

**DESIGNATED LOCAL AUTHORITY
RIVERBANK CITY HALL SOUTH
CONFERENCE ROOM
6617 THIRD STREET
RIVERBANK CA 95367-2305**

**SPECIAL MEETING AGENDA
TUESDAY, JANUARY 16, 2018 – 10:00AM**

CALL TO ORDER: CHAIR WENDELL NARAGHI

**ROLL CALL: Chair Wendell Naraghi
Vice Chair Walter Schmidt
Treasurer Paul Baxter**



CONFLICT OF INTEREST

Declaration by Board Members who would have a direct Conflict of Interest on any scheduled item to be considered should be stated at this time.

1. PUBLIC BUSINESS FROM THE FLOOR (No action can be taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the Board.

2. ACTION ITEMS (Items will be individually discussed prior to Board action)

Item 2.1: Approval of the June 27, 2017 Special Meeting Minutes

Recommendation: Approval by Roll Call Vote.

Item 2.2: Approval of the September 12, 2017 Special Joint Meeting Minutes

Recommendation: Approval by Roll Call Vote.

Item 2.3: Approval of the Recognized Obligation Payment Schedule for Fiscal Year 2018-19 (Annual ROPS 18-19)

Recommendation: Approval by Roll Call Vote for Submittal to the Oversight Board.

Item 2.4: RDLA Resolution 2018-001 Adopting a Conflict of Interest Code

Recommendation: Approval by Roll Call Vote for Submittal to the Oversight Board.

3. INFORMATIONAL ITEMS (No action to be taken)

There are no informational items

4. COMMENTS (Informational Only – No action to be taken)

Item 4.1: Consultant Comments

Item 4.2: Board Comments

ADJOURNMENT

+

AFFIDAVIT OF POSTING			
DATE:	January 11, 2018	TIME:	9:30 AM
NAME:	Marisela H. Garcia	TITLE:	Secretary

Notice Regarding Americans with Disabilities Act:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (209) 863-7122. Notification 48-hours before the meeting will enable the Board to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102.35.104 ADA Title II].

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Designated Local Authority shall be in English and anyone wishing to address the Board is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the Riverbank Designated Local Authority will be available for public inspection at the address where the meeting is taking place as indicated on the agenda, at the same time that the public records are distributed or made available to the Riverbank Designated Local Authority.

AGENDA ITEM 2.1

**RIVERBANK DESIGNATED LOCAL AUTHORITY
SUCCESSOR AGENCY TO THE RIVERBANK REDEVELOPMENT AGENCY**

**MEETING MINUTES
TUESDAY, JUNE 27, 2017**

CALL MEETING TO ORDER:

The Riverbank Designated Local Authority (RDLA) met this date at 10:05 a.m., in the Riverbank City Hall South Conference Room, 6617 Third Street, Riverbank, California, and was called to order by Chair Naraghi.

Present: Chair Wendell Naraghi
Vice Chair Walter Schmidt
Treasurer Paul Baxter

Also in Attendance: Chris Jicha, Kosmont Companies (via phone)

CONFLICT OF INTEREST

No conflict was declared.

1. PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

2. ACTION ITEMS

Item 2.1: Approval of the January 10, 2017 Meeting Minutes

By a vote of 3-0, the January 10, 2017 minutes were approved. The motion was made by Treasurer Baxter with a second by Vice Chair Schmidt.

Item 2.2: Approval of Resolution RDLA 2017-001 Commending the City of Riverbank and City of Riverbank Staff for their invaluable help & assistance allowing the Agency to perform the State mandated tasks to wind down the affairs of the former Riverbank Redevelopment Agency

By a vote of 3-0, Resolution 2017-001 was approved. The motion was made by Treasurer Baxter with a second by Vice Chair Schmidt.

AGENDA ITEM 2.1

Item 2.3: Potential Restructuring of Delinquent Tax Allocation Bonds

DLA Members received a report from Chris Jicha (Kosmont Companies) regarding their initial evaluation of the refunding of the outstanding 2007 RDA bonds. Any refunding must be approved by the Department of Finance as per AB 1484. DLA members directed Kosmont Companies to continue gathering additional information to assist in making a recommendation to the Oversight Board. A joint meeting of the DLA and the Oversight Board was requested to discuss this item.

3. INFORMATIONAL ITEMS

There are no informational items

4. COMMENTS

Item 4.1: Consultant Comments

No comments.

Item 4.2: Board Comments

No comments.

ADJOURNMENT

There being no further business, Chair Naraghi adjourned the meeting at 11:16 a.m.

Respectively Submitted,

*Marisela H. Garcia, Secretary
Riverbank Designated Local Authority*

AGENDA ITEM 2.2

**OVERSIGHT BOARD FOR THE FORMER RIVERBANK REDEVELOPMENT
AGENCY**

&

**DESIGNATED LOCAL AUTHORITY, SUCCESSOR AGENCY FOR THE
FORMER RIVERBANK REDEVELOPMENT AGENCY**

SPECIAL JOINT MEETING MINUTES

TUESDAY, SEPTEMBER 12, 2017

CALL MEETING TO ORDER:

The Riverbank Oversight Board (OB) and Riverbank Designated Local Authority (RDLA) met this date at 10:00 a.m., in the Riverbank City Hall South Conference Room, 6617 Third Street, Riverbank, California, and was called to order by Oversight Board Member Supervisor Kristen Olson.

Present:

Oversight Board Members:
Becky Meredith, Teresa Scott, Marisela Garcia,
Chief Rick Weigele, Supervisor Kristen Olson

Designated Local Authority Members:
Chair Wendell Naraghi
Vice Chair Walter Schmidt
Treasurer Paul Baxter

Members Absent:

Oversight Board Members: Lana Clayton &
Vice Chair Curtis Lineburger

CONFLICT OF INTEREST

No conflict was declared.

1. PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

2. ACTION & DISCUSSION ITEMS

**Item 2.1: Potential Restructuring of Delinquent Tax Allocation
Bonds**

AGENDA ITEM 2.2

The Oversight Board (OB) and Designated Local Authority (DLA) received a report from staff regarding the potential for restructuring or refunding of current outstanding bonds.

After discussion by the OB and DLA members it was decided by consensus to not move forward with exploring this option and directing staff to prepare the Last & Final ROPS for consideration by the OB and DLA for submittal to the State Department of Finance.

By a vote of 3-0, a motion to direct staff to prepare the Last & Final ROPS was approved by the DLA. The motion was made by Treasurer Baxter with a second by Vice Chair Schmidt.

By a vote of 5-0, a motion to direct staff to prepare the Last & Final ROPS was approved by the OB. The motion was made by Member Scott with a second by Member Meredith.

3. INFORMATIONAL ITEMS

There are no informational items.

4. COMMENTS

There were no further comments made.

ADJOURNMENT

There being no further business, Oversight Board Member Supervisor Olson adjourned the meeting at 11:05 a.m.

Respectively Submitted,

Marisela H. Garcia
Secretary, Riverbank Designated Local Authority
Riverbank Oversight Board Member

AGENDA ITEM 2.3

Recognized Obligation Payment Schedule (ROPS 18-19) - Summary

Filed for the July 1, 2018 through June 30, 2019 Period

Successor Agency:

Riverbank

County:

Stanislaus

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)		18-19A Total (July - December)	18-19B Total (January - June)	ROPS 18-19 Total
A	Enforceable Obligations Funded as Follows (B+C+D):	\$ -	\$ -	\$ -
B	Bond Proceeds	-	-	-
C	Reserve Balance	-	-	-
D	Other Funds	-	-	-
E	Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 3,197,266	\$ 335,488	\$ 3,532,754
F	RPTTF	3,197,266	335,488	3,532,754
G	Administrative RPTTF	-	-	-
H	Current Period Enforceable Obligations (A+E):	\$ 3,197,266	\$ 335,488	\$ 3,532,754

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name

Title

/s/

Signature

Date

AGENDA ITEM 2.3

Riverbank Recognized Obligation Payment Schedule (ROPS 18-19) - ROPS Detail

July 1, 2018 through June 30, 2019

(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	18-19A (July - December)					Q	18-19B (January - June)					W	
											Fund Sources						Fund Sources						
											L	M	N	O	P		R	S	T	U	V		
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	ROPS 18-19 Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	18-19A Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	18-19B Total	
								\$ 26,695,170		\$ 3,532,754	\$ -	\$ -	\$ -	\$ 3,197,266	\$ -	\$ 3,197,266	\$ -	\$ -	\$ -	\$ 335,488	\$ -	\$ -	\$ 335,488
1	2007 Tax Allocation Bond Series A	Bonds Issued On or Before 12/31/10	2/1/2007	8/1/2037	US Bank	Tax Allocation Bond for Non-housing		19,279,366	N	\$ 798,503				542,501		\$ 542,501				256,002			\$ 256,002
2	2007 Tax Allocation Bond Series B	Bonds Issued On or Before 12/31/10	2/1/2007	8/1/2037	US Bank	Tax Allocation Bond for Housing projects		4,883,984	N	\$ 202,431				137,945		\$ 137,945				64,486			\$ 64,486
3	2007 Tax Allocation Bond Series A - Replenish Debt Service Reserve Account	Bonds Issued On or Before 12/31/10	2/1/2007	8/1/2037	US Bank	Payment of funds to meet bond debt service requirements		750,275	N	\$ 750,275				750,275		\$ 750,275							\$ -
4	2007 Tax Allocation Bond Series B - Replenish Debt Service Reserve Account	Bonds Issued On or Before 12/31/10	2/1/2007	8/1/2037	US Bank	Payment of funds to meet bond debt service requirements		180,884	N	\$ 180,884				180,884		\$ 180,884							\$ -
5	Bond Trustee Administrative Costs	Fees	2/1/2007	8/1/2037	US Bank	Bond trustee administrative fee		15,000	N	\$ 15,000						\$ -				15,000			\$ 15,000
53	ROPS 13-14A - Unfunded Obligation - 2007A Bonds principal due 8/1/13	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		231,928	N	\$ 231,928				231,928		\$ 231,928							\$ -
54	ROPS 13-14A - Unfunded Obligation - 2007B Bonds principal due 8/1/13	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		59,685	N	\$ 59,685				59,685		\$ 59,685							\$ -
55	ROPS 14-15A - Unfunded Obligation - 2007A bonds principal due 8/1/14	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		241,024	N	\$ 241,024				241,024		\$ 241,024							\$ -
56	ROPS 14-15A - Unfunded Obligation - 2007B bonds principal due 8/1/14	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		64,276	N	\$ 64,276				64,276		\$ 64,276							\$ -
57	SERAF/ERAF	SERAF/ERAF	2/1/2010	2/1/2037	Housing Successor/Housing Fund	Funds borrowed from housing fund to make SERAF/ERAF payments			N														
58	ROPS 15-16A - Unfunded Obligation - 2007A bonds principal due 8/1/15	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		250,119	N	\$ 250,119				250,119		\$ 250,119							\$ -
59	ROPS 15-16A - Unfunded Obligation - 2007B bonds principal due 8/1/15	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		64,276	N	\$ 64,276				64,276		\$ 64,276							\$ -
60	ROPS 16-17 - Unfunded Obligation - 2007A bonds principal due 8/1/16	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		263,762	N	\$ 263,762				263,762		\$ 263,762							\$ -
61	ROPS 16-17 - Unfunded Obligation - 2007B bonds principal due 8/1/16	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		68,867	N	\$ 68,867				68,867		\$ 68,867							\$ -
62	ROPS 17-18 - Unfunded Obligation - 2007A bonds principal due 8/1/17	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		272,857	N	\$ 272,857				272,857		\$ 272,857							\$ -
63	ROPS 17-18 - Unfunded Obligation - 2007B bonds principal due 8/1/17	RPTTF Shortfall	2/1/2007	8/1/2037	US Bank	RPTTF distributed was insufficient to pay all enforceable obligations approved by the DOF on the ROPS		68,867	N	\$ 68,867				68,867		\$ 68,867							\$ -
64									N	\$ -						\$ -							\$ -
65									N	\$ -						\$ -							\$ -
66									N	\$ -						\$ -							\$ -
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102									N	\$ -						\$ -							\$ -
103									N	\$ -						\$ -							\$ -

Riverbank Recognized Obligation Payment Schedule (ROPS 18-19) - Report of Cash Balances
July 1, 2015 through June 30, 2016
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (I), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#)

A	B	C	D	E	F	G	H	I	
		Fund Sources							
		Bond Proceeds		Reserve Balance		Other	RPTTF		
	Cash Balance Information for ROPS 15-16 Actuals (07/01/15 - 06/30/16)	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	Comments	
1	Beginning Available Cash Balance (Actual 07/01/15)						366,192		
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16 total distribution from the County Auditor-Controller during June 2015 and January 2016.					163,004	1,005,960		
3	Expenditures for ROPS 15-16 Enforceable Obligations (Actual 06/30/16)					163,004	1,372,152		
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
5	ROPS 15-16 RPTTF Balances Remaining	No entry required							
6	Ending Actual Available Cash Balance (06/30/16) C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 + 5)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		

AGENDA ITEM 2.4

**REPORT TO THE RIVERBANK DESIGNATED LOCAL AUTHORITY,
AS SUCCESSOR AGENCY TO THE RIVERBANK REDEVELOPMENT AGENCY**

TO: DESIGNATED LOCAL AUTHORITY MEMBERS
FROM: MARISELA H. GARCIA, SECRETARY TO THE DLA
DATE: JANUARY 16, 2018
SUBJECT: CONSIDER ADOPTION OF RESOLUTION APPROVING CONFLICT OF INTEREST CODE

BACKGROUND

Under the Political Reform Act (“Act”), all public agencies are required to adopt a Conflict of Interest Code. A Code designates positions required to file Statements of Economic Interest (Form 700) and assigns disclosure categories specifying the types of interests to be reported. The Act requires the Designated Local Authority to review and update its Conflict of Interest Code every two years to add or delete designated positions and revise disclosure categories. This requirement applies even if the public agency does not make any modifications to the Conflict of Interest Code.

The Designated Local Authority adopted a Conflict of Interest Code in 2012. The Conflict of Interest Code has not been updated since that date.

The FPPC recommends that agencies incorporate FPPC regulation 18730 by reference because the type of information required to be in the main body of the Code is quite complex and Regulation 18730 contains all of these provisions. The FPPC periodically amends the regulation to include legislative and regulatory changes that affect the main body of the Code. This means that this component of an agency’s Code is automatically in compliance with the Act. Counsel has prepared an updated Conflict of Interest Code which incorporates the model conflict of interest code recommended by the FPPC.

The attached resolution adopting a Conflict of Interest Code is presented for your consideration.

RECOMMENDATION

It is recommended that the Riverbank Designated Local Authority, acting as Successor Agency to the Riverbank Redevelopment Agency, adopt Resolution No. 2018-001 approving a Conflict of Interest Code.

Attachments: Resolution 2018-001

AGENDA ITEM 2.4

RDLA RESOLUTION NO. 2018-001

A RESOLUTION OF THE RIVERBANK DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY TO THE RIVERBANK REDEVELOPMENT AGENCY, ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Riverbank Designated Local Authority, as Successor Agency to the Riverbank Redevelopment Agency (the "DLA"), has been appointed in accordance with the provisions of the Health & Safety Code; and

WHEREAS, the Riverbank Designated Local Authority is deemed a local public agency for the purpose of the Political Reform Act; and

WHEREAS, pursuant to the Political Reform Act of 1974 and regulations promulgated thereunder by the Fair Political Practices Commission ("FPPC"), a local public agency is required to adopt a conflict of interest code and update it biannually; and

WHEREAS, the Riverbank Designated Local Authority adopted its conflict of interest code in 2012, and it is now necessary to update it as required by law; and

WHEREAS, the Riverbank Designated Local Authority finds and determines it is appropriate to adopt as its conflict of interest code the model conflict of interest code promulgated by the FPPC as set forth in this Resolution; and

NOW, THEREFORE, THE RIVERBANK DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY OF THE RIVERBANK REDEVELOPMENT AGENCY, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the Political Reform Act of 1974, Government Code Section 87300 et seq., and Section 18730 of Title 2 of the California Code of Regulations, the Board adopts the model Conflict of Interest code promulgated by the Fair Political Practices Commission of the State of California as set forth in Section 18730 of Title 2 of the California Code of Regulations, which model conflict of interest code is incorporated herein by reference, and which, together with the list of designated positions and the disclosure categories applicable to each designated position as set forth in Sections 3 and 6 of this Resolution, collectively constitutes the Riverbank Designated Local Authority's Conflict of Interest Code. As the model conflict of interest code set forth in Section 18730 of Title 2 of the California Code of Regulations is amended from time to time by State Law, regulatory action of the Fair Political Practices Commission, or judicial determination, the portion of the Riverbank Designated Local Authority's Conflict of Interest Code comprising the model conflict of interest code shall be deemed automatically amended without further action to incorporate by reference all such amendments to the model conflict of interest code so as to remain in compliance therewith nothing in the Resolution shall supersede the independent applicability of Government Code Section 87200.

SECTION 2. The definitions contained in the Political Reform Act of 1974 and in the regulations of the Fair Political Practices Commission, and any amendments to either of the foregoing, are incorporated by reference into this Conflict of Interest Code.

SECTION 3. Members of the Riverbank Designated Local Authority are the designated Board positions which shall be required to file statements of economic interests.

AGENDA ITEM 2.4

SECTION 4. Unless determined otherwise by the California Department of Finance, the code reviewing body for this conflict of interest code shall be the City Council of the City of Riverbank. This Conflict of Interest Code shall be promptly submitted after its adoption by the Designated Local Authority Board Secretary to the City Clerk of Riverbank or such other entity designated by the California Department of Finance. Statements of economic Interests shall be filed by Riverbank Designated Local Authority Members with the City Clerk or such other entity designated by the California Department of Finance.

SECTION 5. The Board finds and determines that the persons holding the positions set forth in Section 3 make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

SECTION 6. Each person holding a designated position set forth in Section 3 shall report in every disclosure category set forth in the statement of economic interests promulgated by the FPPC to the extent such category is applicable to such person pursuant to the rules and regulations of the FPPC. The disclosure categories promulgated by the FPPC may be amended from time to time and such amendments shall not require an amendment to this code or Resolution.

SECTION 7. Sections 3 and 6 of this Resolution constitute the Appendix referred to in subdivision (b)(2) of Section 18730 of Title 2 of the California Code of Regulations.

SECTION 8. Nothing contained in this Resolution is intended to modify or abridge the provisions of the Political Reform Act of 1974, Government Code Section 87000 et seq., or FPPC Regulations (Title 2 of California Code of Regulations including Sections 18700 et seq.). The provisions of this Resolution are additional to the Political Reform Act and FPPC Regulations. This Resolution shall be interpreted in a manner consistent with the Political Reform Act and FPPC regulations. In the event of any inconsistency between the provisions of this Resolution, on the one hand, and the Political Reform Act and/or the FPPC regulations, on the other hand, the provisions of the Political Reform Act and FPPC regulations shall govern.

SECTION 9. If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

SECTION 10. This Resolution shall be effective in accordance with applicable law.

AGENDA ITEM 2.4

PASSED, APPROVED AND ADOPTED at a special meeting of the Designated Local Authority, as Successor Agency to the Riverbank Redevelopment Agency, held this 16th day of January, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Wendell Naraghi, Chairperson, Designated Local Authority, as Successor Agency to the Redevelopment Agency of the City of Riverbank

ATTEST:

Marisela H. Garcia, Secretary
Riverbank Designated Local Authority