

RESOLUTION NO. 2013- 01 (OB-CRA)

RESOLUTION OF THE OVERSIGHT BOARD FOR THE FORMER CITY OF CERES REDEVELOPMENT AGENCY APPROVING THE CITY OF CERES SUCCESSOR AGENCY RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD OF JULY 1, 2013 THROUGH DECEMBER 31, 2013

WHEREAS, the Ceres Redevelopment Agency (the "Agency") was a Redevelopment Agency organized and existing under the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*; hereinafter, the "CCRL") and pursuant to the CCRL was responsible for the administration of redevelopment activities within the City of Ceres; and

WHEREAS, pursuant to Ordinance No. 91-783 adopted July 15, 1991, the City Council (the "City Council") of the City of Ceres (the "City") adopted a redevelopment plan ("Redevelopment Plan") for the Ceres Redevelopment Project Area No. 1 (the "Original Project Area"); and

WHEREAS, pursuant to Ordinance No. 2002-913 adopted July 8, 2002, the City Council of the City of Ceres amended the Redevelopment Plan to add certain territory (the "Added Area") to the Original Project Area; and

WHEREAS, on a combined basis, the territory of the Original Project Area and the Added Area constitute the Redevelopment Project Area for Ceres Redevelopment Project Area No.1; and

WHEREAS, AB 1X 26 and AB 1X 27 were signed by the Governor of California on June 29, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with § 34161) ("Part 1.8") and Part 1.85 (commencing with § 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code; and

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)) alleging that AB 1X 26 and AB 1X 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding AB 1X 26, invalidating AB 1X 27, and holding that AB 1X 26 may be severed from AB 1X 27 and enforced independently; and

WHEREAS, as a result of the Supreme Court's decision, on February 1, 2012, all California redevelopment agencies were dissolved and successor agencies were designated as successor entities to the former redevelopment agencies; and

WHEREAS, on August 25, 2011, the Agency adopted Resolution No. 2011-13 CRA approving an original Enforceable Obligation Payment Schedule (the "EOPS"); and

WHEREAS, on January 23, 2012, the Agency adopted Resolution No. 2012-01 CRA approving an amended EOPS; and,

WHEREAS, the Agency prepared a ROPS for the time period of 7/1/13 through 12/31/13 and once approved will be posted to the City Internet Web site; and

WHEREAS, the Agency's proposed ROPS, which is consistent with the requirements of Health and Safety Code § 34177(1)(3), is attached to this Resolution as Exhibit "A"; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the Agency's environmental guidelines; and

WHEREAS, this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines § 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per § 15378(b)(5) of the Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board of the Successor Agency of the former City of Ceres Redevelopment Agency, as follows:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The Agency's ROPS, which is attached hereto as Exhibit "A", is approved and adopted.
- Section 3.** The Acting Executive Director, or designee, is hereby authorized and directed to: i) post the ROPS for the period of July 1, 2013 through December 31, 2013 on the City's website; ii) transmit the ROPS to the OS Board for their review; iii) subsequent to OS Board approval, transmit the ROPS to the County Auditor-Controller, County Administrative Officer, the State Controller and the State Department of Finance; and iv) make ministerial revisions to the ROPS, take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution, and to implement the ROPS on behalf of the Successor Agency, including authorizing and causing such payments.
- Section 4.** The Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines § 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per § 15378(b)(5) of the Guidelines.
- Section 5.** This Resolution shall take effect upon the date of its adoption.

PASSED AND ADOPTED by the Oversight Board to the Successor Agency of the former City of Ceres Redevelopment Agency at a regular meeting thereof held on the 28th day of February 2013 by the following vote:

AYES: Boardmembers Anderson, Briggs, Boyd, Hallinan, Lyons, Chair DeMartini

NOES: None

ABSENT: Boardmember Siegel

ABSTAIN: None

APPROVED:


Jim DeMartini, Chairperson

ATTEST:


Cindy Heiflorn, Secretary

Successor Agency

ID: 362
County: Stanislaus
Successor Agency: Ceres

Primary Contact

Honorific (Ms, Mr, Mrs)
First Name
Last Name
Title
Address

City
State
Zip
Phone Number
Email Address

Mr.
Bryan
Briggs
Economic Development Manager
2720 2nd Street
Ceres
CA
95307-3292
1-209-538-5756
bryan.briggs@ci.ceres.ca.us

Secondary Contact

Honorific (Ms, Mr, Mrs)
First Name
Last Name
Title
Phone Number
Email Address

