

REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF HAYWARD
RESOLUTION NO. RSA 16-

Introduced by Agency Member ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD, ACTING AS THE GOVERNING BOARD OF THE HAYWARD SUCCESSOR AGENCY, A SEPARATE LEGAL ENTITY, APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JULY 2016 THROUGH JUNE 2017 (“ROPS 16-17”) AND THE ADMINISTRATIVE BUDGET FOR THE 2016-17 FISCAL YEAR, AND DIRECTING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE REQUIREMENTS ASSOCIATED WITH THIS APPROVAL

WHEREAS, pursuant to ABx1 26 (as amended by AB 1484, the “Dissolution Act”), the separate legal entity known as the Hayward Successor Agency (the “Successor Agency”) must prepare “Recognized Obligation Payment Schedules” (“ROPS”) that enumerate the enforceable obligations and expenses of the Successor Agency for each successive twelve-month fiscal period until the wind down and disposition of assets of the dissolved Redevelopment Agency of the City of Hayward (the “Dissolved RDA”) has been completed; and

WHEREAS, the Successor Agency staff has prepared a ROPS for the twelve-month fiscal period commencing on July 1, 2015 and continuing through June 30, 2017 (“ROPS 16-17”); and

WHEREAS, the Successor Agency staff has prepared an administrative budget for the fiscal period commencing on July 1, 2016 and continuing through June 30, 2017 (“FY 16-17 Administrative Budget”); and

WHEREAS, the Successor Agency is entitled to an administrative cost allowance (the “Administrative Cost Allowance”) pursuant to Health and Safety Code Sections 34171(b) and 34183(a)(3) in the approximate amount of \$250,000 for the 2016-17 fiscal year of which approximately \$125,000 will be disbursed during the ROPS 16-17A and ROPS 16-17B periods; and

WHEREAS, under the Dissolution Act, ROPS 16-17 and the FY 16-17 Administrative Budget must be approved by the Successor Agency's oversight board (the “Oversight Board”) to enable the Successor Agency to continue to make payments on enforceable obligations and to pay for administrative costs of the Successor Agency; and

WHEREAS, the City Council, acting as the Governing Board of the Successor Agency, has considered and desires to approve the following documents, copies of which are on file with the City Clerk (acting as the Secretary of the Successor Agency):

1. The ROPS 16-17; and
2. The FY 16-17 Administrative Budget; and

WHEREAS, the ROPS 16-17 and the FY 16-17 Administrative Budget will be submitted by the Successor Agency to the Oversight Board for the Oversight Board's approval in accordance with Health and Safety Code Sections 34177 and 34180(g); and

WHEREAS, the ROPS 16-17 and the FY 16-17 Administrative Budget will also be submitted by the Successor Agency to the Alameda County Administrative Officer, the Alameda County Auditor-Controller, and the State Department of Finance in accordance with Health and Safety Code Section 34179.6; and

WHEREAS, the accompanying staff report provides supporting information upon which the actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the City Council, acting as the Governing Board of the Successor Agency and in accordance with the Dissolution Act, hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

BE IT FURTHER RESOLVED that the City Council hereby approves the ROPS 16-17 and the FY 16-17 Administrative Budget, in the respective forms on file with the City Clerk (acting as the Secretary of the Successor Agency).

BE IT FURTHER RESOLVED that the Successor Agency is authorized and directed to enter into any agreements and amendments to agreements consistent with the Dissolution Act and necessary to memorialize and implement the agreements and obligations in ROPS 16-17 and the FY 16-17 Administrative Budget as herein approved by the Successor Agency.

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, acting on behalf of the Successor Agency, to file, post, mail or otherwise deliver via electronic mail, internet posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of the ROPS 16-17 and the FY 16-17 Administrative Budget, and to take any other administrative actions necessary to ensure the validity of the ROPS 16-17 and the validity of any enforceable obligation listed thereon and the validity of the FY 16-17 Administrative Budget and corresponding Administrative Cost Allowance. In addition, the City Council authorizes and directs the Successor Agency staff to make such non-substantive revisions to ROPS 16-17 as may be necessary to submit ROPS 16-17 in any modified form required by the DOF, and ROPS 16-17 as so modified shall thereupon constitute ROPS 16-17 as approved by the City Council pursuant to this Resolution.

BE IT FURTHER RESOLVED that, subject to the Oversight Board approval, the City Council hereby authorizes and directs the City Manager, acting on behalf of the Successor Agency, to execute the documents and instruments as are appropriate, in consultation with the City Attorney, acting in the capacity of counsel to the Successor Agency, to effectuate and implement the terms of this Resolution.

BE IT FURTHER RESOLVED that nothing in this Resolution shall abrogate, waive, impair or in any other manner affect the right or ability of the City, as a charter city, to initiate and prosecute any litigation with respect to any agreement or other arrangement of the Dissolved RDA, including, without limitation, any litigation contesting the purported invalidity of such agreement or arrangement pursuant to the Dissolution Act.

BE IT FURTHER RESOLVED that this Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

HAYWARD, CALIFORNIA, January __, 2016

ADOPTED BY THE FOLLOWING VOTE:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS:
ABSTAIN:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS:

ATTEST: _____
 Secretary of the Successor Agency
 of the City of Hayward