

HERCULES RDA SUCCESSOR AGENCY OVERSIGHT BOARD MEETING

**Thursday, February 21, 2013
6:30 p.m. – Closed Session
7:30 p.m. – Open Session**

**Hercules City Hall - Council Chambers
111 Civic Drive
Hercules, CA 94547**

AGENDA

I. PUBLIC COMMUNICATION – CLOSED SESSION ITEMS (6:30 p.m.)

II. CLOSED SESSION

The Oversight Board will meet in Closed Session regarding the following:

1. Pursuant to Government Code Section 54956.9(a) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – Ambac Insurance Corporation vs The City of Hercules and Redevelopment Agency of the City of Hercules (Contra Costa Superior Court Case No. N12-0182)
2. Pursuant to Government Code Section 54956.9(b), CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION – Parcel C – APN 404-020-076-0
3. Pursuant to Government Code Section 54956.9(a) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – The City of Hercules vs American Stores Properties Inc. (Contra Costa Superior Court Case No. MSC11-02361)
4. Pursuant to Government Code Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR - The Property Subject To Negotiation Is Generally Described As Parcel C, Assessor’s Parcel Number 404-020-076-0. Negotiators are Steven Duran, City Manager, Patrick Tang, City Attorney and David Sanson, Civic Property Group.
5. Pursuant to Government Code Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR – The Property Subject To Negotiation Is Generally Described As Sycamore Crossing, Assessor’s Parcel Numbers 404-020-057-0 and 404-020-058-8. Negotiators are Steven Duran, City Manager, Patrick Tang, City Attorney and David Zylstra, Property Development Centers LLC.

III. ROLL CALL – CALL TO ORDER (7:30 p.m.)

IV. PLEDGE OF ALLEGIANCE

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

VI. AGENDA ADDITIONS/DELETIONS

VII. PUBLIC COMMUNICATIONS

This time is reserved for members of the public to address issues not included in the agenda. In accordance with the Brown Act, the Board will refer to staff any matters brought before them at this time, and those matters may be placed on a future agenda.

Individuals wishing to address the Oversight Board are asked to complete a form indicating the name and address of the speaker and the general topic to be addressed. Speakers must make their comments from the podium and will be allowed three (3) minutes to discuss their concerns. All public comments are recorded and become part of the public record. A limit of thirty (30) minutes will be devoted to taking public comment at this point in the agenda. If any speakers remain at the conclusion of the initial thirty-minute period, time will be reserved at the conclusion of the meeting to take the remaining comments.

VIII. CONSENT CALENDAR

The Consent Calendar consists of items that are considered to be routine and are recommended for approval. These items may be acted upon and approved by one motion of the Oversight Board. However, individual items may be removed from the Consent Calendar, for discussion, by individual Board Members wishing to consider the matter separately.

1. Approve Meeting Minutes Of January 16, 2013.

IX. DISCUSSION AND ADMINISTRATIVE ITEMS

X. REPORTS AND RESOLUTIONS

1. Adopt A Resolution Approving The Draft Recognized Obligation Payment Schedule For The Period July 1, 2013 Through December 31, 2013

XI. PUBLIC COMMUNICATION

XII. FUTURE AGENDA ITEM REFERRALS

In accordance with the provisions of the Brown Act, matters which do not appear on this agenda but require Oversight Board discussion may be either (a) referred to staff for factual information or (b) placed on a future meeting agenda.

XIII. OVERSIGHT BOARD AND STAFF ANNOUNCEMENTS

This is the time for brief announcements on issues of interest to the community.

XIV. ADJOURNMENT

THE HERCULES RDA SUCCESSOR AGENCY OVERSIGHT BOARD ADHERES TO THE FOLLOWING POLICIES, PROCEDURES AND REGULATIONS REGARDING BOARD MEETINGS:

1. In compliance with the Americans with Disabilities Act, if you require special accommodations to participate in a Board meeting, please contact the City Clerk at 510-799-8215 at least 48 hours prior to the meeting.
2. In order to ensure the efficient conduct of City Council meetings, and to provide opportunities for all interested persons to speak and be heard, the City Council will adhere to the following meeting procedures:

Public Comment Period

- Persons wishing to speak must complete and submit a speaker's card.
- The Oversight Board will listen with respect and an open mind.
- Board responses to speakers will be as follows:
 - 1) Responses will be after all speakers have been heard.
 - 2) Short answers by the Board or staff as appropriate may be given; or
 - 3) Items may be directed to staff for later action/follow-up; or
 - 4) Items may be placed on a future agenda at the discretion of the Board.
- Conversation between the public and staff or the Board will not be allowed.
- A three-minute time limit per speaker will be enforced when there are numerous speakers addressing a single agenda item.

Process for Addressing Agenda Items Before the Oversight Board

- Chair reads the agenda item
- Staff presents their report
- Board members questions staff
- Public comments are heard
- Board discusses item
- A motion is made
- Final Board discussion
- Board votes or provides direction to staff