

OVERSIGHT BOARD RESOLUTION NO. 2016-02

CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF SOUTH GATE APPROVING AN AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 16-17B FISCAL PERIOD OF JANUARY 1, 2017 TO JUNE 30, 2017, SUBJECT TO SUBMITTAL TO, AND REVIEW BY, THE STATE DEPARTMENT OF FINANCE UNDER CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 24, PART 1.85, AND AUTHORIZING THE POSTING AND TRANSMITTAL THEREOF

WHEREAS, the Community Development Commission of the City of South Gate (“Former Agency”) previously was a public body, corporate and politic, formed, organized, existing and exercising its powers pursuant to Section 34100, *et seq.* of the California Health and Safety Code, and exercised the powers, authority, functions, and jurisdiction of a community redevelopment agency formed, organized, existing and exercising its powers pursuant to the California Community Redevelopment Law, Health and Safety Code, Section 33000, *et seq.* (“CRL”), and specifically formed by the City Council (“City Council”) of the City of South Gate (“City”); and

WHEREAS, Assembly Bill x1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former agencies, including as such laws were amended by Assembly Bill 1484 and other subsequent legislation including Senate Bill 107 (together, the “Dissolution Law”); and

WHEREAS, as of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Law, and as a separate public entity, corporate and politic, the Successor Agency to the Community Development Commission of the City of South Gate (“Successor Agency”) administers the enforceable obligations of the Former Agency and otherwise unwinds the Former Agency’s affairs, all subject to the review and approval by a seven-member oversight board (“Oversight Board”); and

WHEREAS, pursuant to Section 34179, the Successor Agency’s Oversight Board has been formed and the initial meeting occurred on March 29, 2012; and

WHEREAS, Section 34179 provides that the Oversight Board has fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of Part 1.85 of the Dissolution Law; and

WHEREAS, Sections 34177(m), 34177(o) and 34179 provide that each ROPS is submitted to, reviewed and approved by the Successor Agency and then reviewed and approved by the Oversight Board before final review and approval by the State Department of Finance (“DOF”); and

WHEREAS, Section 34177(o)(1)(E) authorizes that “[o]nce per Recognized Obligation Payment Schedule period, and no later than October 1, a successor agency may submit one amendment to the Recognized Obligation Payment Schedule approved by the department pursuant to this subdivision, if the oversight board makes a finding that a revision is necessary for the payment of approved enforceable obligations during the second one-half of the Recognized Obligation Payment Schedule period, which shall be defined as January 1 to June 30, inclusive. A successor agency may only amend the amount requested for payment of approved enforceable obligations. The revised Recognized Obligation Payment Schedule shall be approved by the oversight board and submitted to the department by electronic means in a manner of the department’s choosing. The department shall notify the successor agency and the county auditor-controller as to the outcome of the department’s review at least 15 days before the date of the property tax distribution.” and;

WHEREAS, the Oversight Board has reviewed the amendments to ROPS 16-17B presented by the Successor Agency and desires to approve the amendment of ROPS 16-17B, and to authorize the Successor Agency to cause posting of ROPS 16-17B, as amended, on the City’s website: (<http://www.cityofsouthgate.org/247/Successor-Agency>), and to direct transmittal of such ROPS 16-17B, as amended, to the DOF, with copies to the County Administrative Officer, the County Auditor-Controller, and the State Controller’s Office.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

SECTION 2. The Oversight Board hereby finds that the revisions set forth in ROPS 16-17B, as amended, for monies from the Redevelopment Property Tax Trust Fund (“RPTTF”) during the fiscal period of January 1 to June 30, 2017 are necessary for the payment of DOF-approved enforceable obligations during the ROPS 16-17B period, which finding is made in furtherance of and in intended compliance with Section 34177(o)(1)(E).

SECTION 3. Under the Dissolution Law, the Oversight Board approves the ROPS 16-17B, as amended, which is included as Attachment 1 and incorporated by this reference; provided however, that the ROPS 16-17B, as amended, is approved subject to the condition that such ROPS, as amended, is to be submitted to and reviewed by the DOF. Further, the Director of Administrative Services or her authorized designee, in consultation with legal counsel, shall be authorized to request and complete meet and confer session(s) with the DOF and make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

SECTION 4. The Oversight Board authorizes transmittal of the ROPS 16-17B, as amended, to the DOF with copies to the County Administrative Officer, the County Auditor-Controller, and the State Controller’s Office.

SECTION 5. The Director of Administrative Services, or her authorized designee, is directed to post this Resolution, including the ROPS 16-17B, as amended, on the City’s website pursuant to the Dissolution Law.

SECTION 6. Pursuant to Section 34179(h) written notice and information about certain actions taken by the Oversight Board shall be provided to the DOF by electronic means and in a manner of DOF's choosing. An Oversight Board's action shall become effective five (5) business days after notice in the manner specified by the DOF unless the DOF requests a review; provided however, that pursuant to Section 34177(m) as to each ROPS submitted the DOF shall make its determination of the enforceable obligations and the amounts and funding sources of the enforceable obligations thereon no later than 45 days after submittal.

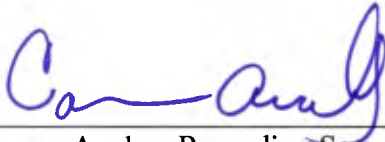
SECTION 7. The Recording Secretary of the Oversight Board shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 12th day of September 2016.



W. H. (Bill) De Witt, Chair
Oversight Board of the Successor Agency to the
Community Development Commission of the
City of South Gate

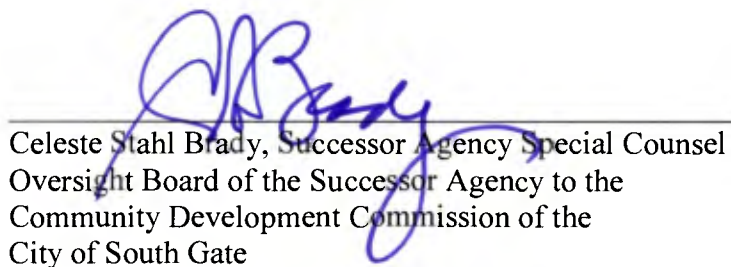
ATTEST:



Carmen Avalos, Recording Secretary
Oversight Board of the Successor Agency to the
Community Development Commission of the
City of South Gate

(SEAL)

APPROVED AS TO FORM:



Celeste Stahl Brady, Successor Agency Special Counsel
Oversight Board of the Successor Agency to the
Community Development Commission of the
City of South Gate

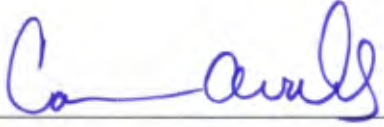
RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH GATE)

I, Carmen Avalos, Secretary of the Oversight Board of the Successor Agency to the Community Development Commission of the City of South Gate, California, hereby certify that the whole number of Members of the Oversight Board of said City is seven; that Resolution No. 2016-02 was adopted by the Oversight Board at their Meeting held on September 12, 2016, by the following vote:

Ayes:	Board Members:	De Witt, Liday, Bokde, Shidler, Torres, Morales and Delawalla
Noes:	Board Members:	None
Absent:	Board Members:	None
Abstain:	Board Members:	None

Witness my hand and the seal of said City on September 12, 2016.



Carmen Avalos, Secretary
Oversight Board of the Successor Agency
to the Community Development Commission
of the City of South Gate, California