

## RESOLUTION NO. R-554

### A RESOLUTION OF THE LA MIRADA REDEVELOPMENT AGENCY APPROVING AMENDMENTS TO THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (EOPS) AND CERTAIN RELATED ACTIONS

#### A. Recitals.

- (i) The La Mirada Redevelopment Agency (Agency) is a redevelopment agency in the City of La Mirada (City), created pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (Redevelopment Law).
- (ii) The City Council of the City (City Council) has adopted a redevelopment plan for a redevelopment project area, and from time to time, the City Council has amended such redevelopment plan.
- (iii) ABX1 26 and ABX1 27 were signed by the Governor of California on June 29, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) (Part 1.8) and Part 1.85 (commencing with Section 34170) (Part 1.85) to Division 24 of the California Health and Safety Code.
- (iv) The California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)) alleging that ABX1 26 and ABX1 27 are unconstitutional. On August 11, 2011, the Supreme Court issued a stay order, which was subsequently modified on August 17, 2011. Pursuant to the modified stay order, the Supreme Court granted a partial stay of ABX1 26 and ABX1 27.
- (v) On December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding ABX1 26, invalidating ABX1 27, and holding that AB X1 26 may be severed from ABX1 27 and enforced independently.
- (vi) The Supreme Court generally revised the effective dates and deadlines for performance of obligations in Part 1.85 arising before May 1, 2012 to take effect four months later. The Supreme Court did not revise the effective dates or deadline for performance of obligations in Part 1.8.
- (vii) As a result of the Supreme Court's decision, on February 1, 2012, all redevelopment agencies are dissolved and successor agencies are designated as successor entities to the former redevelopment agencies. Pursuant to Health and Safety Code Section 34169, until successor agencies are authorized, redevelopment agencies must continue to make

all scheduled payments for enforceable obligations as defined in Health and Safety Code Section 34167(a). Pursuant to Health and Safety Code Section 34167, redevelopment agencies shall not make a payment unless it is listed in an adopted enforceable obligation payment schedule, other than payments required to meet obligations with respect to bonded indebtedness.

- (viii) The Agency adopted Resolution No. R-550 on August 23, 2011, adopting an Enforceable Obligation Payment Schedule. The Enforceable Obligation Schedule is attached hereto as Exhibit A and incorporated herein by reference (Original EOPS). In accordance with Health and Safety Code Section 34169, the Original EOPS only lists payments obligated to be made, by month, through December 2011. Accordingly, the Agency desires to adopt this Resolution to amend the Original EOPS to include payments obligated to be made after December 31, 2011.
- (ix) The amendments to the Original EOPS are set forth on Exhibit B attached to this Resolution and incorporated herein by reference (Amendments).

**NOW, THEREFORE, THE LA MIRADA REDEVELOPMENT AGENCY HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:**

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

Section 2. The Agency hereby adopts the Amendments. The Original EOPS, as amended by the Amendments, shall constitute the EOPS of the Agency.

Section 3. The Agency Secretary is hereby authorized and directed to post this Resolution, including the Exhibits, on the City Internet Web site.

Section 4. Prior to dissolution, the Agency may amend the EOPS from time to time at any public meeting of the Agency. Any such further amendments shall be posted to the City Internet Web site.

Section 5. The Agency Secretary is hereby authorized and directed to transmit a copy of this Resolution, including the Exhibits, by mail or electronic means to the County Auditor-Controller, the State Controller, and the California Department of Finance. A notification providing the Internet Web site location of the posted copy of this Resolution will suffice.

Section 6. The officers and staff of the Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or

advisable to effectuate this Resolution, including providing documents associated with the Amendments to the California Department of Finance and the State Controller, and any such actions previously taken by such officers and staff are hereby ratified and confirmed.

Section 7. The Agency hereby affirms the designation of Thomas E. Robinson, City Manager, as the Agency official to whom the California Department of Finance may make requests for review in connection with the Amendments.

Section 8. The adoption of this Resolution is not intended to and shall not constitute a waiver by the Agency of any rights the Agency may have to challenge the legality of all or any portion of AB X1 26 through administrative or judicial proceedings.

Section 9. 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, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the Agency's environmental guidelines. The Agency has determined that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment. (Guidelines Section 15378(b) (5)).

**PASSED, APPROVED, AND ADOPTED this 24<sup>th</sup> day of January 2012.**

  
\_\_\_\_\_  
Steve Jones, Chairman

ATTEST:

I, Anne Haraksin, Secretary of the La Mirada Redevelopment Agency, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the La Mirada Redevelopment Agency held on the 24<sup>th</sup> day of January 2012, by the following roll call vote:

**AYES: Agency Members Deal, De Ruse, Mowles, Vice Chairman Garcia,  
Chairman Jones**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

  
\_\_\_\_\_  
Anne Haraksin, Agency Secretary