

**RD A RESOLUTION 11-07
CITY OF MILLBRAE, COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY
OF MILLBRAE ADOPTING AN ENFORCEABLE OBLIGATION PAYMENT
SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34169**

WHEREAS, the Redevelopment Agency of the City of Millbrae (“Agency”) is a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.* (“CRL”);

WHEREAS, pursuant to subdivision (g) of Section 34169 of the CRL (enacted pursuant to Assembly Bill x1 26), the Agency is required adopt an Enforceable Obligation Payment Schedule that lists all of the obligations that are “enforceable obligations” within the meaning of subdivision (d) of Section 34167 of the CRL and that includes the following information about each such obligation:

- (A) The project name associated with the obligation.
- (B) The payee.
- (C) A short description of the nature of the work, product, service, facility, or other thing of value for which payment is to be made.
- (D) The amount of payments obligated to be made, by month, through December 2011;

WHEREAS, an Enforceable Obligation Payment Schedule, a copy of which is attached, has been presented to the Agency, the Agency is familiar with the contents thereof, and the Executive Director has recommended approval of said Schedule subject to the contingencies and reservation of rights set forth in this Resolution;

WHEREAS, an action challenging the constitutionality of Assembly Bill x1 26 and Assembly Bill x1 27 has been filed with the California State Supreme Court on behalf of cities, counties and redevelopment agencies;

WHEREAS, the Agency reserves the right to challenge the legality of Assembly Bill x1 26 and Assembly Bill x1 27;

WHEREAS, the Agency reserves the right to amend the Enforceable Obligation Payment Schedule; and

WHEREAS, in adopting the Enforceable Obligation Payment Schedule, the Agency does not intend to waive, nor shall the Agency be deemed to have waived any rights the Agency or its successor may have pursuant to or in connection with any obligation listed on such Schedule, including without limitation, the right to modify, amend, terminate or challenge any obligation listed on such Schedule.

NOW, THEREFORE, the Redevelopment Agency of the City of Millbrae does hereby resolve as follows:


1. The Recitals set forth above are true and correct, and are incorporated herein by reference.
2. The Enforceable Obligation Payment Schedule attached hereto is hereby adopted, subject to all reservations of rights and contingencies set forth above.
3. The Executive Director or designee is authorized to take all actions necessary to implement this Resolution, including without limitation, the posting of this Resolution and the Enforceable Obligation Payment Schedule on the Agency's website, and the provision of notice of adoption of this Resolution and such Schedule to the County Auditor-Controller, the State Controller and the State Department of Finance.

PASSED AND ADOPTED this 25th day of August, 2011.

APPROVED:


Agency Chair

ATTEST:


Agency Secretary

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 25th day of August 2011, by the following vote:

AYES: COUNCILMEMBERS: Colapietro, Papan, Holober, and Seto

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Quigg

ABSTAIN: COUNCILMEMBERS: None

EXCUSED: COUNCILMEMBERS: None

A handwritten signature in black ink, appearing to read "JC Nelson", is written above a horizontal line.

ACTING CITY CLERK