RESOLUTION NO. ACRA-2011-4

RESOLUTION OF THE ALBANY COMMUNITY REINVESTMENT AGENCY APPROVING AND ADOPTING THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE PURSUANT TO PART 1.8 OF THE REDEVELOPMENT LAW

WHEREAS, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the City Council (the "City Council") of the City of Albany (the "City") adopted in accordance with the Redevelopment Law, Ordinance No. 98-04 on June 15, 1998 adopting the Redevelopment Plan for the Albany Reinvestment Project Area (the "Redevelopment Plan"), as amended from time to time; and

WHEREAS, the Albany Community Reinvestment Agency (the "Agency") is responsible for implementing the Redevelopment Plan pursuant to the Redevelopment Law; and

WHEREAS, Section 34169 of the California Redevelopment Law requires the Agency to adopt an Enforceable Obligation Payment Schedule listing all of the obligations that are enforceable within the meaning of Section 34167(d) of the Redevelopment Law and to designate an official of the Agency whose responsibility shall be to provide information and documentation for items listed in the Enforceable Obligation Payment Schedule; and

WHEREAS, as further set forth in the staff report accompanying this Resolution (the "Staff Report"), the Agency has prepared a schedule setting forth all of the obligations which the Agency has determined are enforceable obligations under Section 34167(d) of the Redevelopment Law (the "Enforceable Obligation Payment Schedule"); and

WHEREAS under Title 14 of the California Code of Regulations, Section 15378(b)(4), the approval of this Enforceable Obligation Payment Schedule is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a project, but instead consists of the continuation of an existing governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program, because it merely lists enforceable obligations previously entered into and approved by the Agency; and

WHEREAS, the Agency Board has reviewed and duly considered the Staff Report, the proposed Enforceable Obligation Payment Schedule, and 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 ordinance 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 Alameda in accordance with the CEQA guidelines.

BE IT FURTHER RESOLVED, that the Agency Board hereby approves and adopts the Enforceable Obligation Payment Schedule.

BE IT FURTHER RESOLVED, that the Agency Board authorizes and directs the Agency's Executive Director or the Executive Director's designee to: (1) post the Enforceable Obligation Payment Schedule on the Agency and the City'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 Controller of the Agency's action to adopt the Enforceable Obligation Payment Schedule and to provide those persons with the internet website location of the posted schedule and the contact information 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.

The above and foregoing resolution was duly and regularly passed and adopted at a meeting by the Agency Board on the 29th day of August, 2011 by the following vote:

AYES: Agency Board Member: Atkinson, Lieber, Hile

NOES:

ABSENT: Agency Board Member Thomsen

ABSTAIN: Agency Board Member Javandel

I certify that the foregoing is a true and correct copy of the original Resolution on file in the office of the Agency Secretary of the Albany Community Reinvestment Agency.

IN WITNESS WHEREOF, I have hereunto set my hand, this 29th day of August, 2011.

~~Agency Secretary~~ Minute Clerk

Approved:

Agency Chairperson

J:\Reinvestment\Agreement 2011\Agency Resolution - EOPS 082211.docx