

COUNTYWIDE OVERSIGHT BOARD
FOR THE COUNTY OF RIVERSIDE

SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE
CITY OF LAKE ELSINORE

RESOLUTION NO. 2019-024

**A RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR
THE COUNTY OF RIVERSIDE APPROVING THE RECOGNIZED
OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE
BUDGET FOR THE PERIOD JULY 1, 2019 THROUGH JUNE 30, 2020
FOR THE LAKE ELSINORE SUCCESSOR AGENCY AND MAKING
RELATED FINDINGS AND DECLARATIONS AND TAKING
RELATED ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Redevelopment Agency for the City of Lake Elsinore (the “Former Agency”) was formed, existed and exercised its powers pursuant to the Community Redevelopment Law (California Health and Safety Code section 33000 et seq. the “CRL”);

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

WHEREAS, pursuant to Section 34173 of the Health and Safety Code, effective February 1, 2012 the Successor Agency to the Redevelopment Agency of the City of Lake Elsinore, a separate legal entity (the “Successor Agency”) was formed to and charged with paying the enforceable obligations, disposing of the properties and other assets, and unwinding the affairs of the dissolved Former Agency;

WHEREAS, upon dissolution of the Former Agency, all authority, rights, powers, duties 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 a separate legal entity effective June 27, 2012;

1 **WHEREAS**, Section 34179(j) of the Health and Safety Code provides for the
2 appointment of a countywide oversight board (the “Countywide Oversight Board”) with specific
3 duties to approve certain Successor Agency actions pursuant to Section 34180 of the Health and
4 Safety Code and to direct the Successor Agency in certain other actions pursuant to Section
5 34181 of the Health and Safety Code;

6 **WHEREAS**, the Successor Agency staff has prepared the proposed Recognized
7 Obligation Payment Schedule for the period of July 1, 2019 through June 30, 2020 (“ROPS FY
8 2019-20”), substantially in the form shown in Attachment “A”, attached hereto and incorporated
9 herein by this reference;

10 **WHEREAS**, the Successor Agency staff has prepared an administrative budget for the
11 fiscal period commencing on July 1, 2019 and continuing through June 30, 2020 (“FY 2019-20
12 Administrative Budget”), substantially in the form shown in Attachment “B”, attached hereto
13 and incorporated herein by this reference;

14 **WHEREAS**, the Successor Agency is entitled to an administrative cost allowance (the
15 “Administrative Cost Allowance”) pursuant to Sections 34171(b) and 34183(a)(3) of the Health
16 and Safety Code in the approximate amount of \$293,080.00 for the 2019-20 fiscal year of which
17 approximately \$146,540 will be disbursed July 1, 2019 and approximately \$146,540 will be
18 disbursed January 2, 2020;

19 **WHEREAS**, the City Council of Lake Elsinore acting in its capacity as the governing
20 board of the Successor Agency, approved the ROPS FY 2019-20 and FY 2019-20
21 Administrative Budget by adoption of Resolution No. 2019-02, shown in Attachment “C”,
22 attached hereto and incorporated herein by this reference;

23 **WHEREAS**, by adoption of Resolution No. 2019-02, the Successor Agency’s governing
24 board represents and warrants that it examined all of the items on the ROPS FY 2019-20 and
25 finds that each of them is necessary for the continued maintenance and preservation of property
26 owned by the Successor Agency until disposition in accordance with the Dissolution Act, the
27 continued administration of the ongoing enforceable obligations, or the expeditious wind-down
28 of the affairs of the Former Agency by the Successor Agency;

WHEREAS, pursuant to Section 34177 and 34180(g) of the Health and Safety Code, the
ROPS FY 2019-20 and FY 2019-20 Administrative Budget must be submitted to the
Countywide Oversight Board for the Countywide Oversight Board’s approval; and

1 **WHEREAS**, the accompanying staff report, and attachments, attached hereto and
2 incorporated herein by this reference, provide the supporting information upon which the actions
3 set forth in this Resolution are based.

4 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**
5 **ORDERED** by the Countywide Oversight Board, in regular meeting assembled on January 17,
6 2019 in the meeting room located on the 1st floor of the County Administrative Center, 4080
7 Lemon Street, Riverside, California, as follows:

- 8 1. The Countywide Oversight Board hereby finds, resolves, and determines that the
9 foregoing recitals are true and correct and are incorporated herein by reference, and,
10 together with information provided by the Successor Agency to the Redevelopment
11 Agency of the City of Lake Elsinore staff and the public, form the basis for the
12 approvals, findings, resolutions, and determinations set forth below.
- 13 2. Pursuant to the California Environmental Quality Act (CEQA), based upon a review
14 of the evidence and information presented on the matter as it relates to the adoption of
15 the ROPS FY 2019-20 and the Administrative Budget FY 2019-20, the Countywide
16 Oversight Board has determined that such approval is categorically exempt from
17 CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines because there
18 is no possibility that the activities in question will have a significant impact on the
19 environment and is merely the adoption of the annual budget; it will not require any
20 construction activities and will not lead to any direct or reasonably foreseeable
21 indirect physical environmental impacts;
- 22 3. That the Successor Agency’s Executive Director’s designee is directed to file a
23 Notice of Exemption with respect to the actions approved under this Resolution in
24 accordance with CEQA.
- 25 4. Under Section 34180(g) of the Health and Safety Code, the Countywide Oversight
26 Board must approve the establishment of the recognized obligation payment
27 schedules of the Successor Agency.
- 28 5. The Countywide Oversight Board hereby approves the ROPS FY 2019-20 attached
 hereto as Attachment A (the “Approved ROPS FY 2019-20”). In connection with
 such approval, the Countywide Oversight Board makes the specific findings set forth
 below.

- 1 6. The Countywide Oversight Board has examined the items on the Approved ROPS FY
2 2019-20 and finds that each of them is necessary for the continued maintenance and
3 preservation of property owned by the Successor Agency until disposition in
4 accordance with the Dissolution Act, the continued administration of the ongoing
5 agreements herein approved by the Countywide Oversight Board, or the expeditious
6 wind-down of the affairs of the Dissolved RDA by the Successor Agency.
- 7 7. The Countywide Oversight Board Chairperson, Successor Agency Executive
8 Director, and Countywide Oversight Board General Counsel are collectively
9 authorized to make any technical or clerical corrections to the Approved ROPS FY
10 2019-20 prior to filing with the Department.
- 11 8. Under Section 34177(j) of the Health and Safety Code, the Countywide Oversight
12 Board must approve the Administrative Budget for the Successor Agency.
- 13 9. In accordance with the Dissolution Act, the Countywide Oversight Board hereby
14 approves the FY 2019-20 Administrative Budget, attached hereto as Attachment B
15 (the "Approved Administrative Budget").
- 16 10. The Countywide Oversight Board hereby authorizes and directs the Executive
17 Director of the Successor Agency to the Redevelopment Agency of the City of Lake
18 Elsinore ("Successor Agency's Director"), or the Successor Agency's Director's
19 designees, to take all actions and sign any and all documents necessary to implement
20 and effectuate the actions approved by this Resolution as determined necessary by the
21 Successor Agency's Director, or the Successor Agency's Director's designee. The
22 Countywide Oversight Board hereby further authorizes and directs the Successor
23 Agency's Director, or Successor Agency's Director's designee, to execute all
24 documents on behalf of the Successor Agency, and to administer the Successor
25 Agency's obligations and duties to be performed pursuant to this Resolution.
- 26 11. If any provision of this Resolution or the application of any such provision to any
27 person or circumstance is held invalid, such invalidity shall not affect other
28 provisions or applications of this Resolution that can be given effect without the
invalid provision or application, and to this end the provisions of this Resolution are
severable. The Countywide Oversight Board declares that the Countywide Oversight
Board would have adopted this Resolution irrespective of the invalidity of any
particular portion of this Resolution.

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12. The Countywide Oversight Board hereby authorizes and directs the County Executive Office staff and the Successor Agency staff to take all actions necessary under the Dissolution Act 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 this Resolution.

13. Pursuant to Health and Safety Code Section 34179, specified actions taken by the Countywide Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective until five (5) business days after approval, subject to a request for review by the State of California Department of Finance, or at the time and in the manner prescribed in Section 34179(h) of the Health and Safety Code.

PASSED, APPROVED, AND ADOPTED by the Countywide Oversight Board for the County of Riverside on January 30, 2019.

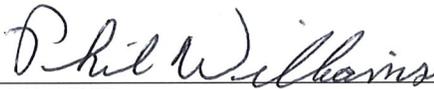
1 I hereby certify the foregoing to be a true copy of a resolution passed and adopted by the
2 Countywide Oversight Board for the County of Riverside at a regular meeting thereof held on
3 January 30, 2019 by the following vote:
4

5 AYES: 7 BOARD MEMBERS: Supervisor Washington, Mike Gardner,
6 Phil Williams, James Whittington, Aaron Brown, Tami Scott,
7 Niamh Ortega

8 NOES: BOARD MEMBERS:

9 ABSTAIN: BOARD MEMBERS:

10 ABSENT: BOARD MEMBERS:

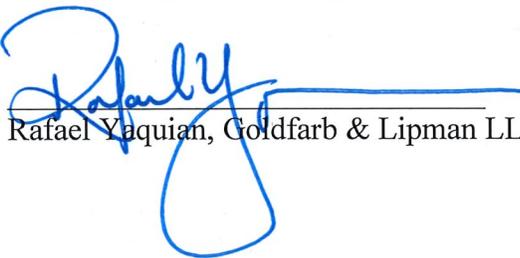
11 
12 Phil Williams
13 Chairperson, Countywide Oversight Board

14 ATTEST:

15 
16 Kimberly Rector,
17 Clerk of the Countywide Oversight Board

18 APPROVED AS TO FORM:

19 Countywide Oversight Board Legal Counsel

20
21 By: 
22 Rafael Yaquian, Goldfarb & Lipman LLP
23
24
25

26 Attachments incorporated by reference:

- 27 A. Approved ROPS FY 2019-20
28 B. Approved Administrative Budget
C. Successor Agency Resolution No. 2019-02 Approving ROPS and Administrative Budget

ATTACHMENT "A"
APPROVED ROPS FY 2019-20

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ATTACHMENT "B"
APPROVED ADMINISTRATIVE BUDGET

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ATTACHMENT "C"
SUCCESSOR AGENCY RESOLUTION NO. 2019-02
APPROVING ROPS AND ADMINISTRATIVE BUDGET

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