

# THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 09/22/2015 by the following vote:

AYE: ☒ 5 **John Gioia**  
**Candace Andersen**  
**Mary N. Piepho**  
**Karen Mitchoff**  
**Federal D. Glover**

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



## Resolution No. 2015/356

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA ACTING AS THE GOVERNING BOARD OF THE SUCCESSOR AGENCY FOR THE CONTRA COSTA COUNTY REDEVELOPMENT, A SEPARATE LEGAL ENTITY, APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JANUARY THROUGH JUNE 2016 ("ROPS 15-16B") AND THE ADMINISTRATIVE BUDGET FOR THE SECOND HALF OF 2015-16 FISCAL YEAR, AND DIRECTING THE COUNTY ADMINSTRATOR TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE REQUIREMENTS ASSOCIATED WITH THIS APPROVAL

WHEREAS, pursuant to ABx1 26 as amended by AB 1484 (the "Dissolution Act"), the separate legal entity known as the Successor Agency of the Contra Costa County Redevelopment Agency (the "Successor Agency") must prepare "Recognized Obligation Payment Schedules" ("ROPS") that enumerates the enforceable obligations and expenses of the Successor Agency for each successive six-month fiscal period until the wind down and disposition of assets of the dissolved Contra Costa County Redevelopment Agency (the "Dissolved RDA") has been completed; and

WHEREAS, the Successor Agency staff has prepared a ROPS for the six-month fiscal period commencing on January 1 2016 and continuing through June 30, 2016 ("ROPS 15-16B"); and

WHEREAS, the Successor Agency received a Finding of Completion on July 18, 2013 from the Department of Finance pursuant to Health and Safety Code Section 34179.7 and as result of the Issuance of the Finding of Completion, the Successor Agency is authorized to, among others, place loan agreements between the dissolved RDA and the County on the ROPS 15-16B; and

WHEREAS, the Successor Agency will request that the Oversight Board, as part of the approval of ROPS 15-16B, to make the requisite findings and adopt a repayment schedule for the repayment of the following outstanding obligations: The Housing Asset Fund Obligation under Health and Safety Code Section 34191.4(b)(2)(C) in the approximate amount of \$5,004 and the Montalvin Manor Loan in the principal amount of \$250,277, payable pursuant to Health and Safety Code Section 34191.4(b)(2)(A). 2; and

WHEREAS, the Successor Agency staff has prepared an administrative budget for the fiscal period commencing on January 1, 2016 and continuing through June 30, 2016 ("FY 15-16B Administrative Budget"); and

WHEREAS, the Successor Agency is entitled to an administrative cost allowance (the "Administrative Cost Allowance") pursuant to Health and Safety Code Sections 34171(b) and 34183(a)(3) in the approximate amount of \$314,033 for the 2015-16 fiscal year of which \$250,000 was dispursed in July 2015 and \$64,033 will be disbursed during the ROPS 15-16B period; and

WHEREAS, under the Dissolution Act, ROPS 15-16B and the FY 15-16B Administrative Budget must be approved by the Successor Agency's oversight board (the "Oversight Board") to enable the Successor Agency to continue to make payments on enforceable obligations and to pay for administrative costs of the Successor Agency; and

WHEREAS, the Board of Supervisors, acting as the Governing Board of the Successor Agency, has considered and desires to approve the following documents, copies of which are on file with the Clerk of the Board of Supervisors (acting on behalf of the Successor Agency):

1. The ROPS 15-16B; and
2. The FY 15-16B Administrative Budget; and

WHEREAS, the ROPS 15-16B and the FY 15-16B Administrative Budget will be submitted by the Successor Agency to the Oversight Board for the Oversight Board's approval in accordance with Health and Safety Code Sections 34177 and 34180(g); and WHEREAS, the ROPS 15-16B and the FY 15-16B Administrative Budget will also be submitted by the Successor Agency to the Contra Costa County Administrative Officer, the Contra Costa County Auditor-Controller, and the State Department of Finance in accordance with Health and Safety Code Section 34179.6; and WHEREAS, approval of the ROPS 15-16B and the FY 15-16B Administrative Budget is exempt from the requirements of the California Environmental Quality Act and the applicable state and local implementing guidelines ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and WHEREAS, the accompanying staff report provides supporting information upon which the actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors, acting as the Governing Board of the Successor Agency and in accordance with the Dissolution Act, hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below; and

BE IT FURTHER RESOLVED that the Board of Supervisors finds and determines that its approval of the ROPS 15-16B and the FY 15-16B Administrative Budget is exempt from the requirements of CEQA, and the Successor Agency Executive Director, or the Executive Director's designee, is authorized to file the appropriate notice of exemption with respect to the approval of the ROPS 15-16B and the FY 15-16B Administrative Budget in accordance with CEQA; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves the ROPS 15-16B and the FY 15-16B Administrative Budget, in the respective forms on file with the Clerk of the Board of Supervisors (acting on behalf of the Successor Agency); and

BE IT FURTHER RESOLVED that the Successor Agency is authorized and directed to enter into any agreements and amendments to agreements consistent with the Dissolution Act and necessary to memorialize and implement the agreements and obligations in ROPS 15-16B and the FY 15-16B Administrative Budget as herein approved by the Successor Agency; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes and directs the Successor Agency staff, acting on behalf of the Successor Agency, to file, post, mail or otherwise deliver via electronic mail, internet posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of the ROPS 15-16B and the FY 15-16B Administrative Budget, and to take any other actions necessary to ensure the validity of the ROPS 15-16B and the validity of any enforceable obligation listed thereon and the validity of the FY 15-16B Administrative Budget and corresponding Administrative Cost Allowance. In addition, the Board of Supervisors authorizes and directs the Successor Agency staff to make such non-substantive revisions to ROPS 15-16B as may be necessary to submit ROPS 15-16B in any modified form required by the DOF, and ROPS 15-16B as so modified shall thereupon constitute ROPS 15-16B as approved by the Board of Supervisors pursuant to this Resolution; and

BE IT FURTHER RESOLVED that nothing in this Resolution shall abrogate, waive, impair or in any other manner affect the right or ability of the County, as a political subdivision of the State of California, or the Successor Agency, as a separate legal entity, to initiate and prosecute any litigation with respect to any agreement or other arrangement of the Dissolved RDA, including, without limitation, any litigation contesting the purported invalidity of such agreement or arrangement pursuant to the Dissolution Act; and

BE IT FURTHER RESOLVED that this Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

Contact: Maureen Toms, 674-7878

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

ATTESTED: September 22, 2015

David J. Twa, County Administrator and Clerk of the Board of Supervisors

  
By: Stephanie L. Mello, Deputy

cc: