

RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD

FOR THE COUNTY OF CONTRA COSTA

Adopted this Resolution on 11/09/2020 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution: 2020/32

A RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR THE COUNTY OF CONTRA COSTA APPROVING THE LOAN AND REPAYMENT AGREEMENT BETWEEN THE CITY OF SAN PABLO AND THE SAN PABLO LOCAL SUCCESSOR AGENCY

WHEREAS, pursuant to Part 1.85 of Division 24 of the California Health and Safety Code (Health and Safety Code Section 34170 et seq.; the “Dissolution Act”), all redevelopment agencies in the State of California, including the Redevelopment Agency of the City of San Pablo (the “former Redevelopment Agency”), were dissolved as of February 1, 2012; and

WHEREAS, pursuant to the Dissolution Act, the San Pablo Local Successor Agency (the “San Pablo LSA”) became the successor agency to the former Redevelopment Agency and is responsible for winding down the affairs of the former Redevelopment Agency, including the payment of all “Enforceable Obligations” (as defined in the Dissolution Act) of the former Redevelopment Agency; and

WHEREAS, the payment of Enforceable Obligations must be in accordance with a Recognized Obligation Payment Schedule (“ROPS”) of the San Pablo LSA, submitted and approved by the Countywide Oversight Board for the County of Contra Costa (the “Oversight Board”) and the State Department of Finance (“DOF”) in accordance with Section 34177(o) of the Dissolution Act; and

WHEREAS, in the event the San Pablo LSA has insufficient funds to pay Enforceable Obligations, Section 34173(h) of the Dissolution Act provides that the City may loan funds to the San Pablo LSA for the payment of Enforceable Obligations, subject to approval by the Oversight Board and DOF, and provides that an enforceable obligation shall be deemed to be created for the repayment of such loans and added to subsequent ROPS; and

WHEREAS, within the last few fiscal years, it has been necessary for the City to advance funds to pay Enforceable Obligations of the San Pablo LSA in the amount of \$1,996,862.16 (the “Prior Advances”) that have not yet been repaid to the City; the San Pablo LSA now has insufficient funds to pay Enforceable Obligations during the 2020-21 fiscal year and there is a critical need for another advance from the City in an amount not to exceed \$2,100,000.00 (the “2020-21 Advance”); and

WHEREAS, pursuant to the authority provided in Section 34173(h) of the Dissolution Act, the City and the San Pablo LSA desire to enter into a Loan and Repayment Agreement for the following purposes: (1) to memorialize and authorize the specific advances from the City to the San Pablo LSA to pay Enforceable Obligations that could not otherwise be paid by the San Pablo LSA (the Prior Advances and the 2020-21 Advance); and (2) to ensure that the funds loaned by the City representing the Prior Advances and the 2020-21 Advance shall be repaid by the San Pablo LSA as an Enforceable Obligation;

NOW, THEREFORE, the Countywide Oversight Board for the County of Contra Costa in its capacity as the Oversight Board for the San Pablo Local Successor Agency does hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein.

Section 2. Approval of Loan and Repayment Agreement. The Loan and Repayment Agreement between the City of San Pablo and the San Pablo Local Successor Agency, substantially in the form attached to this resolution, is hereby approved.

Section 3. Transmittal to DOF. The Oversight Board Secretary is hereby authorized and directed to transmit a copy of this Resolution to the State Department of Finance for its review and approval pursuant to Section 34179(h)(2) of the Dissolution Act.

PASSED AND ADOPTED this 8th of November, 2020 by the following vote:

AYES: NOES: ABSENT: ABSTAIN:

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Countywide Oversight Board, on the date shown.

ATTEST:

_____ Oversight Board Secretary

Contact:

cc: