

COUNTYWIDE OVERSIGHT BOARD
FOR THE COUNTY OF RIVERSIDE

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

RESOLUTION NO. 2022 - 023

**RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR
COUNTY OF RIVERSIDE APPROVING THE RECOGNIZED
OBLIGATION PAYMENT SCHEDULE (ROPS 22-23) AND
ADMINISTRATIVE BUDGET FOR THE PERIOD JULY 1, 2022
THROUGH JUNE 30, 2023 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

1 housing assets and functions) under the CRL vested in the Successor Agency, which was declared
2 a separate legal entity effective June 27, 2012;

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

8 **WHEREAS**, the Successor Agency staff has prepared the proposed Recognized
9 Obligation Payment Schedule for the period of July 1, 2022 through June 30, 2023 (“ROPS FY
10 2022-23”), substantially in the form shown in Attachment “A”, attached hereto and incorporated
11 herein by this reference;

12 **WHEREAS**, the Successor Agency staff has prepared an administrative budget for the
13 fiscal period commencing on July 1, 2022 and continuing through June 30, 2023 (“FY 2022-23
14 Administrative Budget”), substantially in the form shown in Attachment “B”, attached hereto and
15 incorporated herein by this reference;

16 **WHEREAS**, the Successor Agency is entitled to an administrative cost allowance (the
17 “Administrative Cost Allowance”) pursuant to Sections 34171(b) and 34183(a)(3) of the Health
18 and Safety Code in the approximate amount of \$513,657 for the 2022-23 fiscal year of which
19 approximately \$256,829 will be disbursed July 1, 2022 and approximately \$256,829 will be
20 disbursed January 2, 2023;

21 **WHEREAS**, the City Council of Lake Elsinore acting in its capacity as the governing
22 board of the Successor Agency, approved the ROPS FY 2022-23 and FY 2022-23 Administrative
23 Budget by adoption of Resolution No. 2022-02, shown in Attachment “C”, attached hereto and
24 incorporated herein by this reference;

25 **WHEREAS**, under Resolution No. 2022-02, the Successor Agency’s governing board
26 represents and warrants that it examined all of the items on the ROPS FY 2022-23 and finds that
27 each of them is necessary for the continued maintenance and preservation of property owned by
28 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;

1 **WHEREAS**, pursuant to Section 34177 and 34180(g) of the Health and Safety Code, the
2 ROPS FY 2022-23 and FY 2022-23 Administrative Budget must be submitted to the Countywide
3 Oversight Board for the Countywide Oversight Board's approval; and

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

7 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**
8 **ORDERED** by the Countywide Oversight Board, in regular meeting assembled on January 20,
2022 in Riverside, California, as follows:

- 9 1. The Countywide Oversight Board hereby finds, resolves, and determines that the
10 foregoing recitals are true and correct and are incorporated herein by reference, and,
11 together with information provided by the Successor Agency to the Redevelopment
12 Agency of the City of Lake Elsinore staff and the public, form the basis for the
13 approvals, findings, resolutions, and determinations set forth below.
- 14 2. Pursuant to the California Environmental Quality Act (CEQA), based upon a review of
15 the evidence and information presented on the matter as it relates to the adoption of the
16 ROPS FY 2022-23 and the Administrative Budget FY 2022-23, the Countywide
17 Oversight Board has determined that such approval is categorically exempt from
18 CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines because there is
19 no possibility that the activities in question will have a significant impact on the
20 environment and the approval is merely the adoption of annual budget and will not
21 require any construction activities and will not lead to any direct or reasonably
22 foreseeable indirect physical environmental impacts;
- 23 3. That the Successor Agency's Executive Director's designee is directed to file a Notice
24 of Exemption with respect to the actions approved under this Resolution in accordance
25 with CEQA.
- 26 4. Under Section 34180(g) of the Health and Safety Code, the Countywide Oversight
27 Board must approve the establishment of the recognized obligation payment schedules
28 of the Successor Agency.
5. The Countywide Oversight Board hereby approves the ROPS FY 2022-23 attached
 hereto as Attachment A (the "Approved ROPS FY 2022-23"). 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 2022-23 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 Director,
8 and Countywide Oversight Board General Counsel are collectively authorized to make
9 any technical or clerical corrections to the Approved ROPS FY 2022-23 prior to filing
10 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 2022-23 Administrative Budget, attached hereto as Attachment B (the
15 “Approved Administrative Budget”).
- 16 10. The Countywide Oversight Board hereby authorizes and directs the Executive Director
17 of the Successor Agency to the Redevelopment Agency of the City of Lake Elsinore
18 (“Successor Agency’s Director”), or the Successor Agency’s Director’s designees, to
19 take all actions and sign any and all documents necessary to implement and effectuate
20 the actions approved by this Resolution as determined necessary by the Successor
21 Agency’s Director, or the Successor Agency’s Director’s designee. The Countywide
22 Oversight Board hereby further authorizes and directs the Successor Agency’s
23 Executive 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 provisions
28 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.

1 12. The Countywide Oversight Board hereby authorizes and directs the County Executive
2 Office staff and the Successor Agency staff to take all actions necessary under the
3 Dissolution Act to file, post, mail or otherwise deliver via electronic mail, internet
4 posting, and/or hardcopy, all notices and transmittals necessary or convenient in
5 connection with the approval of this Resolution.

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

12 **PASSED, APPROVED, AND ADOPTED** by the Countywide Oversight Board for the
13 County of Riverside on January 20, 2022.

I hereby certify the forgoing to be a true copy of a resolution passed and adopted by the Countywide Oversight Board for the County of Riverside at a regular meeting thereof held on January 20, 2022, by the following vote:

AYES: 7 BOARD MEMBERS: Tami Scott, Aaron Brown, Chuck Washington, Kathleen Kelly, Scott Price, Phil Williams, Niamh Ortega

NOES: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

DocuSigned by:
Tami Scott
38CC6C88862447C
Tami Scott
Chairperson, Countywide Oversight Board

ATTEST:

DocuSigned by:
Kimberly Rector
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Kimberly Rector
Clerk of the Countywide Oversight Board

APPROVED AS TO FORM:

Countywide Oversight Board Legal Counsel

By: Rafael Yaquian
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Rafael Yaquian, Goldfarb & Lipman LLP

Attachments incorporated by reference:

A. Approved ROPS FY 2022-23

- 1 B. Approved Administrative Budget 2022-23
- 2 C. Successor Agency Resolution No. 2022-02 Approving ROPS and Administrative Budget
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ATTACHMENT "A"
APPROVED ROPS FY 2022-23

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ATTACHMENT "B"

APPROVED ADMINISTRATIVE BUDGET 2022-23

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ATTACHMENT "C"
SUCCESSOR AGENCY RESOLUTION NO. 2022-02
APPROVING ROPS AND ADMINISTRATIVE BUDGET

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