

SUCCESSOR AGENCY RESOLUTION 2025-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF EL CERRITO APPROVING THE DISSOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF EL CERRITO PURSUANT TO HEALTH AND SAFETY CODE SECTION 34187(b) AND MAKING SPECIFIED RELATED FINDINGS

WHEREAS, the Redevelopment Agency of the City of El Cerrito (the "Former Agency") was formed, existed and exercised its powers pursuant to the Community Redevelopment Law (California Health and Safety Code section 33000 et seq. the "CRL"); and

WHEREAS, the California state legislature enacted Assembly Bill 1x 26, as modified by Assembly Bill No. 1484 enacted on June 27, 2012, as further modified by Senate Bill No. 107 enacted on September 22, 2015, as such may be further amended (collectively, the "Dissolution Act"), adding or amending Parts 1.8 and 1.85 to Division 24 of the Health and Safety Code, to dissolve redevelopment agencies formed under the CRL; and

WHEREAS, pursuant to Section 34173 of the Health and Safety Code, effective February 1, 2012 the Successor Agency to the Redevelopment Agency of the City of El Cerrito, a separate legal entity (the "Successor Agency"), was formed to and charged with paying the enforceable obligations, disposing of the properties and other assets, and unwinding the affairs of the dissolved Former Agency; and

WHEREAS, upon dissolution of the Former Agency, all authority, rights, powers, duties and obligations previously vested with the Former Agency (except for the Former Agency's housing assets and functions) under the CRL vested in the Successor Agency, which was declared a separate legal entity effective June 27, 2012; and

WHEREAS, Section 34179 (j) of the Health and Safety Code provides for the appointment of a countywide oversight board (the "Countywide Oversight Board") with specific duties to approve certain Successor Agency actions pursuant to Section 34180 of the Health and Safety Code and to direct the Successor Agency in certain other actions pursuant to Section 34181 of the Health and Safety Code; and

WHEREAS, under Health and Safety Code Section 34187(b), "when all of the enforceable obligations have been retired or paid off, all real property has been disposed of pursuant to section 34181 or 34191.4, and all outstanding litigation has been resolved, the successor agency shall, within 30 days of meeting the aforementioned criteria, submit to the oversight board a request, with a copy of the request to the county Auditor - Controller, to formally dissolve the Successor Agency"; and

WHEREAS, as of September 1, 2025, the Successor Agency has retired or paid off all of the enforceable obligations of the Former Agency, all real property has been disposed of pursuant to Health and Safety Code Sections 34181 or 34191.4, and no litigation is outstanding, thereby satisfying the conditions of Health and Safety Code Section 34187(b); and

WHEREAS, the dissolution of the Successor Agency is for the benefit of all the taxing entities and will result in no further property taxes being allocated to the Redevelopment Property Tax Trust Fund, and pass-through payments will cease and result in the expeditious wind-down of the Successor Agency; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), based upon a review of the evidence and information presented on the matter as it relates to the dissolution of the Successor Agency, the Successor Agency has determined that such approval is exempt from the California Environmental Quality Act (CEQA) Section 15061(b)(3) as it can be seen with certainty that there is no possibility that this proposal will have a significant impact on the environment; and

WHEREAS, within 30 days of meeting the criteria for dissolution under of Health and Safety Code Section 34187(b) the Successor Agency must submit to the Consolidated Oversight Board, with a copy to the County Auditor - Controller for the County of Contra Costa, a request to formally dissolve the Successor Agency; and

WHEREAS, the Consolidated Oversight Board must approve the request within 30 days; and

WHEREAS, upon approval of the Consolidated Oversight Board's action approving the Successor Agency's request to dissolve, the Consolidated Oversight Board must submit the request to the California Department of Finance ("Department") which has 30 days to approve or deny the request; and

WHEREAS, within 100 days of approval of the request to dissolve by the Department the Successor Agency is required to dispose of all remaining assets as directed by the Consolidated Oversight Board, transferring the proceeds from such disposition to the County Auditor - Controller for the County of Contra Costa and notify the Consolidated Oversight Board when all assets have been disposed of.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito acting as the Successor Agency to the Redevelopment Agency of El Cerrito that it hereby finds, resolves, and determines that the foregoing recitals are true and correct and are incorporated herein by reference, and together with information provided by the City and Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below:

1. Pursuant to the California Environmental Quality Act (CEQA), based upon a review of the evidence and information presented on the matter as it relates to the dissolution of the Successor Agency, the Successor Agency's governing board has determined that approval of this Resolution will not result in a direct or indirect physical change in the environment, per CEQA Guideline Section 15378 (b)(5) of the and is exempt under Section 15061 (b)(3).
2. The Successor Agency's governing board hereby finds that it is in the best interest of the taxing entities to dissolve the Successor Agency and that all of the conditions set forth in Health and Safety Code Section 34187(b) have been satisfied.
3. The Successor Agency's governing board hereby approves the dissolution of the Successor Agency, in the manner specified herein, and hereby authorizes and directs the Executive Director of the Successor Agency, or the Successor Agency Executive Director's designees, to take all actions, give any required notices and sign any and all documents necessary to implement and effectuate the actions approved by this Resolution as determined necessary by the Successor Agency's Executive Director, or the Successor Agency's Executive Director's designee, including but not limited to the disposition of any remaining assets of the of the Successor Agency in accordance with Health and Safety Code Section 34187.
4. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Successor Agency's governing board declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
5. The Successor Agency's governing board hereby authorizes and directs the Successor Agency staff to take all actions necessary under the Dissolution Act to file, post, mail or otherwise deliver via electronic mail, internet posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of this Resolution.
6. In accordance with Health and Safety Code Section 34187(b), the Successor Agency staff is directed to submit to the Countywide Oversight Board and to the County Auditor - Controller for the County of Contra Costa a copy of this Resolution, which shall serve as the formal request to dissolve the Successor Agency.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon its passage and adoption.

I CERTIFY that at the special meeting on September 16, 2025, the City Council of the City of El Cerrito acting as the Successor Agency to the Redevelopment Agency of El Cerrito passed this resolution by the following vote:

AYES: Mayor Wysinger; Mayor Pro Tem Quinto; Councilmember Ktsanes, Motoyama and Saltzman
NOES: None
ABSENT: None
ABSTAIN: None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on 9/16/2025. DS

APPROVED:

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Carolyn Wysinger
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Carolyn Wysinger, Mayor



Signed by:

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Holly M. Charléty, City Clerk