

RESOLUTION NO. 2021-02

**A RESOLUTION OF THE MARIN COUNTYWIDE SUCCESSOR AGENCY
OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FORMER
REDEVELOPMENT AGENCY OF THE SAN RAFAEL SUCCESSOR AGENCY
APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR
FISCAL YEAR 2021-22**

WHEREAS, the California state legislature enacted Assembly Bill x1 26 (the “Dissolution Act”) to dissolve redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.); and

WHEREAS, pursuant to Health and Safety Code section 34173(d), the San Rafael Successor Agency (“Successor Agency”) is the successor agency to the dissolved Redevelopment Agency of the (insert entity); and

WHEREAS, the Marin Countywide Successor Agency Oversight Board for the Successor Agency to the former Redevelopment Agency of San Rafael Successor Agency (“Oversight Board”) has been appointed pursuant to Health and Safety Code section 34179(j)-(m); and

WHEREAS, Health and Safety Code section 34180(g) requires the Oversight Board to approve the Successor Agency’s establishment of the ROPS prior to the Successor Agency acting upon the ROPS; and

WHEREAS, SB 107 adopted on September 22, 2015 replaced the six-month ROPS with an annual ROPS; and

WHEREAS, the Successor Agency staff has presented the ROPS 2021-22 for fiscal year 2021-22 (ROPS 2021-22); and

WHEREAS, at its meeting of January 19, 2021, the Oversight Board reviewed and considered the ROPS 2021-22 presented by the Successor Agency.

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

SECTION 1. Recitals. Oversight Board hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

SECTION 2. CEQA Compliance. The approval of the ROPS through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061 (b)(3).

SECTION 3. Approval of the ROPS. The Oversight Board hereby approves the proposed ROPS 2021-22 in the form presented to the Oversight Board and attached hereto as Exhibit A (the

“Approved ROPS 2021-22”), and including the agreements and obligations described in the Approved ROPS 2021-22, and hereby determines that such agreements and obligations constitute “enforceable obligations” and “recognized obligations” for all purposes of the Dissolution Act.

SECTION 4. Implementation. The Oversight Board hereby directs the Successor Agency staff to take all actions necessary under the Dissolution Act to file, post, mail or otherwise deliver via electronic mail, internet posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of the Approved ROPS 2021-22, and to take any other administrative actions necessary to ensure the validity of the Approved ROPS 2021-22 and the validity of any enforceable obligation approved by the Oversight Board in this Resolution. In addition, the Oversight Board authorizes and directs the Successor Agency staff to make such non-substantive revisions to the Approved ROPS 2021-22 as may be necessary to submit the Approved ROPS 2021-22 in any modified form required by the Department of Finance, and the Approved ROPS 2021-22 as modified shall thereupon constitute the Approved ROPS 2021-22 as approved by the Oversight Board pursuant to this Resolution.

SECTION 5. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 6. Certification. The Secretary on behalf of the Oversight Board shall certify to the adoption of this Resolution.

SECTION 7. Effective Date. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

PASSED, APPROVED AND ADOPTED THIS 19th day of January, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair, Oversight Board

ATTEST:

Oversight Board Secretary

EXHIBIT A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE

[Attached behind this page]