

# **RESOLUTION NO. 2012-01**

## **ADOPTED BY THE OVERSIGHT BOARD FOR REDEVELOPMENT AGENCY SUCCESSOR AGENCY COUNTY OF SACRAMENTO**

ON DATE OF

**April 30, 2012**

## **APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE REDEVELOPMENT AGENCY SUCCESSOR AGENCY COUNTY OF SACRAMENTO**

**WHEREAS**, Pursuant to Health and Safety Code section 34173(d), on January 24, 2012, the County of Sacramento elected to serve as the successor agency to the Redevelopment Agency of the County of Sacramento (“Redevelopment Agency”) for its non-housing assets and functions, by County Resolution No. 2012-0051. By this action, the County of Sacramento became the Redevelopment Agency Successor Agency as of February 1, 2012, and

**WHEREAS**, the Oversight Board for the Sacramento County Redevelopment Agency Successor Agency has been formed pursuant to Health and Safety Code section 34179, and

**WHEREAS**, in accordance with Health and Safety Code section 34177(1)(2), as modified by the Supreme Court opinion in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, the Sacramento County Redevelopment Agency Successor Agency prepared the initial draft of the Recognized Obligations Payment Schedule by the revised March 1, 2012 deadline. The initial draft of the Recognized Obligations Payment Schedule lists all of the outstanding obligations of the dissolved Redevelopment Agency and the payments owed from January 1, 2012 through June 30, 2012. The initial draft of the Recognized Obligations Payment Schedule was sent to the County Auditor-Controller and to the State Department of Finance pursuant to their request by March 15, 2012, and

**WHEREAS**, On April 10, 2012, the initial draft of the Recognized Obligations Payment Schedule was updated and approved by the Sacramento County Board of Supervisors acting as the board of the Redevelopment Agency Successor Agency, by Resolution No. 2012-0217. The

revised initial draft of the Recognized Obligations Payment Schedule was posted on the Redevelopment Agency Successor Agency’s website, and submitted to the State Controller and the State Department of Finance by the April 15, 2012 submittal deadline, as set forth in Health and Safety Code section 34177(1)(2) and(3), and

**WHEREAS**, the initial draft of the Recognized Obligations Payment Schedule is subject to certification by the County Auditor-Controller based on an audit of the records of the dissolved Redevelopment Agency. Under Health and Safety Code section 34182(a) and (b), the County Auditor-Controller’s audit is to be completed by July 1, 2012, and its findings are to be reported to the State Controller, the Oversight Board, and the Sacramento County Redevelopment Agency Successor Agency by July 15, 2012, and

**WHEREAS**, under Health and Safety Code section 34177(a)(1), the initial draft of the Recognized Obligations Payment Schedule is to become effective on May 1, 2012, so that after that date, payments would be made in accordance with the approved Recognized Obligations Payment Schedule. Prior to May 1, 2012, payments for the obligations of the dissolved Redevelopment Agency were made by the Sacramento County Redevelopment Agency Successor Agency pursuant to the Enforceable Obligations Payment Schedule adopted by the Redevelopment Agency on January 24, 2012 by Resolution No. RA-0934, and

**WHEREAS**, the Recognized Obligations Payment Schedule (ROPS) is subject to the approval of the Oversight Board prior to the May 1, 2012 effective date. Since the County Auditor Controller has not completed its audit of the dissolved agency’s records, and the State Controller and the State Department of Finance have not completed their review of the initial draft of the Recognized Obligations Payment Schedule, the Board’s action in approving the ROPS is conditional because it may be subsequently modified based on such additional Information, and

**WHEREAS**, under Health and Safety Code section 34177(1)(3), the Recognized Obligations Payment Schedule is to be forward looking to the next six month period, so the ROPS will be continually updated for each six month fiscal period, and submitted to the Oversight Board for approval.

**NOW, THEREFORE**, BE IT RESOLVED BY THE OVERSIGHT BOARD OF THE REDEVELOPMENT AGENCY SUCCESSOR AGENCY OF THE COUNTY OF SACRAMENTO

Section 1. The approval of the ROPS by this Resolution does not commit the Oversight Board or the Sacramento County Redevelopment Agency Successor Agency to any action that may have a significant effect on the environment for planned redevelopment projects on the ROPS which have not yet been subject to environmental review under the California Environmental Quality Act. For such projects, the ROPS is a budgeting document to allocate funds for project construction contingent on completion of the required planning, design and environmental review process.

Section 2. The Oversight Board hereby approves and adopts the ROPS, included as Attachment 2 to the staff report, pursuant to Health and Safety Code section 34177.

Section 3. The Oversight Board hereby directs the Sacramento County Redevelopment Agency Successor Agency follows: 1) to make payments due in accordance with the approved ROPS, 2) to submit a copy of the approved ROPS to the State Controller, the State Department of Finance and the County Auditor-Controller, 3) to post the adopted ROPS on the Successor Agency's website.

Section 4. The adoption of the ROPs shall be effective as provided in Health and Safety Code section 34179(h).

Section 5. If the State Department of Finance requests review of certain enforceable obligations on the ROPS, the remainder of the projects, contracts or obligations identified in the ROPS shall not be affected by such action and shall be effective within the time period specified in Health and Safety Code section 34179(h).

Section 6. The ROPS shall be subject to amendment upon completion of the County Auditor Controllers agreed upon procedures audit or upon comments received after State Department of Finance review.

On a motion by Member Peterson, seconded by Member Givans, the foregoing Resolution was passed and adopted by the Oversight Board for the Redevelopment Agency Successor Agency of the County of Sacramento, State of California this 30<sup>th</sup> day of April, 2012, by the following vote, to wit:

AYES: Members, Dozier, Givans, Peterson, Rosa, Sharpe

NOES: Members, none

ABSENT: Members, Campo, Sanchez

ABSTAIN: Members, none



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Chair of the Oversight Board for the  
Redevelopment Agency Successor Agency  
of Sacramento County, California

ATTEST: 

Oversight Board Clerk