

City Hall  
 City of Calipatria  
 August 25, 2011  
 6 PM

SPECIAL MEETING OF THE CITY COUNCIL  
 OF THE CITY OF CALIPATRIA

MINUTES

CALL TO ORDER: *6 pm*

PLEDGE OF ALLEGIANCE: *Diego Navarro*

INVOCATION: *Medina*

ROLL CALL: Mayor Raul Navarro, Mayor Pro Tem Trevor Green, Hector Cervantes, Peter Fuentes, Fred R. Beltran

PRESENT: *Beltran, Fuentes, Cervantes, Navarro*

ABSENT: *Green*

ALSO PRESENT: *R. Medina*

MAYOR'S MESSAGE/PUBLIC COMMENT

At this time the Council will hear comments on any agenda item and on any item not on this agenda. Personal attacks on individuals, slanderous comments or comments that may invade an individual's privacy are prohibited. If you wish to be heard, please stand and address yourself to the Mayor, we request that you limit your remarks to no more than three (3) minutes. *NO COMMENT*

MOTION: *Beltran* SECOND: *Fuentes* VOTE: *Carried*  
 ADJOURN TO REDEVELOPMENT AGENCY

NEW BUSINESS

MOTION: *Fuentes* SECOND: *Cervantes* VOTE: *Carried*

RESOLUTION 11-46 RDA R. Medina, Agency Director

RESOLUTION OF THE CALIPATRIA REDEVELOPMENT AGENCY APPROVING  
 AND ADOPTING THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE  
 PURSUANT TO SECTION 34169 (g) OF THE CALIFORNIA COMMUNITY  
 REDEVELOPMENT LAW

**WHEREAS**, the Calipatria Redevelopment Agency (the "Agency") is organized and existing pursuant to the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*; hereinafter, the "CCRL") and is responsible for the administration of redevelopment activities within the City of Calipatria; *and*

**WHEREAS**, on July 23, 1991, the City Council (the "City Council") of the City of Calipatria (the "City") adopted Ordinance No. 282, which approved the Redevelopment Plan (the "Plan") for the Calipatria Improvement Project Area (the "Project Area"); *and*

**WHEREAS**, on December 13, 1994, the City Council of the City adopted Ordinance No. 300, which amended the Project Area (the “Amended Project Area”); *and*

**WHEREAS**, the Agency is actively engaged in activities to redevelop the Amended Project Area pursuant to the provisions of the CCRL; *and*

**WHEREAS**, continued redevelopment of the Amended Project Area to eliminate blight, improve public facilities and infrastructure, renovate and construct affordable housing, and enter into partnerships with private industries to create jobs and expand the local economy is vital to the health, safety and welfare of the City; *and*

**WHEREAS**, on June 28, 2011, the State of California enacted California Health and Safety Code Section 34161, *et seq.* (pursuant to ABX1 26; the “Dissolution Act”), immediately prohibiting further redevelopment activity by redevelopment agencies and dissolving all redevelopment agencies in the State of California on October 1, 2011 or November 1, 2011, if the legislative body of a redevelopment agency adopts a non-binding resolution declaring its intention to enact an ordinance electing to comply with the provisions of California Health and Safety Code Section 34192, *et seq.*; *and*

**WHEREAS**, the dissolution of the Agency would be detrimental to the health, safety and economic well-being of the residents of the City and cause irreparable harm to the community, because, among other reasons, the redevelopment activities and projects made possible, implemented and funding by the Agency are highly significant and of enduring benefit to the community and the City and are a critical component of the City’s future; *and*

**WHEREAS**, on June 28, 2011, the State of California also enacted California Health and Safety Code Section 34192, *et seq.* (pursuant to ABX1 27; the “Continuation Act”), providing communities the opportunity to continue redevelopment activity through their local redevelopment agencies by electing to participate in the “Alternative Voluntary Redevelopment Program”; *and*

**WHEREAS**, the Alternative Voluntary Redevelopment Program allows a community’s redevelopment agency to continue operating, without the constraints of California Health and Safety Code Section 34161, *et seq.*; *and*

**WHEREAS**, on July 18, 2011, the California Redevelopment Association, League of California Cities, City of Union City, City of San Jose and John F. Shirey filed a petition for Writ of Mandate; Application for Temporary Stay and supporting memorandum and declarations with the Supreme Court of the State of California (the “Petition”); *and*

**WHEREAS**, on August 11, 2011 the California Supreme Court agreed to review the Petition challenging the constitutionality of Dissolution Act and Continuation Act (collectively, the “Redevelopment Restructuring Acts”) and ordered a stay (the “Supreme Court Stay”) relative to specified portions of the Redevelopment Restructuring Acts; *and*

**WHEREAS**, the Supreme Court Stay postponed certain provisions of the Redevelopment Restructuring Acts indefinitely, but left in place provisions prohibiting redevelopment agencies from making any payments after the date that is sixty (60) days from the effective date of the Dissolution Act, other than debt service payments and payments listed on an adopted Enforceable Obligation Payment Schedule (the “EOPS”);

**WHEREAS**, therefore and notwithstanding any actions planned or already taken with respect to compliance with the Continuation Act, it is necessary that all redevelopment agencies adopt an EOPS in order to ensure that the Agency continues to have authority to

fulfill its applicable financial obligations during the effectiveness of the Supreme Court Stay; *and*

**WHEREAS**, the Supreme Court Order declared that its briefing schedule is designed to facilitate oral arguments as early as possible in 2011, and a decision before January 15, 2012; *and*

**WHEREAS**, based on the foregoing, it appears that the Supreme Court Stay could be in effect for approximately five (5) months; *and*

**WHEREAS**, the Agency's EOPS, which is consistent with the requirements of § 34169 (g) of the CCRL, is attached to this Resolution as Exhibit "A"; *and*

**WHEREAS**, All of the prerequisites with respect to the approval of this Resolution have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the Calipatria Redevelopment Agency as follows:

**Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.

**Section 2.** The Agency's Enforceable Obligation Payment Schedule, which is attached hereto as Exhibit "A", is approved and adopted.

**Section 3.** The Executive Director, or designee, is hereby authorized and directed to: i) notify the County Auditor-Controller, the State Controller and the State Department of Finance concerning this Resolution, in accordance with the applicable provisions of the California Community Redevelopment Law; and ii) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution and to implement the Enforceable Obligation Payment Schedule on behalf of the Agency.

**Section 4.** This Resolution shall take effect upon the date of its adoption.

MOTION: *Fuentes* SECOND: *Cervantes* VOTE: *Carried*

ADJOURN TO OPEN SESSION

**COUNCIL REPORTS:**

Beltran: *Monday will be hectic; police need to emphasize the double parking; need to re-route traffic*

Fuentes: *None*

Cervantes: *None*

Navarro: *None*

MOTION: *Beltran* SECOND: *Fuentes* VOTE: *Carried*

ADJOURN: *6:15pm*