

**RESOLUTION NO. 12-006**

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE CITY OF HERCULES AS SUCCESSOR AGENCY TO THE HERCULES REDEVELOPMENT AGENCY APPROVING THE NEW FORMAT OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JANUARY 1, 2013 THROUGH JUNE 30, 2013**

**WHEREAS**, on December 29, 2011, the California Supreme Court issued its final decision in the litigation of *California Redevelopment Association v. Matosantos*, upholding Assembly Bill x1 26 (codified as Health and Safety Code 34161-34191) (“ABx1 26”) and invalidating Assembly Bill x1 27 (the legislation that would have permitted redevelopment agencies to continue operation if their sponsoring jurisdiction agreed to make certain payments for the benefit of schools and special districts); and as a result, all California redevelopment agencies were dissolved, effective February 1, 2012; and

**WHEREAS**, pursuant to Health and Safety code 34173(d), on January 10, 2012 by Resolution No 12-005, the Council of the City of Hercules elected to become the Successor Agency to the Hercules Redevelopment Agency (“Agency”) (Non housing); and

**WHEREAS**, California Health and Safety Code section 34179 requires that each Successor Agency have an Oversight Board; and

**WHEREAS**, Section 34177 requires each Successor Agency to prepare a draft Recognized Obligation Payment Schedule (ROPS) and section 34180 requires the Oversight Board to approve same; and

**WHEREAS**, Section 34177 provides that each ROPS shall be forward looking to the next six months; and

**WHEREAS**, On July 24, 2012, the City of Hercules as Successor Agency to the Hercules Redevelopment Agency approved the Recognized Obligation Payment Schedule for the Period January 1, 2013 through June 30, 2013 Resolution 12-083; and

**WHEREAS**, on June 27, 2012 AB 1484 was approved by the Governor of California and AB 1484 (Section 34177) (m) states that the Recognized Obligation Payment Schedule for the period of January 1, 2013 to June 30, 2013 shall be submitted by the successor agency, after approval by the oversight board, no later than September 1, 2012 to the State of California Department of Finance; and

**WHEREAS**, On July 30, 2012, the Oversight Board for the City of Hercules as Successor Agency to the Hercules Redevelopment Agency approved the Recognized Obligation Payment Schedule for the Period January 1, 2013 through June 30, 2013 Resolution 12-003. The Recognized Obligation Payment Schedule was submitted and accepted by the State of California Department of Finance; and

**WHEREAS**, Since the passage of AB1484, and the Successor Agency and Oversight Board approval of the Recognized Obligation Payment Schedule for the Period January 1, 2013 through June 30, 2013, the State of California Department of Finance has a new format for the Recognized Obligation Payment Schedule; and

**WHEREAS**, On September 11, 2012 the City of Hercules as Successor Agency to the Hercules Redevelopment Agency adopted a resolution approving the new format of the Recognized Obligation Payment Schedule for the period January 1, 2013 through June 30, 2013.

**NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE CITY OF HERCULES AS SUCCESSOR AGENCY TO THE HERCULES REDEVELOPMENT AGENCY HEREBY RESOLVES:**

- (1) Approval of the new format of the Recognized Obligation Payment Schedule (ROPS) for the period January 1, 2013 through June 30, 2013 attached hereto as Exhibit A.
- (2) Since the County Auditor Controller, the State Controller's Office and the State Department of Finance has accepted the prior format of the ROPS, the Successor Agency staff is directed to provide a copy of this Resolution along with the approved new format of the ROPS upon the request of the County Auditor Controller, the State Controller's Office and the State Department of Finance.

The foregoing Resolution was duly and regularly adopted by the Oversight Board for the City of Hercules as Successor Agency to the Hercules Redevelopment Agency at its meeting held on the 24<sup>th</sup> day of September, 2012 by the following vote:

AYES: Gamba, Reber, Tong, Wilkins, Romero


NOES: None

ABSTAIN: None

ABSENT: Mitchell, Van de Brooke

  
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Dan Romero, Chair

ATTEST:

  
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Doreen Mathews, City Clerk