

RESOLUTION NO. 2013-06OB

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE
SUCCESSOR AGENCY TO THE GALT REDEVELOPMENT AGENCY
OF THE CITY OF GALT, CALIFORNIA AUTHORIZING THE EXPENDITURE
OF TAX INCREMENT FUNDS FOR PUBLIC IMPROVEMENTS AND PUBLIC FACILITIES
RELATED TO THE PROVISION OF FIRE PROTECTION AND EMERGENCY
MEDICAL SERVICES AND ADOPTING FINDINGS REQUIRED BY HEALTH
AND SAFETY CODE SECTIONS 33445 AND 33679**

WHEREAS, the City Council of the City of Galt, California (the "City Council") adopted Ordinance No. 83-10 on June 7, 1983 approving and adopting the Redevelopment Plan (the "**Redevelopment Plan**") for the Galt Redevelopment Project (the "**Project Area**"); and

WHEREAS, the Redevelopment Plan has been amended four times by the City Council: (1) on November 21, 1989, by Ordinance No. 89-09; (2) on December 20, 1994 by Ordinance No. 94-18; (3) on February 4, 2003 by Ordinance No. 003-01; and (4) on July 3, 2007 by Ordinance No. 2007-09; and

WHEREAS, the former Redevelopment Agency of the City of Galt (the "**Agency**") was responsible for carrying out redevelopment within the Project Area in the City of Galt in accordance with the Redevelopment Plan and the California Community Redevelopment Law (Health and Safety Code Sections 33000 *et seq.*) (the "**CRL**"), including the construction and installation of public improvements consistent with the Redevelopment Plan; and

WHEREAS, the Cosumnes Community Services District (the "**District**") is charged with the responsibility for providing fire protection and emergency medical services to all of the citizens of the Project Area and the City; and

WHEREAS, to promote the redevelopment of the Project Area and to provide improved and expanded fire safety and emergency medical facilities for the citizens of the Project Area and the City, the Successor Agency proposes to fund a portion of the cost of installation and/or construction of certain public improvement projects as more particularly described in Exhibit A, Public Improvement Projects (the "**New Projects**"), attached hereto and incorporated herein by reference, that are or will be owned by the District, in the amount of Eight Hundred Forty-Five Thousand Dollars (\$845,000) ; and

WHEREAS, the District entered into a Settlement Agreement (the "**Agreement**") with the Agency and the City of Galt (the "**City**"), on November 18, 2009, that provides in part for the financing of certain public improvement projects to be constructed within the District and both within and outside of the Project Area, as more particularly described in the staff report accompanying this Resolution (the "**Original Projects**"); and

WHEREAS, Section 33445 of the California Redevelopment Law provides that a redevelopment agency may, with the consent of the legislative body, pay all or a portion of the cost of the construction of any building, facility, structure, or other improvements that is publicly owned either within or outside the project area if it determines all of the following:

a. The buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located; and

b. That no other reasonable means of financing the buildings, facilities, structures, or other improvements are available to the community; and

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c. That the payment of funds for the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the project area; and

d. The project is consistent with the Five Year Implementation Plan adopted by the Agency pursuant to Section 33490; and

WHEREAS, a Summary Report (the "**Report**"), has been prepared pursuant to Health and Safety Code Section 33679, and is on file with the Successor Agency Secretary; and

WHEREAS, notice of a public hearing and the availability of the Report was published in the Galt Herald, a newspaper of general circulation in the City of Galt, as required by Health and Safety Code Section 33679; and

WHEREAS, as more fully described in the Report, the expenditure of tax increment funds for the New Projects will benefit the Project Area by enabling the District to provide enhanced levels of fire protection services and emergency medical responses to the Project Area in addition to areas outside the Project Area; and

WHEREAS, as more fully described in the Report, the expenditure of tax increment funds for the New Projects furthers the goals and objectives of the Redevelopment Plan; and

WHEREAS, as more fully described in the Report, the Board of Directors of the District has found and determined that it has no other reasonable means of financing the portion of the New Projects proposed to be funded by the Successor Agency; and

WHEREAS, the Board of Directors of the Successor Agency authorized the expenditure of Eight Hundred Forty-Five Thousand Dollars (\$845,000) in tax increment funds for the New Projects on October 15, 2013, all in accordance with the Agreement. This is in addition to the amount approved in Resolution No. 2009-01R, adopted by the former Redevelopment Agency on April 7, 2009, for the Original Projects to be constructed by the District; and

WHEREAS, the City Council consented to the expenditure of Eight Hundred Forty-Five Thousand Dollars (\$845,000) in tax increment funds for the New Projects on October 15, 2013, all in accordance with the Agreement.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Oversight Board for the former Redevelopment Agency of the City of Galt as follows:

Section 1: The Oversight Board hereby finds based upon the evidence set forth in the Summary Report and the staff report accompanying this Resolution, that (i) the expenditure of tax increment funds to undertake the New Projects will be of benefit to the Project Area, (ii) no other reasonable means of financing the New Projects is reasonably available, (iii) completion of the New Projects will assist in the elimination of blighting conditions in the Project Area; and (iv) completion of the New Projects is consistent with the Implementation Plan for the Project Area.

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Section 2: The Oversight Board hereby authorizes the expenditure of Eight Hundred Forty-Five Thousand Dollars (\$845,000) in tax increment funds for the New Projects, all in accordance with the Agreement. This is in addition to the amount approved in Resolution No. 2009-01R, adopted by the former Redevelopment Agency on April 7, 2009, for the Original Projects to be constructed by the District.

The Secretary to the Oversight Board shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the Board Members of the Oversight Board of the City of Galt, this 24th day of October, 2013, upon a motion by Board Member Carson, seconded by Board Member Schauer, by the following vote, to wit:

AYES:	Board members:	Carson, Ebner, Schauer, Kiriu
NOES:	Board members:	
ABSTAIN:	Board members:	
ABSENT:	Board members:	Parker, Puentes-Griffith, Marx



VICE CHAIRPERSON, Oversight Board

ATTEST


Acting Secretary, Oversight Board