

RESOLUTION NO. 13-002

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE CITY OF HERCULES AS SUCCESSOR AGENCY TO THE HERCULES REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2013 THROUGH DECEMBER 31, 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 February 12, 2013, the City of Hercules as Successor Agency to the Hercules Redevelopment Agency approved the Recognized Obligation Payment Schedule for the Period July 1, 2013 through December 31, 2013, Resolution No. 13-013; 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 shall be submitted by the successor agency, after approval by the Oversight Board to the State of California Department of Finance.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board for the City of Hercules as Successor Agency to the Hercules Redevelopment Agency as follows:

1. The Board hereby approves the ROPS for the period July 1, 2013 through December 31, 2013, attached hereto as Exhibit A.
2. The Board hereby directs Successor Agency staff to provide a copy of this Resolution along with the approved ROPS to the County Auditor Controller, the State Controller’s Office and the State Department of Finance.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the Oversight Board for the Successor Agency to the Hercules Redevelopment Agency held on the 21st day of February, 2013 by the following vote:

AYES: Mitchell, Reber, Tong, Wilkins, Romero

NOES: None

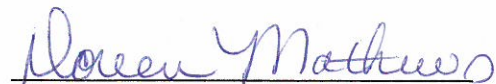
ABSTAIN: None

ABSENT: Gamba



Dan Romero, Chair

ATTEST:



Doreen Mathews, City Clerk