

**RESOLUTION NO. 2012-23**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK,  
AS SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT  
COMMISSION OF THE CITY OF ROHNERT PARK, ADOPTING A THIRD  
AMENDED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE  
PURSUANT TO SECTION 34177(a)(1) OF THE CALIFORNIA  
HEALTH AND SAFETY CODE**

WHEREAS, in accordance with Section 34171(j) of the California Community Redevelopment Law (Health & Safety Code § 33000 *et seq.*) (“CRL”), the City Council of the City of Rohnert Park (“City” or “City Council,” as applicable) is the successor agency to the former Community Development Commission of the City of Rohnert Park (“Commission”), and is responsible for, among other things, winding down the dissolved Commission’s affairs, continuing to meet the Commission’s enforceable obligations, overseeing completion of redevelopment projects and disposing of the assets and properties of the Commission, all as directed by the oversight board to be created pursuant to Section 34179 of the CRL (“Oversight Board”); and

WHEREAS, in connection with approval and adoption of the State Budget for Fiscal Year 2011-12, the California Legislature approved and the Governor signed (i) AB 1X 26 (Stats. 2011, chap. 5, “AB 1X 26”), which immediately, and purportedly retroactively, suspended all otherwise legal redevelopment activities and incurrence of indebtedness, and provided for dissolution of California’s redevelopment agencies effective October 1, 2011 (the “Dissolution Act”); and (ii) AB 1X 27 (Stats. 2011, chap. 6, “AB 1X 27”), which allowed a local community to avoid the consequences of the Dissolution Act and continue its redevelopment agency if the community enacted an ordinance agreeing to comply with the alternative voluntary redevelopment program described in Section 2 of AB 1X 27 adding Part 1.9 (commencing with section 34192) of Division 24 of the Health and Safety Code; and

WHEREAS, in a decision filed on December 29, 2011, the Supreme Court found the dissolution of redevelopment agencies effected by AB 1X 26 to be a proper exercise of the legislative power vested in the Legislature by the State Constitution and the provisions of AB 1X 27 allowing communities to save their redevelopment agencies if they made the “voluntary” remittance payments under AB 1X 27 to violate Proposition 22, thus upholding the constitutionality of AB 1X 26 and holding AB 1X 27 unconstitutional; and

WHEREAS, AB 1X 26 required that each redevelopment agency adopt an enforceable obligation payment schedule (“EOPS”) in conformance with Section 34169(g) of the Health and Safety Code by August 28, 2011, which, among other things, was required to include a list of all of the agency enforceable obligations, and the amount of payments obligated to be made, by month, through December 2011; and

WHEREAS, the Commission adopted an Enforceable Obligation Payment Schedule by Resolution No. 2011-06 on August 23, 2011, as amended pursuant to a First Amended Enforceable Obligation Payment Schedule adopted by Resolution No. 2011-09 on October 11, 2011; and

WHEREAS, the Commission adopted a Second Amended Enforceable Obligation Payment Schedule by Resolution No. 2012-04 on January 24, 2012, to include the amount of the payments for the period January 1, 2012 through June 30, 2012 as well as to make certain other changes necessary to provide a more accurate list and description of the Commission's existing enforceable obligations; and

WHEREAS, pursuant to Section 34177(a)(1) of the CRL, the City of Rohnert Park, in its capacity as Successor Agency to the former Community Development Commission, desires to further amend the EOPS to incorporate certain changes necessary to provide a more accurate list and description of the existing enforceable obligations; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, AS SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF ROHNERT PARK, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City hereby adopts the Third Amended Enforceable Obligation Payment Schedule, attached hereto as Exhibit A.

Section 2. The City Clerk is hereby directed to transmit a copy of the Third Amended Enforceable Obligation Payment Schedule to the State Department of Finance, the State Controller and the Sonoma County Auditor-Controller in accordance with Section 34169(g)(2) of the Health and Safety Code.

**DULY AND REGULARLY ADOPTED** by the City Council of the City of Rohnert Park this 28<sup>th</sup> day of February, 2012.

CITY OF ROHNERT PARK

Mayor

ATTEST:

*Nicole Adams*  
City Clerk, *Interim*



AHANOTU: <u>AYE</u>	BELFORTE: <u>AYE</u>	CALLINAN: <u>AYE</u>	STAFFORD: <u>AYE</u>	MACKENZIE: <u>AYE</u>
AYES: (5)	NOES: (0)	ABSENT: (0)	ABSTAIN: (0)	

**EXHIBIT A**

**AMENDED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE**

	Name of successor Agency:	City of Rohnert Park											
	Former Redevelopment Agency	Community Development Commission of the City of Rohnert Park											
	THIRD AMENDED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE												
	Per AB 26 - Section 34167 and 34169 (*)												
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Name of successor Agency:		City of Rohnert Park											
Former Redevelopment Agency		Community Development Commission of the City of Rohnert Park											
THIRD AMENDED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE													
Per AB 26 - Section 34167 and 34169 (*)													

Name of Successor Agency:		City of Rohnert Park												
Former Redevelopment Agency		Community Development Commission of the City of Rohnert Park												
THIRD AMENDED - OTHER OBLIGATION PAYMENT SCHEDULE														
Per AB 26 - Section 34167 and 34169 (*)														