. 9. The Countywide Oversight Board hereby authorizes and directs the County Executive

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* 1. Office staff and the Successor Agency staff to take all actions necessary under the
  2. Dissolution Act to file, post, mail or otherwise deliver via electronic mail, internet
  3. posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of this Resolution and to submit copies of the Approved

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Last and Final ROPS to the county administrative officer, the county auditor-controller,

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the Department, and to post the Approved Last and Final ROPS on the Successor

1. Agency's website, immediately upon the approval of this Resolution.
2. 10. Pursuant to Section 34191.6(c) of Health and Safety Code, actions taken by the
3. Countywide Oversight Board related to the approval of the Last and Final ROPS may
4. be reviewed by the Department, if necessary, the Countywide Oversight Board
5. authorizes the Successor Agency to approve modification to the approved Last and Final ROPS that are considered to be necessary, reasonable, and financially feasible to

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obtain the Department's approval or to meet the Successor Agency's financial

1. obligations under enforceable obligations included in the Last and Final ROPS
2. 11. This Resolution shall not be effective until after approval by the Department, or at the
3. time and in the manner prescribed in Health and Safety Code section 34191.6(c). 15
4. **PASSED, APPROVED, AND ADOPTED** by the Countywide Oversight Board for the
5. County of Riverside on 18

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(date) .

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1. I hereby certify the forgoing to be a true copy of a resolution passed and adopted by the Countywide
2. Oversight Board for the County of Riverside at a regular meeting thereof held on [insert date], by 3

the following vote:

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AYES: BOARD MEMBERS:

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1. NOES: BOARD MEMBERS:
2. ABSTAIN: BOARD MEMBERS:
3. ABSENT: BOARD MEMBERS: 9

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14 ATTEST:

Chairperson, Countywide Oversight Board

15 Clerk of the Countywide Oversight Board

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1. APPROVED AS TO FORM:
2. Countywide Oversight Board Legal Counsel

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By:

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1. Attachments incorporated by reference:
   1. Approved Last and Final ROPS
2. B. Successor Agency Resolution No Approving Last and Final ROPS
3. C. Successor Agency Finding of Completion

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ATTACHMENT "A"

9 APPROVED LAST AND FINAL ROPS 10

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4 ATTACHMENT "B"

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SUCCESSOR AGENCY RESOLUTION NO.

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APPROVING LAST AND FINAL ROPS

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1. ATTACHMENT "C"
2. SUCCESSOR AGENCY FINDING OF COMPLETION 3

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[behind this page]

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