

**COUNTYWIDE OVERSIGHT BOARD      SUCCESSOR AGENCY TO THE  
FOR THE COUNTY OF RIVERSIDE      INDIO REDEVELOPMENT AGENCY**

**RESOLUTION NO. 2019-021**

**A RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR  
THE COUNTY OF RIVERSIDE APPROVING THE RECOGNIZED  
OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE  
BUDGET FOR THE PERIOD JULY 1, 2019 THROUGH JUNE 30, 2020  
FOR THE SUCCESSOR AGENCY TO THE INDIO REDEVELOPMENT  
AGENCY AND MAKING RELATED FINDINGS AND  
DECLARATIONS AND TAKING RELATED ACTIONS IN  
CONNECTION THEREWITH**

**WHEREAS**, the Redevelopment Agency of the City of Indio (the “Former Agency”) was formed, existed and exercised its powers pursuant to the Community Redevelopment Law (California Health and Safety Code section 33000 et seq. the “CRL”);

**WHEREAS**, the California state legislature enacted Assembly Bill 1x 26, as modified, including by Assembly Bill No. 1484 enacted on June 27, 2012, as further modified by Senate Bill No. 107 enacted on September 22, 2015, as such may be further amended (collectively, the “Dissolution Act”), adding or amending Parts 1.8 and 1.85 to Division 24 of the Health and Safety Code, to dissolve redevelopment agencies formed under the CRL;

**WHEREAS**, pursuant to Section 34173 of the Health and Safety Code, effective February 1, 2012 the Successor Agency to Indio Redevelopment Agency, a separate legal entity (the “Successor Agency”) was formed to and charged with paying the enforceable obligations, disposing of the properties and other assets, and unwinding the affairs of the dissolved Former Agency;

**WHEREAS**, upon dissolution of the Former Agency, all authority, rights, powers, duties and obligations previously vested with the Former Agency (except for the Former Agency’s housing assets and functions) under the CRL vested in the Successor Agency, which was declared a separate legal entity effective June 27, 2012;

**WHEREAS**, Section 34179(j) of the Health and Safety Code provides for the appointment

1 of a countywide oversight board (the “Countywide Oversight Board”) with specific duties to  
2 approve certain Successor Agency actions pursuant to Section 34180 of the Health and Safety  
3 Code and to direct the Successor Agency in certain other actions pursuant to Section 34181 of the  
4 Health and Safety Code;

5 **WHEREAS**, the Successor Agency staff has prepared the proposed Recognized  
6 Obligation Payment Schedule for the period of July 1, 2019 through June 30, 2020 (“ROPS FY  
7 2019-20”), substantially in the form shown in Attachment “A”, attached hereto and incorporated  
8 herein by this reference;

9 **WHEREAS**, the Successor Agency staff has prepared an administrative budget for the  
10 fiscal period commencing on July 1, 2019 and continuing through June 30, 2020 (“FY 2019-20  
11 Administrative Budget”), substantially in the form shown in Attachment “B”, attached hereto and  
12 incorporated herein by this reference;

13 **WHEREAS**, the Successor Agency is entitled to an administrative cost allowance (the  
14 “Administrative Cost Allowance”) pursuant to Sections 34171(b) and 34183(a)(3) of the Health  
15 and Safety Code in the approximate amount of \$250,000 for the 2019-20 fiscal year of which  
16 approximately \$125,000 is requested to be disbursed July 1, 2019 and approximately \$125,000 is  
17 requested to be disbursed January 2, 2020;

18 **WHEREAS**, the City Council of the City of Indio acting in its capacity as the governing  
19 board of the Successor Agency, approved the ROPS FY 2019-20 and the FY 2019-20  
20 Administrative Budget by adoption of Resolutions Nos. 2019-33 and 2019-32, respectively, shown  
21 in Attachment “C”, attached hereto and incorporated herein by this reference;

22 **WHEREAS**, by adoption of Resolution No. 2019-33, the Successor Agency’s governing  
23 board represents and warrants that it examined all of the items on the ROPS FY 2019-20 and finds  
24 that each of them is necessary for the continued maintenance and preservation of property owned  
25 by the Successor Agency until disposition in accordance with the Dissolution Act, the continued  
26 administration of the ongoing enforceable obligations, or the expeditious wind-down of the affairs  
27 of the Former Agency by the Successor Agency;

28 **WHEREAS**, pursuant to Section 34177 and 34180(g) of the Health and Safety Code, the  
ROPS FY 2019-20 and FY 2019-20 Administrative Budget must be submitted to the Countywide  
Oversight Board for the Countywide Oversight Board’s approval; and

**WHEREAS**, the accompanying staff report, and attachments, attached hereto and  
incorporated herein by this reference, provide the supporting information upon which the actions

1 set forth in this Resolution are based.

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3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**  
4 **ORDERED** by the Countywide Oversight Board, in regular meeting assembled on January 30,  
5 2019 in the meeting room located on the 1st floor of the County Administrative Center, 4080  
6 Lemon Street, Riverside, California, as follows:

- 7 1. The Countywide Oversight Board hereby finds, resolves, and determines that the  
8 foregoing recitals are true and correct and are incorporated herein by reference, and,  
9 together with information provided by the Successor Agency to the Indio  
10 Redevelopment Agency staff and the public, form the basis for the approvals, findings,  
11 resolutions, and determinations set forth below.
- 12 2. Pursuant to the California Environmental Quality Act (CEQA), based upon a review of  
13 the evidence and information presented on the matter as it relates to the adoption of the  
14 ROPS FY 2019-20 and the Administrative Budget FY 2019-20, the Countywide  
15 Oversight Board has determined that such approval is categorically exempt from  
16 CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines because there is  
17 no possibility that the activities in question will have a significant impact on the  
18 environment and is merely the adoption of the annual budget; it will not require any  
19 construction activities and will not lead to any direct or reasonably foreseeable indirect  
20 physical environmental impacts;
- 21 3. That the Successor Agency's Executive Director's designee is directed to file a Notice  
22 of Exemption with respect to the actions approved under this Resolution in accordance  
23 with CEQA.
- 24 4. Under Section 34180(g) of the Health and Safety Code, the Countywide Oversight  
25 Board must approve the establishment of the recognized obligation payment schedules  
26 of the Successor Agency.
- 27 5. The Countywide Oversight Board hereby approves the ROPS FY 2019-20 attached  
28 hereto as Attachment A (the "Approved ROPS FY 2019-20"). In connection with such  
approval, the Countywide Oversight Board makes the specific findings set forth below.
6. The Countywide Oversight Board has examined the items on the Approved ROPS FY  
2019-20 and finds that each of them is necessary for the continued maintenance and  
preservation of property owned by the Successor Agency until disposition in

1 accordance with the Dissolution Act, the continued administration of the ongoing  
2 agreements herein approved by the Countywide Oversight Board, or the expeditious  
3 wind-down of the affairs of the Dissolved RDA by the Successor Agency.

- 4 7. The Countywide Oversight Board Chairperson, Successor Agency Executive Director,  
5 and Countywide Oversight Board General Counsel are collectively authorized to make  
6 any technical or clerical corrections to the Approved ROPS FY 2019-20 prior to filing  
7 with the Department.
- 8 8. Under Section 34177(j) of the Health and Safety Code, the Countywide Oversight  
9 Board must approve the Administrative Budget for the Successor Agency.
- 10 9. In accordance with the Dissolution Act, the Countywide Oversight Board hereby  
11 approves the FY 2019-20 Administrative Budget, attached hereto as Attachment B (the  
12 “Approved Administrative Budget”).
- 13 10. The Countywide Oversight Board hereby authorizes and directs the Executive Director  
14 of the Successor Agency to the Indio Redevelopment Agency (“Successor Agency’s  
15 Director”), or the Successor Agency’s Director’s designees, to take all actions and sign  
16 any and all documents necessary to implement and effectuate the actions approved by  
17 this Resolution as determined necessary by the Successor Agency’s Director, or the  
18 Successor Agency’s Director’s designee. The Countywide Oversight Board hereby  
19 further authorizes and directs the Successor Agency’s Director, or Successor Agency’s  
20 Director’s designee, to execute all documents on behalf of the Successor Agency, and  
21 to administer the Successor Agency’s obligations and duties to be performed pursuant  
22 to this Resolution.
- 23 11. If any provision of this Resolution or the application of any such provision to any  
24 person or circumstance is held invalid, such invalidity shall not affect other provisions  
25 or applications of this Resolution that can be given effect without the invalid provision  
26 or application, and to this end the provisions of this Resolution are severable. The  
27 Countywide Oversight Board declares that the Countywide Oversight Board would  
28 have adopted this Resolution irrespective of the invalidity of any particular portion of  
this Resolution.
12. The Countywide Oversight Board hereby authorizes and directs the County Executive  
Office staff and the Successor Agency staff to take all actions necessary under the  
Dissolution Act to file, post, mail or otherwise deliver via electronic mail, internet

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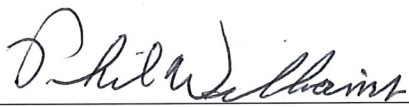
posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of this Resolution.


13. Pursuant to Health and Safety Code Section 34179, specified actions taken by the Countywide Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective until five (5) business days after approval, subject to a request for review by the State of California Department of Finance, or at the time and in the manner prescribed in Section 34179(h) of the Health and Safety Code.

**PASSED, APPROVED, AND ADOPTED** by the Countywide Oversight Board for the County of Riverside on January 30, 2019.

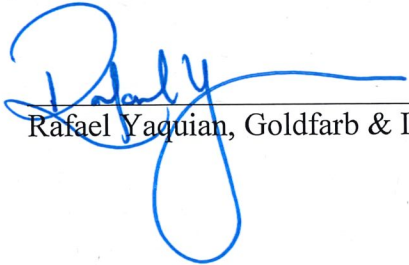
1 I hereby certify the foregoing to be a true copy of a resolution passed and adopted by the Countywide  
2 Oversight Board for the County of Riverside at a regular meeting thereof held on January 30, 2019,  
3 by the following vote:

4 AYES: 7 BOARD MEMBERS: Supervisor Washington, Mike Gardner,  
5 Phil Williams, James Whittington, Aaron Brown, Tami Scott,  
6 Niamh Ortega  
7 NOES: BOARD MEMBERS:  
8 ABSTAIN: BOARD MEMBERS:  
9 ABSENT: BOARD MEMBERS:

10   
11 \_\_\_\_\_  
12 Phil Williams,  
13 Chairperson, Countywide Oversight Board

13 ATTEST:  
14   
15 \_\_\_\_\_  
16 Kimberly Rector,  
17 Clerk of the Countywide Oversight Board

18  
19 APPROVED AS TO FORM:  
20 Countywide Oversight Board Legal Counsel

21  
22 By:   
23 \_\_\_\_\_  
24 Rafael Yaquian, Goldfarb & Lipman LLP

25  
26 Attachments incorporated by reference:  
27 A. Approved ROPS FY 2019-20  
28 B. Approved Administrative Budget  
C. Successor Agency Resolution No. 2019-33 Approving ROPS and Successor Agency Resolution No. 2019-32  
Approving Administrative Budget

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ATTACHMENT "A"  
APPROVED ROPS FY 2019-20

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ATTACHMENT "B"  
APPROVED ADMINISTRATIVE BUDGET

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ATTACHMENT "C"  
SUCCESSOR AGENCY RESOLUTION NO. 2019-33  
APPROVING ROPS  
AND  
SUCCESSOR AGENCY RESOLUTION NO. 2019-32  
APPROVING ADMINISTRATIVE BUDGET

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