

RESOLUTION 2015-04

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DINUBA IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE DINUBA REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD OF JANUARY THROUGH JUNE OF 2016

WHEREAS, as a result of Assembly Bill X1 26 (Blumenfield)("AB 26"), which was signed by the Governor on June 28, 2011 and confirmed by the Supreme Court (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)) on December 29, 2011, all California redevelopment agencies were dissolved as of February 1, 2012 and successor entities became responsible for winding down the affairs of the former redevelopment agencies; and

WHEREAS, consistent with the provisions of AB 26, on January 24, 2012, the City Council adopted Resolution No. 2012-08 confirming the City Council's election to serve in the capacity of the Successor Agency to the Dinuba Redevelopment Agency (the "Successor Agency"); and

WHEREAS, the Successor Agency is now responsible for winding down the affairs of the former Dinuba Redevelopment Agency consistent with the applicable provisions of the California Health and Safety Code; and

WHEREAS, among other things, Health and Safety Code § 34177 requires successor agencies to continue to make payments due for enforceable obligations; and

WHEREAS, Health and Safety Code § 34171 requires the Successor Agency to adopt an ROPS, which may be amended at any public meeting and shall be subject to the approval of the Oversight Board; and

WHEREAS, the Successor Agency's ROPS, which is consistent with the requirements of Health and Safety Code, is attached to this Resolution 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, §§ 15000 *et seq.*, hereafter the "Guidelines"), and the City'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 City Council of the City of Dinuba, acting in its capacity as the Successor Agency to the Dinuba Redevelopment Agency, as follows:

Section 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

- Section 2.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the City of any rights the City may have to challenge the effectiveness and/or legality of all or any portion of AB 1X 26 through administrative or judicial proceedings.
- Section 3.** The Successor Agency's ROPS for the period of January to June of 2016, which is attached hereto as Exhibit 'A', is approved and adopted.
- Section 4.** The City Manager, or designee, is hereby authorized and directed to: i) post the ROPS on the City's website; ii) notify the County Auditor-Controller, the State Controller and the State Department of Finance concerning this Resolution, in accordance with the applicable provisions of the Health and Safety Code; and iii) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution, to implement the ROPS on behalf of the Successor Agency, including making such payments.
- Section 5.** 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 6.** This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED AND ADOPTED this 22nd day of September 2015.



Scott Harness, Vice Chair
Dinuba Successor Agency Board

APPROVED AS TO FORM

ATTEST:



Secretary / Deputy City Clerk