

RESOLUTION NO. 06-1415

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE ARCATA COMMUNITY DEVELOPMENT AGENCY AMENDING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO THE DEPARTMENT OF FINANCE PROPERTY TAX WITHHOLDING DEMAND

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, the Department of Finance (DOF) approved the City of Arcata Successor Agency's 14/15B period Recognized Obligations Payment Schedule (ROPS) covering January 1, 2015, through June 30, 2015, on October 30, 2014; and

WHEREAS, the DOF simultaneously directed the County Auditor-Controller to withhold \$57,212 from the Redevelopment Property Tax Trust Fund (RPTTF) distribution to fulfill the approved obligations since the DOF determined that the Successor Agency had \$57,212 unencumbered funds of the former City of Arcata Community Development Agency on hand and available to satisfy enforceable obligations; and

WHEREAS, the approved 14/15B ROPS, which identified RPTTF as the sole funding source for approved enforceable obligations, must be amended to reflect the use of funds on hand instead of RPTTF; 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 14/15B Recognized Obligations Payment Schedule ROPS Detail sheet, cell N2 is hereby reduced by \$57,212 resulting in a total RPTTF allocation of \$127,585.
3. The 14/15B Recognized Obligations Payment Schedule ROPS Detail sheet, cell M2 is hereby increase by \$57,212 resulting in a total Other Funds allocation of \$57,212.
4. As required by Health and Safety Code section 34169(i), the Successor Agency Treasurer is hereby designated as the official to whom the Department of Finance may make requests in connection with the ROPS.
5. The Successor Agency Treasurer is hereby directed to take all action as required by state law associated with this resolution, including transmitting the draft ROPS to the Humboldt County auditor-controller, the state Controller, and the state Department of Finance, providing contact information to the Department of Finance, making

administrative amendments as may be required to satisfy the submission requirements of the Department of Finance, and requesting an opportunity to meet and confer with the Department of Finance in the event the Department disputes any items.

This Resolution shall be effective upon adoption.

DATED: February 18, 2015

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. 06-1415** 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 18th day of February, 2015, by the following vote:

AYES: WINKLER, PITINO, ORNELAS, PEREIRA

NOES: NONE

ABSENT: WHEETLEY

ABSTENTIONS: NONE

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