

RESOLUTION NO. 03-1314

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE ARCATA COMMUNITY DEVELOPMENT AGENCY AWARDING A CONTRACT TO DEMOLISH COMMERCIAL COACHES ON THE BLOOMFIELD SCHOOL SITE

WHEREAS, the City Council of the City of Arcata created the Arcata Community Development Agency and adopted the first Redevelopment Implementation Plan in 1983 for the purpose of considering and pursuing redevelopment activities in the community pursuant to the Community Redevelopment Law (“CRL”), Health and Safety Code §§ 33000 et seq.

WHEREAS, pursuant to ABX1 26, amending portions of Division 24 of the CRL, redevelopment agencies are dissolved effective February 1, 2012; and

WHEREAS, on August 24, 2011, the City Council elected in accordance with Health and Safety Code Section 34173 to serve as Successor Agency to the Arcata Community Development Agency, which is responsible for enforceable obligation payments and all other responsibilities as specified in Section 34177 of the Health and Safety Code; and

WHEREAS, Health and Safety Code Section 34167 prohibits redevelopment successor agencies from making payments for anything other than enforceable obligations as defined by Section 34167(d); and

WHEREAS, Section 34177(c) of the Health and Safety Code requires the Successor Agency to perform obligations required pursuant to any enforceable obligation, and 34177.3(b) allows the successor agency to create an enforceable obligation to conduct the work of winding down the redevelopment agency; and

WHEREAS, the two commercial coaches the Arcata Community Development Agency purchased in 1989, sited on the Bloomfield campus, and leased for use as school buildings are no longer occupied or serviceable, represent a potential nuisance, and must be demolished to satisfy the obligation of the former Agency; and

WHEREAS, in electing to act as successor to the Arcata Community Development Agency as provided in Health and Safety Code Sections 34173 and 34176, the City Council expressly recognizes and reaffirms the statutory limitation on the City and the City Council’s liability in such actions. Nothing in this Resolution shall be construed as a commitment, obligation, or debt of the City or any resources, funds or assets of the City to fund the Successor Agency.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Successor Agency to the Arcata Community Development Agency as follows:

1. The above recitals are true and correct and incorporated herein.
2. The contract to demolish the coaches is awarded to Kernan Construction in an amount not to exceed \$14,500.00

3. As required by Health and Safety Code section 34177, the Successor Agency directs staff to forward the ROPS to the Oversight Board for consideration for approval.
4. The Successor Agency Treasurer is hereby directed to take all action as required by state law associated with this resolution, including transmitting the resolution to the Humboldt County Auditor-Controller, the state Controller, and the state Department of Finance, and providing contact information to the Department of Finance.
5. The Successor Agency Treasurer is hereby authorized and directed to take all action necessary to post the decision on the Successor Agency's website.

This resolution shall be effective upon adoption.

DATED:

ATTEST:

APPROVED:

Secretary, Successor Agency to the
Community Development Agency of the
City of Arcata

Chair, Successor Agency to the
Community Development Agency of the
City of Arcata

SECRETARY'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Resolution No. 03-1314**, passed and adopted at a regular meeting of the Successor Agency to the Community Development Agency of the City of Arcata, County of Humboldt, State of California, held on the 4th day of December, 2013, by the following vote:

AYES: BRINTON, WHEETLEY, ORNELAS, STILLMAN, WINKLER

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

Secretary, Successor Agency to the
Community Development Agency of the
City of Arcata