

RESOLUTION NO. 3998

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA APPROVING A BOND EXPENDITURE AGREEMENT BETWEEN THE CITY OF COALINGA AND THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF COALINGA

WHEREAS, Assembly Bill 26 ("ABx1 26") was enacted by the State Legislature and signed by the Governor as of June 29, 2011; and

WHEREAS, on January 12, 2012, the City Council adopted Resolution No. 3489 electing to serve as the Successor Agency to the former Coalinga Redevelopment Agency ("Successor Agency") in accordance with the Dissolution Act (enacted by Assembly Bills 26 and 1484 and Senate Bill 107, as codified in the California Health & Safety Code); and

WHEREAS, the Successor Agency received its Finding of Completion under Health and Safety Code Section 34179.7 from the California Department of Finance on May 9, 2013; and

WHEREAS, Health and Safety Code Section 34191.4(c) allows a successor agency that has received a finding of completion to use bond proceeds from bonds issued prior to December 31, 2010 ("Bond Proceeds") for purposes for which the bonds were sold, provides that Bond Proceeds in excess of amounts needed to satisfy approved enforceable obligations as defined in Health and Safety Code Section 34171(d) ("Excess Bond Proceeds") shall be expended in a manner consistent with the original bond covenants, and further provides that such expenditures shall constitute excess bond proceeds obligations within the meaning of Health and Safety Code Section 34191.4(c)(2)(A) that shall be listed separately on the successor agency's Recognized Obligation Payment Schedule ("ROPS"); and

WHEREAS, as of its last accounting, the Successor Agency has determined it is holding Excess Bond Proceeds in the amount up to \$347,864 that are not otherwise obligated for a project or other enforceable obligations from the 2009A Tax Allocation Bonds ("Bonds") for the Coalinga Redevelopment Project Area; and

WHEREAS, the Successor Agency desires to provide Excess Bond Proceeds to the City of Coalinga ("City") to enable the City to use such funds, in a manner consistent with the original bond covenants outlined on the fifth page of the Official Statement of the Bonds, under "Use of Bond Proceeds", to undertake projects and programs that were not previously funded and obligated by Successor Agency or the City; and

WHEREAS, the Agreement would advance the City's community development goals while maximizing fiscal and social benefits flowing to the taxing entities from successful development. The City Council has found that the use of Excess Bond Proceeds to fund projects detailed in the Agreement is in accordance with Health and Safety Code Sections 33445, 33445.1, and 33679, the original bond covenants, and other applicable laws; and

WHEREAS, the City Council desires to approve a Bond Expenditure Agreement ("Agreement"), attached as Exhibit "A", between the City and Successor Agency.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Coalinga, California, as follows:

SECTION 1. The above recitals are true and correct and are adopted as the findings of the City Council.

SECTION 2. The City Council hereby determines that the expenditure of Excess Bond Proceeds in accordance with the attached Agreement will benefit the affected taxing entities, and herein approves the execution of the attached Agreement and the provision of Excess Bond Proceeds to the City for the purposes described.

SECTION 3. City and Successor Agency staff are authorized to take such other and further action as necessary to carry out the intent of this Resolution.

SECTION 4. If any provision, sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such finding shall affect only such provision, sentence, clause, section or part, and shall not affect or impair any of the remaining parts.

This resolution was adopted at a Regular Meeting of the City Council of the City of Coalinga held on **January 7, 2021**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

BOND EXPENDITURE AGREEMENT
BETWEEN THE CITY OF COALINGA AND
COALINGA REDEVELOPMENT SUCCESSOR AGENCY