

RESOLUTION NO. 40 (SAS) Oversight Board

A RESOLUTION OF THE SANTA MONICA REDEVELOPMENT SUCCESSOR  
AGENCY OVERSIGHT BOARD APPROVING AND ADOPTING THE  
ADMINISTRATIVE BUDGET FOR THE PERIODS JULY 2017 – DECEMBER 2042,  
INCLUSIVE

WHEREAS, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.), the City Council of the City of Santa Monica (the "Council") adopted the Earthquake Recovery Redevelopment Project by Ordinance No. 1747 (CCS) on June 21, 1994, the Downtown Redevelopment Project by Ordinance No. 1021 (CCS) on January 13, 1976, the Ocean Park 1A Project by Ordinance No. 497 (CCS) on June 30, 1960, and the Ocean Park 1B Project by Ordinance No. 516 (CCS) on January 24, 1961 (collectively the "Redevelopment Plans"); and

WHEREAS, the California Legislature adopted, and the Governor signed, Assembly Bill No. x1 26 and 27 x1 (2011-2012 1<sup>st</sup> Ex. Sess.) enacted as Stats. 2011, 1<sup>st</sup> Ex. Sess. 2011-2012, chs. 5-6 (hereinafter AB 26 and AB 27) into law; and

WHEREAS, in July 2011, *California Redevelopment Agency v. Matosantos* was filed in the California Supreme Court, challenging the constitutionality of AB 26 and AB 27, and on December 29, 2011, the Supreme Court issued its opinion in *Matosantos*, upholding AB 26 and exercising its power of reformation to revise and extend each effective date or deadline for performance of an obligation in part 1.85 of division 24 of the California Health and Safety Code, and invalidating AB 27; and

WHEREAS, the City of Santa Monica is the designated Successor Agency of the Redevelopment Agency of the City of Santa Monica, within the meaning of AB 26; and

WHEREAS, Section 34177(j) of the California Health and Safety Code provides that the

Successor Agency shall prepare an administrative budget ("Administrative Budget") attached as Exhibit I; and

WHEREAS, the Administrative Budget shall include the following:

- (1) Estimated amounts for successor agency administrative costs for each annual fiscal period;
- (2) Proposed sources of payment for the costs identified in subparagraph (1);
- (3) Proposals for arrangements for administrative and operations services provided by a city, county, city and county, or other entity; and

WHEREAS, SB 107 authorizes the Santa Monica Redevelopment Successor Agency to submit a Last and Final Recognized Obligation Payment Schedule, which lists the remaining enforceable obligations and the total outstanding obligation and a schedule of remaining payments for each enforceable obligation, for approval by the Department of Finance if specified conditions are met as set forth under Section 34191.6(a) of the Redevelopment Law; and

WHEREAS, on February 14, 2012, the Successor Agency approved a Reimbursement Agreement by and between the City of Santa Monica and the Successor Agency, Contract No. 9549 (CCS/RAS/SA), in accordance with Section 34171(d)(1)(F) of the California Health and Safety Code; and

WHEREAS, the Successor Agency is required to provide estimated actual property tax distributions to the Los Angeles County Auditor-Controller for the periods beginning July 1, 2017 and ending December 31, 2042; and

WHEREAS, under Title 14 of the California Code of Regulations, Section 15061(b)(3),

the approval of the Administrative Budget(s) is exempt from the requirements of the California Environmental Quality Act ("CEQA"), in that it is not a project as the adoption of the Administrative Budget(s) will not have the potential of causing a significant environmental effect and it can be seen with certainty that there is no possibility that the adoption of the Administrative Budget(s) will have any significant effect on the environment; and

WHEREAS, the Oversight Board has reviewed and duly considered the Administrative Budget(s) for the period July 2017 – December 2042, inclusive, attached as Exhibit I, and other written evidence presented at the meeting, if any.

NOW, THEREFORE, THE OVERSIGHT BOARD DOES RESOLVE AS FOLLOWS:

SECTION 1. The Oversight Board hereby finds and determines that the foregoing recitals are true and correct.

SECTION 2. The Oversight Board hereby approves and adopts the Administrative Budget(s) for the periods July 2017 – December 2042, inclusive, attached as Exhibit I.

SECTION 3. The Oversight Board authorizes the Successor Agency's Chief Administrative Officer or his designee to:

- (1) Provide estimated actual property tax distributions to the County Auditor-Controller for the periods beginning July 1, 2017 and ending December 31, 2042, inclusive; and
- (2) Take such other actions and execute such other documents as are appropriate to effectuate the intent of this Resolution and to implement the Administrative Budget(s) on behalf of the Successor Agency.

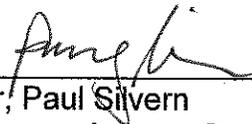
SECTION 4. The Secretary of the Oversight Board shall certify the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

APPROVED BY A MAJORITY OF THE TOTAL MEMBERSHIP OF THE OVERSIGHT BOARD:

  
\_\_\_\_\_  
CHAIR OF THE OVERSIGHT BOARD

Exhibit I: Last and Final ROPS Admin Budget

Adopted and approved this 14<sup>th</sup> day of November, 2016.

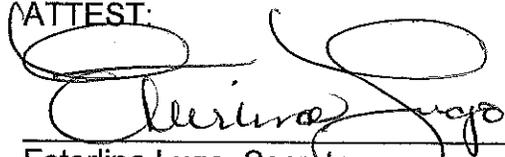
  
\_\_\_\_\_  
Chair, Paul Silvern  
Successor Agency Oversight Board

I, Esterlina Lugo, Secretary to the Successor Agency Oversight Board, do hereby certify that the foregoing Resolution No. 40 (SAS-Oversight Board) was duly adopted at a meeting of the Oversight Board meeting held on the 14<sup>th</sup> day of November, 2016, by the following vote:

AYES: Board Members Girard, Kanschat, Vice-Chair Moran, Chair Silvern

NOES: None

ABSENT: Board Members Dijkstra, Maez, Varon

ATTEST:  
  
\_\_\_\_\_  
Esterlina Lugo, Secretary  
Successor Agency Oversight Board

