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Goldfarb & Lipman
1300 Clay Street, 9th Floor
Oakland, CA 94612
Attn: Lynn Hutchins

NO RECORDING FEE PURSUANT TO
GOVERNMENT CODE SECTION 27383

ORDINANCE NO. 15-07 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND ADOPTING AMENDMENTS TO THE CITY OF RICHMOND'S URBAN RENEWAL/ REDEVELOPMENT PLANS FOR PROJECT AREA NOS. 1-A (EASTSHORE PARK), 1-B (PILOT), 1-C (POTRERO), 3-A (GALVIN), 6-A (HARBOR GATE), 8-A (HENSLEY), 10-A (DOWNTOWN), 10-B (NEVIN), 11-A (HARBOUR) AND 12-A (NORTH RICHMOND) PURSUANT TO HEALTH AND SAFETY CODE SECTION 33333.6(e)(2)(D), AND AMENDING RELATED ORDINANCES IN CONNECTION THEREWITH

THE CITY COUNCIL OF THE CITY OF RICHMOND, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

WHEREAS, the City Council of the City of Richmond adopted the Urban Renewal/ Redevelopment Plans (the "Redevelopment Plans") for Project Area Nos. 1-A (Eastshore Park), 1-B (Pilot), 1-C (Potrero), 3-A (Galvin), 6-A (Harbor Gate), 8-A (Hensley), 10-A (Downtown), 10-B (Nevin), 11-A (Harbour), and 12-A (North Richmond) (the "Project Areas").

WHEREAS, the Redevelopment Plans, as amended, contain time limits for conducting certain redevelopment functions meeting the requirements of the Community Redevelopment Law (the "CRL") for such time limits in effect as of the date of adoption and amendment of each Redevelopment Plan; and

WHEREAS, SB 1096 added Health and Safety Code Sections 33333.6(e)(2)(D) to the CRL, which allows the City Council to amend the Redevelopment Plans to extend the time limits on the effectiveness of the Redevelopment Plan and agency payment on indebtedness or receipt of property taxes by two years; and

WHEREAS, the Richmond Community Redevelopment Agency (the "Agency") has prepared amendments to the Redevelopment Plans to amend their time limits to the extent permitted by Health and Safety Code Section 33333.6(e)(2)(D) (the "Amendments"), copies of which are on file with the City Clerk; and

WHEREAS, the City Council desires to amend each of the Redevelopment Plans in accordance with the terms of the Amendment for each Redevelopment Plan as authorized pursuant to Health and Safety Code Section 33333.6(e)(2)(D); and

WHEREAS, the Agency has prepared and submitted and the City Council has reviewed and considered the staff report on the Amendments; and

WHEREAS, the Agency has prepared and submitted to City Council for review and approval a CEQA Notice of Exemption for the Amendments; and

WHEREAS, in adopting this Ordinance, Health and Safety Code Section 33333.6(e)(2)(D) states:

In adopting this Ordinance, neither the legislative body nor the agency is required to comply with Section 33354.6 or Article 12 (commencing with Section 33450) or any other provision of this part relating to the amendment of redevelopment plans.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND, AS FOLLOWS:

Section 1. The City Council hereby finds and declares that the above recitals are true and correct.

Section 2. The City Council hereby finds and declares the following:

(a) The Agency is in compliance with the requirements of Health and Safety Code Section 33334.2.

(b) The Agency has adopted an implementation plan in accordance with the requirements of Health and Safety Code Section 33490.

(c) The Agency is in compliance with subdivisions (a) and (b) of Section 33413, to the extent applicable.

(d) The Agency is not subject to sanctions pursuant to subdivision (e) of Section 33334.12 for failure to expend, encumber or disburse an excess surplus from its Housing Fund.

(e) The funds used by the Agency to make the payments to the Educational Revenue Augmentation Fund pursuant to Section 33681.12 would otherwise have been used to pay the costs of projects and activities necessary to carry out the goals and objectives of the Redevelopment Plans.

Section 3. The City Council hereby incorporates by reference the staff report prepared in conjunction with this Ordinance which provides evidence to support these findings.

Section 4. The Amendments are hereby incorporated in this Ordinance by reference and made a part of this Ordinance as if set out in full in the Ordinance.

Section 5. It is hereby found and determined that the proposed amendments embodied in the Amendment for each Redevelopment Plan are necessary and desirable. The Redevelopment Plans are further amended in accordance with the proposed Amendment for each Redevelopment Plan.

Section 6. The Amendment for each Redevelopment Plan is hereby adopted, approved, and designated as part of the official Redevelopment Plan for each of the Project Area. It is the purpose and intent of the City Council that the Amendment for each Redevelopment Plan be implemented as part of the Redevelopment Plan for each Project Area. The Executive Director of the Agency may prepare a document that incorporates the provisions of the Amendment for each Redevelopment Plan into the existing text of the affected Redevelopment Plan, and such document shall then constitute the official Redevelopment Plan for such Project Area.

Section 7. This Ordinance amends the following ordinances as described in the attached Attachment A: the Eastshore Ordinances for the Eastshore Plan; the Pilot Ordinances for the Pilot Plan, the Potrero Ordinances for the Potrero Plan; the Galvin Ordinances for the Galvin Plan; the Harbor Gate Ordinances for the Harbor Gate Plan; the Hensley Ordinances for the Hensley Plans; the Downtown Ordinances for the Downtown Plan; the Nevin Ordinances for the Nevin Plan; the Harbour Ordinances for the Harbour Plan; and the North Richmond Ordinances for the North Richmond Plan.

Section 8. In accordance with Health and Safety Code Section 33333.6(g), the Amendment for each Redevelopment Plan shall not be construed to affect the validity of any bond, indebtedness, or other obligation, including any mitigation agreement entered into pursuant to Health and Safety Code Section 33401, authorized by the City Council or the Agency prior to January 1, 1994, nor shall the Amendment for each Redevelopment Plan be construed to affect the right of the Agency to receive property taxes pursuant to Health and Safety Code Section 33670, to pay the indebtedness or other obligation described in this Section 8.

Section 9. The City Council hereby approves the CEQA Notice of Exemption for the Amendments and directs that the Notice of Exemption shall be filed with the County Clerk of the County of Contra Costa.

Section 10. The City Clerk is hereby directed to file a copy of the Amendments with the minutes of this meeting. A copy of this Ordinance and the Amendments shall be transmitted to the Agency and the Agency is vested with the responsibility of implementing the Amendments.

Section 11. The Executive Director of the Agency is hereby directed to record this Ordinance and the Amendments in compliance with the provisions of Government Code Section 27295.

Section 12. If any provision, section, subsection, subdivision, sentence, clause or phrase of this Ordinance or the Amendments are for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or portions of the Ordinance or the Amendments.

Section 13. This Ordinance shall take effect and be enforced after thirty (30) days after its adoption.

First introduced at a regular meeting the Council of the City of Richmond on May 15, 2007 and finally passed and adopted at a regular meeting thereof held May 29, 2007. Said Ordinance was passed and adopted and ordered published within fifteen (15) days of the date of adoption in the West County Times, a newspaper of general circulation published in the County of Contra Costa and circulated in the City of Richmond, by the following vote:

AYES: Councilmembers Bates, Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Virmaontes and Mayor McLaughlin
NOES: None
ABSTAIN: None
ABSENT: None

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE McLAUHGHILIN
Mayor

Approved as to Form:

LOUISE RENNE, Interim
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Ordinance No. 15-07 N.S., finally passed and adopted the by the Council of the City of Richmond at a meeting held on May 29, 2007, and published in accordance with law.

State of California)
County of Contra Costa:)ss
City of Richmond)

I certify that the foregoing is a true copy of Ordinance No.15-07 N.S., finally passed and adopted by the Council of the City of Richmond at regular meeting held May 29, 2007, and published in accordance with the law.

DIANE HOLMES
Clerk of the City of Richmond

ATTACHMENT "A"

1. Redevelopment Plan for Project Area No. 1-A (Eastshore Park) (the "Eastshore Plan") adopted by Ordinance No. 1560 on August 26, 1957, as amended by Ordinance No. 1710 adopted on May 8, 1961, as amended by Ordinance No. 5-70 adopted on July 27, 1970, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S. adopted on April 20, 1999, as amended by Ordinance No. 24-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S. adopted on September 2, 2003, and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "Eastshore Ordinances").
2. Redevelopment Plan for Project Area No. 1-B (Pilot) (the "Pilot Plan") adopted by Ordinance No. 1334 on March 15, 1950, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 38-94 N. S. adopted on December 19, 1994 and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "Pilot Ordinances").
3. Redevelopment Plan for Project Area No. 1-C (Potrero) (the "Potrero Plan") adopted by Ordinance No. 1654 on April 4, 1960, as amended by Ordinance No. 35 adopted on February 24, 1964, as amended by Ordinance No. 107 adopted on May 24, 1965, as amended by Ordinance No. 196 adopted on January 3, 1967, as amended Ordinance No. 41-77 adopted on December 5, 1977, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S. adopted on April 20, 1999, as amended by Ordinance No. 25-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S. adopted on September 2, 2003, and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "Potrero Ordinances").
4. Redevelopment Plan for Project Area No. 3-A (Galvin Industrial Park) (the "Galvin Plan") adopted by Ordinance 1464 on February 28, 1955, as amended by Ordinance No. 1658 adopted on April 25, 1960, as amended by Ordinance No. 1698 adopted on January 9, 1961, as amended by Ordinance No. 59 adopted on August 31, 1964, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S. adopted on April 20, 1999, as amended by Ordinance No. 26-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S. adopted on September 2, 2003, and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "Galvin Ordinances").
5. Redevelopment Plan for Project Area No. 6-A (Harbor Gate) (the "Harbor Gate Plan") adopted by Ordinance No. 1453 on November 8, 1954, as amended by Ordinance No. 1533 adopted on December 3, 1956, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 26-95 adopted on June 26, 1995, as amended by Ordinance No. 27-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03

N.S. adopted on September 2, 2003, and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "Harbor Gate Ordinances").

6. Urban Renewal Plan for Project Area No. 8-A (Hensley Industrial District) (the "Hensley Plan") adopted by Ordinance No. 1648 on February 29, 1960, as amended by Ordinance No. 24 adopted on November 12, 1963, as amended by Ordinance No. 108 adopted on May 24, 1965, as amended by Ordinance No. 231 adopted on October 9, 1967, as amended by Ordinance No. 41-74 adopted on September 16, 1974, as amended by Ordinance No. 11-80 adopted on March 31, 1980, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S. adopted on April 20, 1999, as amended by Ordinance No. 28-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S. adopted on September 2, 2003, and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "Hensley Ordinances").
7. Urban Renewal Plan for Project Area No. 10-A (Downtown) (the "Downtown Plan") adopted by Ordinance No. 169 adopted on May 23, 1966, as amended by Ordinance No. 221 adopted on July 17, 1967, as amended by Ordinance No. 20-70 adopted on November 23, 1970, as amended by Ordinance No. 34-72 adopted on September 18, 1972, as amended by Ordinance No. 25-73 adopted on November 12, 1973, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 40-87 adopted on September 28, 1987, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 30-03 N.S. adopted on September 2, 2003, and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "Downtown Ordinances").
8. Urban Renewal Plan for Project Area No. 10-B (Nevin) (the "Nevin Plan") adopted by Ordinance No. 35-72 on September 18, 1972, as amended by Ordinance No. 13-73 adopted on July 9, 1973, as amended by Ordinance No. 40-74 adopted on September 16, 1974, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S. adopted on April 20, 1999, as amended by Ordinance No. 30-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S. adopted on September 2, 2003, as amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004, and as further amended by Ordinance No. 29-05 N.S. adopted on July 12, 2005 (the "Nevin Ordinances").
9. Harbour Project Area No. 11-A (Harbour) (the "Harbour Plan") adopted by Ordinance No. 10-75 on June 9, 1975, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 27-91 adopted on September 23, 1991, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 6-98 N.S. adopted on January 27, 1988, as amended by Ordinance No. 13-99 N.S. adopted on April 20, 1999, and as further amended by Ordinance No. 31-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S. adopted on September 2, 2003, and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "Harbour Ordinances").

10. Urban Renewal Plan for Project Area No. 12-A (North Richmond) (the "North Richmond Plan") adopted by Ordinance No. 36-72 on September 18, 1972, as amended by Ordinance No. 14-73 adopted on July 9, 1973, as amended by Ordinance No. 64-86 adopted on December 22, 1986, as amended by Ordinance No. 38-94 N.S. adopted on December 19, 1994, as amended by Ordinance No. 13-99 N.S. adopted on April 20, 1999, as amended by Ordinance No. 32-99 N.S. adopted on July 13, 1999, as amended by Ordinance No. 30-03 N.S. adopted on September 2, 2003, and as further amended by Ordinance No. 14-04 N.S. adopted on July 27, 2004 (the "North Richmond Ordinances").