

1 **COUNTYWIDE OVERSIGHT BOARD**
2 **FOR THE COUNTY OF RIVERSIDE**

SUCCESSOR AGENCY TO THE
INDIO REDEVELOPMENT AGENCY

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5 **RESOLUTION NO. 2021 - 020**

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7 **RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR**
8 **COUNTY OF RIVERSIDE APPROVING THE RECOGNIZED**
9 **OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE**
10 **BUDGET FOR THE PERIOD JULY 1, 2021 THROUGH JUNE 30, 2022**
11 **FOR THE SUCCESSOR AGENCY TO THE INDIO REDEVELOPMENT**
12 **AGENCY AND MAKING RELATED FINDINGS AND**
13 **DECLARATIONS AND TAKING RELATED ACTIONS IN**
14 **CONNECTION THEREWITH**

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

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

23 **WHEREAS**, pursuant to Section 34173 of the Health and Safety Code, effective February
24 1, 2012 the Successor Agency to Indio Redevelopment Agency, a separate legal entity (the
25 “Successor Agency”) was formed to and charged with paying the enforceable obligations,
26 disposing of the properties and other assets, and unwinding the affairs of the dissolved Former
27 Agency;

28 **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, a separate legal

1 entity;

2 **WHEREAS**, Section 34179(j) of the Health and Safety Code provides for the appointment
3 of a countywide oversight board (the “Countywide Oversight Board”) with specific duties to
4 approve certain Successor Agency actions pursuant to Section 34180 of the Health and Safety
5 Code and to direct the Successor Agency in certain other actions pursuant to Section 34181 of the
6 Health and Safety Code;

7 **WHEREAS**, the Successor Agency staff has prepared the proposed Recognized
8 Obligation Payment Schedule for the period commencing on July 1, 2021 and continuing through
9 June 30, 2022 (“ROPS FY 2021-22”), substantially in the form shown in Attachment “A”, attached
10 hereto and incorporated herein by this reference;

11 **WHEREAS**, the Successor Agency staff has prepared an administrative budget for the
12 fiscal period commencing on July 1, 2021 and continuing through June 30, 2022 (“FY 2021-22
13 Administrative Budget”), substantially in the form shown in Attachment “B”, attached hereto and
14 incorporated herein by this reference;

15 **WHEREAS**, the Successor Agency is entitled to an administrative cost allowance (the
16 “Administrative Cost Allowance”) pursuant to Sections 34171(b) and 34183(a)(3) of the Health
17 and Safety Code in the approximate amount of \$250,000 for the 2021-22 fiscal year of which
18 approximately \$125,000 is requested to be disbursed June 3, 2021 and approximately \$125,000 is
19 requested to be disbursed January 2, 2022;

20 **WHEREAS**, the City Council of the City of Indio acting in its capacity as the governing
21 board of the Successor Agency, approved the ROPS FY 2021-22 and the FY 2021-22
22 Administrative Budget by adoption of Resolutions Nos. 2021-38 and 2021-39, respectively, shown
23 in Attachment “C”, attached hereto and incorporated herein by this reference;

24 **WHEREAS**, under Resolution Numbers 2021-38 and 2021-39, the Successor Agency’s
25 governing board represents and warrants that it examined all of the items on the ROPS FY 2021-
26 22 and finds that each of them is necessary for the continued maintenance and preservation of
27 property owned by the Successor Agency until disposition in accordance with the Dissolution Act,
28 the continued administration of the ongoing enforceable obligations, or the expeditious wind-down
of the affairs of the Former Agency by the Successor Agency;

WHEREAS, pursuant to Section 34177 and 34180(g) of the Health and Safety Code, the
ROPS FY 2021-22 and FY 2021-22 Administrative Budget must be submitted to the Countywide
Oversight Board for the Countywide Oversight Board’s approval; and

1 **WHEREAS**, the accompanying staff report, and attachments, attached hereto and
2 incorporated herein by this reference, provide the supporting information upon which the actions
3 set forth in this Resolution are based.

4 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**
5 **ORDERED** by the Countywide Oversight Board, in regular meeting assembled on January 21,
6 2021, in 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 2021-22 and the Administrative Budget FY 2021-22, 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 the approval is merely the adoption of annual budget and it will not
19 require any construction activities and will not lead to any direct or reasonably
20 foreseeable indirect 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 2021-22 attached
28 hereto as Attachment A (the “Approved ROPS FY 2021-22”). 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
2021-22 and finds that each of them is necessary for the continued maintenance and

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

- 5 7. The Countywide Oversight Board Chairperson, Successor Agency Executive Director,
6 and Countywide Oversight Board General Counsel are collectively authorized to make
7 any technical or clerical corrections to the Approved ROPS FY 2021-22 prior to filing
8 with the Department.
- 9 8. Under Section 34177(j) of the Health and Safety Code, the Countywide Oversight
10 Board must approve the Administrative Budget for the Successor Agency.
- 11 9. In accordance with the Dissolution Act, the Countywide Oversight Board hereby
12 approves the FY 2021-22 Administrative Budget, attached hereto as Attachment B (the
13 “Approved Administrative Budget”).
- 14 10. The Countywide Oversight Board hereby authorizes and directs the Executive Director
15 of the Successor Agency to the Indio Redevelopment Agency (“Successor Agency’s
16 Director”), or the Successor Agency’s Director’s designees, to take all actions and sign
17 any and all documents necessary to implement and effectuate the actions approved by
18 this Resolution as determined necessary by the Successor Agency’s Director, or the
19 Successor Agency’s Director’s designee. The Countywide Oversight Board hereby
20 further authorizes and directs the Successor Agency’s Executive Director, or Successor
21 Agency’s Director’s designee, to execute all documents on behalf of the Successor
22 Agency, and to administer the Successor Agency’s obligations and duties to be
23 performed pursuant to this Resolution.
- 24 11. If any provision of this Resolution or the application of any such provision to any
25 person or circumstance is held invalid, such invalidity shall not affect other provisions
26 or applications of this Resolution that can be given effect without the invalid provision
27 or application, and to this end the provisions of this Resolution are severable. The
28 Countywide Oversight Board declares that the Countywide Oversight Board would
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

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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 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 21, 2021.

1 I hereby certify the forgoing 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 21,2021,
3 by the following vote:

4
5 AYES: 4 BOARD MEMBERS: James Whittington, Niamh Ortega, Russ Martin,
6 Kathleen Kelly

7 NOES: BOARD MEMBERS:

8 ABSTAIN: BOARD MEMBERS:

9 ABSENT: 3 BOARD MEMBERS: Tami Scott, Chuck Washington, Aaron Brown

10
11 *Kathleen Kelly*

Kathleen Kelly (Jan 21, 2021 16:06 PST)

12 Kathleen Kelly
13 Vice Chair, Countywide Oversight Board

14 ATTEST:

15 

16 _____
17 Kimberly Rector
18 Clerk of the Countywide Oversight Board

19
20 APPROVED AS TO FORM:

21 Countywide Oversight Board Legal Counsel

22
23 By: *Rafael Yaquian*
24 Rafael Yaquian, Goldfarb & Lipman LLP

25 Attachments incorporated by reference:

26 A. Approved ROPS FY 2021-22

27 B. Approved Administrative Budget

28 C. Successor Agency Resolution No. 2021-38 Approving ROPS and Successor Agency Resolution No. 2021-39
Approving Administrative Budget

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ATTACHMENT "A"
APPROVED ROPS FY 2021-22

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ATTACHMENT "B"
APPROVED ADMINISTRATIVE BUDGET

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ATTACHMENT "C"
SUCCESSOR AGENCY RESOLUTION NO. 2021-38
APPROVING ROPS
AND
SUCCESSOR AGENCY RESOLUTION NO. 2021-39
APPROVING ADMINISTRATIVE BUDGET

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Resolution No. 2021-020 - Indio SA ROPS 2021-22 and FY22 Admin Budget_

Final Audit Report

2021-01-22

Created:	2021-01-21
By:	Rafael Yaquian (ryaquian@goldfarblipman.com)
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"Resolution No. 2021-020 - Indio SA ROPS 2021-22 and FY22 Admin Budget_" History

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