

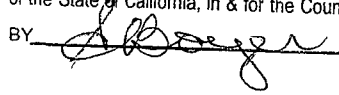
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ATTEST: **AUG 24 2011**

#28

**Resolution No. 11-0456**

VERONICA A. FERGUSON, Clerk of the Board of Supervisors  
of the State of California, in & for the County of Sonoma.

BY  DEPUTY

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 8/23/2011**

**Resolution Of The Sonoma County Community Development Commission,  
In Its Capacity As The Governing Body Of The Sonoma County Community  
Redevelopment Agency, Approving And Adopting The Enforceable  
Obligation Payment Schedule Pursuant To Part 1.8 Of The California  
Community Redevelopment Law.**

**Whereas**, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the Board of Supervisors (the "Board of Supervisors") of the County of Sonoma (the "County") adopted in accordance with the Redevelopment Law, the following ordinances, adopting redevelopment plans for the Roseland, Springs, and Russian River Redevelopment Project Areas (collectively the "Redevelopment Plans"):

1. Ordinance No. 3377 on November 27, 1984 adopting the Redevelopment Plan for the Roseland Redevelopment Project, as amended from time to time (the "Roseland Redevelopment Plan");
2. Ordinance No. 3379 on November 27, 1984 adopting the Redevelopment Plan for The Springs Redevelopment Project, formerly known as the "Sonoma Valley" Redevelopment Project, as amended from time to time (the "Springs Redevelopment Plan");
3. Ordinance No. 5249 on July 18, 2000 adopting the Redevelopment Plan for the Russian River Redevelopment Project, as amended from time to time (the "Russian River Redevelopment Plan"); and

**Whereas**, the Sonoma County Community Redevelopment Agency (the "Agency") is responsible for implementing the Redevelopment Plan pursuant to the Redevelopment Law; and

**Whereas**, AB x1 26 (the "Dissolution Act") and AB x1 27 (the "Voluntary Program Act"; and together with the Dissolution Act, the "Redevelopment Restructuring Acts") have been enacted to significantly modify the Redevelopment Law; and

**Whereas**, on August 11, 2011, the California Supreme Court agreed to review the California Redevelopment Association and League of California Cities' petition challenging the constitutionality of the Redevelopment Restructuring Acts and issued an order granting a partial stay on specified portions of the Redevelopment Restructuring Acts (the "Stay"); and

**Whereas**, under the terms of the Stay and pursuant to Section 34167(h) of the Redevelopment Law, after August 29, 2011, the Agency can only make payments on bond obligations until the Agency adopts an enforceable obligation payment schedule listing all of the

obligations that are enforceable within the meaning of Section 34167(d) of the Redevelopment Law (the "Enforceable Obligation Payment Schedule"); and

**Whereas**, as further set forth in the staff report accompanying this Resolution (the "Staff Report"), under the terms of various Agency contracts and obligations, the Agency is required to make payments on its enforceable obligations after August 29, 2011; and

**Whereas**, in an abundance of caution and to avoid defaulting under its enforceable obligations, the Agency has prepared and desires to adopt an Enforceable Obligation Payment Schedule under protest and reserving the Agency's rights to recognize and perform any and all obligations listed therein without regard to the provisions of the Redevelopment Restructuring Acts; and

**Whereas**, under Title 14 of the California Code of Regulations, Section 15061(b)(3) the approval of the Agency Transfer Payment Agreement is exempt from the requirements of the California Environmental Quality Act ("CEQA"), in that it is not a project as, the adoption of the Enforceable Obligation Payment Schedule will not have the potential of causing a significant environmental effect and it can be seen with certainty that there is no possibility that the adoption of the Enforceable Obligation Payment Schedule will have any significant effect on the environment; and

**Whereas**, the Agency Board has reviewed and duly considered the Staff Report, the proposed Enforceable Obligation Payment Schedule, documents and other written evidence presented at the meeting.

**Now, Therefore, Be It Resolved**, that the Agency Board finds that the above Recitals are true and correct and have served, together with the supporting documents, as the basis for the findings and approvals set forth below.

**Be It Further Resolved** that the Agency Board finds, under Title 14 of the California Code of Regulations, Section 15378(b)(4), that this resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project. The Agency Board therefore directs that a Notice of Exemption be filed with the County Clerk of the County of Sonoma in accordance with the CEQA guidelines.

**Be It Further Resolved** that the Agency Board hereby approves and adopts the Enforceable Obligation Payment Schedule under protest and with a reservation of its rights to perform any and all obligations listed therein without regard to the provisions of the Redevelopment Restructuring Acts and to challenge any contrary determination by the State of California, the County Auditor-Controller or any other body under the provisions of the Redevelopment Restructuring Acts.

**Be It Further Resolved** that the Agency Board authorizes the Agency's Executive Director or the Executive Director's designee to: (1) post the Enforceable Obligation Payment Schedule on the Agency or the County's websites, (2) designate an Agency representative to whom all questions related to the Enforceable Obligation Payment Schedule can be directed, (3) notify, by mail or electronic means, the County Auditor-Controller, the Department of Finance, and the State Controller, of the Agency's action to adopt the Enforceable Obligation Payment

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Schedule and to provide those persons with an address to the Agency or the County's website and a telephone number and email contact for the Agency's designated contact; and (4) to take such other actions and execute such other documents as are appropriate to effectuate the intent of this Resolution and to implement the Enforceable Obligation Payment Schedule on behalf of the Agency.

**Be It Further Resolved** that this Resolution shall take immediate effect upon adoption.

**Commissioners:**

Brown: Aye      Rabbitt: Aye      Zane: Aye      McGuire: Aye      Carrillo: Aye

Ayes: 5      Noes: 0      Absent: 0      Abstain: 0

**So Ordered.**