

SACRA RESOLUTION NO. 16-01-18-02

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE SAN JUAN CAPISTRANO COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FROM JULY 1, 2016, TO JUNE 30, 2017, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)

**WHEREAS**, the San Juan Capistrano Community Redevelopment Agency ("Agency") was established as a community redevelopment agency duly organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, et seq. ("CRL"), and has been authorized to transact business and exercise the power of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of San Juan Capistrano ("City"); and,

**WHEREAS**, Assembly Bill x1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which laws cause the dissolution and wind down of all redevelopment agencies (the "Dissolution Act"); and,

**WHEREAS**, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act; and,

**WHEREAS**, by Resolution No. 12-01-10-01 approved by the City Council at an open meeting on July 10, 2012, the City chose to become and serve as the successor agency to the dissolved Agency under the Dissolution Act; and,

**WHEREAS**, as of and on and after February 1, 2012, the City serves and acts as the "Successor Agency" and will perform its functions as the Successor Agency under the Dissolution Act to administer all enforceable obligations of the Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member oversight board ("Oversight Board") and,

**WHEREAS**, Health and Safety Code Section 34177(j) requires the Successor Agency to prepare a proposed Administrative Budget covering the periods from July 1, 2016 through December 31, 2016, and January 1, 2017 through June 30, 2017; and,

**WHEREAS**, pursuant to Section 34177(j), the Successor Agency's "Administrative Budget" is to include all of the following: (a) estimated amounts of the Successor Agency's administrative costs for the upcoming six month fiscal periods; (b) the proposed sources of payment for the administrative costs; and (c) proposals for arrangements for administrative and operations services provided by the City as Successor Agency; and,

**WHEREAS**, the Administrative Budget must be approved by the Oversight Board pursuant to Health and Safety Code Section 34177(j); and,

**WHEREAS**, upon the Oversight Board's approval of the Administrative Budget, the Administrative Budget will be provided to the County of Orange Auditor-Controller pursuant to Health and Safety Code Section 34177(k) so that the Successor Agency's

estimated administrative costs in the approved Administrative Budget will be paid from property tax revenues deposited into the Redevelopment Property Tax Trust Fund for the upcoming six-month period; and,

**WHEREAS**, pursuant to Section 34180(h) the Successor Agency may request authorization from the Oversight Board for the Successor Agency and the City of San Juan Capistrano to enter into an agreement to ensure provision of the necessary services from the City to support Successor Agency responsibilities in winding down the activities of the former Agency, including the estimated costs set forth in the Administrative Budget; and,

**WHEREAS**, the Successor Agency adopted Resolution No. SACRA 12-05-01-01 on May 1, 2012, to enter into that certain "Agreement for Reimbursement of Costs and City/Successor Agency Operations Loan" ("Costs Reimbursement Agreement"), which agreement authorizes the reimbursement of costs incurred by the City to support Successor Agency operations and obligations; and,

**WHEREAS**, the Oversight Board adopted Resolution No. 12-05-02-01 on May 2, 2012, to authorize the Successor Agency to enter into an agreement with the City for administrative support; and,

**WHEREAS**, the Successor Agency has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of Successor Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

**NOW THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY TO THE SAN JUAN CAPISTRANO COMMUNITY REDEVELOPMENT AGENCY:**

**Section 1.** The foregoing Recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

**Section 2.** Pursuant to the Dissolution Act, the Successor Agency approves the Administrative Budget submitted herewith as Exhibit A.

**Section 3.** The Successor Agency authorizes transmittal of the Administrative Budget to the Oversight Board for its review and approval and also directs staff to send such report to the County Auditor-Controller, State Controller's Office and Department of Finance, as required by Section 34179.6 of the Dissolution Act.

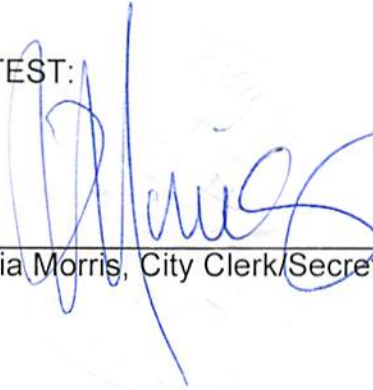
**Section 4.** The Finance Officer of the Successor Agency or her authorized designee is directed to post this Resolution on the Successor Agency website pursuant to the Dissolution Act.

**Section 5.** The Successor Agency Secretary shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 18<sup>th</sup> day of January 2016.

  
Kerry K. Ferguson, Chairman

ATTEST:

  
Maria Morris, City Clerk/Secretary

STATE OF CALIFORNIA            )  
COUNTY OF ORANGE            ) ss.  
CITY OF SAN JUAN CAPISTRANO    )

I, MARIA MORRIS, appointed Agency Secretary of the Board of Directors of the Successor Agency to the San Juan Capistrano Community Redevelopment Agency, do hereby certify that the foregoing **Resolution No. SACRA 16-01-18-02** was duly adopted by the City Council of the City of San Juan Capistrano at an Adjourned Regular meeting thereof, held the 18<sup>th</sup> day of January 2016, by the following vote:

AYES:    BOARD MEMBERS: Allevato, Patterson, Reeve, Perry and Chair Ferguson  
NOES:    BOARD MEMBERS: None  
ABSENT: BOARD MEMBERS: None

  
MARIA MORRIS, Agency Secretary