

RESOLUTION NO. 28-08

RESOLUTION NO. 08-13

JOINT RESOLUTION OF THE MEMBERS OF THE RICHMOND CITY COUNCIL, RICHMOND, CALIFORNIA, AND THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY BOARD ADDING \$500,000 TO THE BUDGET FOR PHASE ONE B OF THE CIVIC CENTER PROJECT FOR THE PURPOSE OF PROVIDING ADDITIONAL SCOPE OF WORK AT THE AUDITORIUM, AUTHORIZING ADDITIONAL SCOPE OF WORK AT THE AUDITORIUM, AUTHORIZING STAFF TO PROCURE ALL FURNITURE FIXTURES AND EQUIPMENT (FF&E) AND ANCILLARY SERVICES RELATED TO THE PROJECT, AND AUTHORIZING STAFF TO TAKE REASONABLE MEASURES NECESSARY TO OBTAIN A LEED GOLD CERTIFICATION FOR THE PROJECT

WHEREAS, the City of Richmond, following a Request for Qualifications released on January 27, 2005, selected Richmond Civic Center Partners, LLC, as the development team for the Civic Center Project, and the City Council approved Richmond Civic Center Partners LLC as the developer for the Civic Center Project; and

WHEREAS, the City of Richmond entered into an Exclusive Right to Negotiate ("ERN") with Richmond Civic Center Partners, LLC, on July 29, 2005; and

WHEREAS, the City of Richmond subsequently entered into an Agreement to Negotiate ("ANE") with Richmond Civic Center Partners, LLC, on November 15, 2005, which was amended March 28, 2006, September 12, 2006 and November 2, 2006; and

WHEREAS, the City Council adopted a resolution finding that the Civic Center Project is a "Master Development Project" within the meaning of Section 2.52.100 of the Richmond Municipal Code; and

WHEREAS, the City Council approved on December 19, 2006 the Design-Build Agreement for Phase One A of the Civic Center Project with Richmond Civic Center Partners, LLC; and

WHEREAS, the City Council approved the Design-Build Agreement for Phase One B of the Civic Center Project (the "Agreement") on June 5, 2007; and

WHEREAS, the Agreement provides that certain Civic Center Project buildings are to be constructed and certified to a minimum Leadership in Environmental and Engineering Design (LEED) Silver standard; and

WHEREAS, the City Council and the Redevelopment Agency Board have determined that adding additional scope of work to the Auditorium, including but not limited to new floor covering and floor refinishing, is in the best interest of the City and the Agency; and

WHEREAS, the Redevelopment Agency has identified a funding source in its approved FY 2007-2008 Budget, of up to \$500,000 for additional Auditorium work; and

WHEREAS, the City Council desires to take reasonable measures to obtain a LEED Gold certification for the Civic Center Project; and

WHEREAS, such reasonable measures include removing a landscaping “hot-spot” by planting trees in the parking lot between the Richmond Art Center and Barrett Avenue and by providing designated parking for low-emissions vehicles at the Civic Center; and

WHEREAS, the existing facility located at 1401 Marina Way South must be returned vacant to the Landlord on or before September 14, 2009 in accordance with the Lease for such facility and its termination option provisions; and

WHEREAS, during the Special Joint Meeting of the Richmond Community Redevelopment Agency and the Richmond City Council on March 18, 2008, this resolution was modified to authorize the changes requested by staff in the accompanying Agenda Report of the same date, but to use the Owner Controlled Contingency in the Project Budget rather than Redevelopment Agency funds to proceed with additional actions presented in the Agenda Report, including: an additional scope of work in the Auditorium; Barrett Street Parking lot improvements to obtain LEED points; providing mitigation funding for the Richmond Art Center; and procuring all necessary furniture, fixtures and equipment (FF&E) and other ancillary services necessary for project completion. Following discussion, a motion was made by Boardmember/ Councilmember Viramontes and seconded by Boardmember/ Councilmember Lopez, to authorize the changes requested by staff and fund the cost from the \$2 million contingency reserve set aside in the City Hall budget and the motion was passed by the City Council and Agency Board.

NOW, THEREFORE the City Council of the City of Richmond and the Richmond Community Redevelopment Agency Board hereby authorize staff, subject to City Manager and City Attorney’s Office approval of all contracts, to: implement the intent of the approved Civic Center Phase One B Project scope and budget, as amended; take all reasonable measures necessary to obtain a LEED Gold certification for the Civic Center Project; procure all furniture fixtures and equipment (FF&E) necessary to complete the Civic Center Project; procure all moving and related services necessary to complete the move of staff and necessary existing FF&E to the Civic Center; complete the disposition of surplus FF&E and return the existing facility at 1401 Marina Way South to the Landlord on or before September 14, 2009 in accordance with the Lease and its termination option provisions; and take all reasonable actions necessary to implement this Resolution and the accompanying Agenda Report dated March 18, 2008, including the management of Requests for Qualifications and/or Proposals for necessary goods and services and the final negotiation and execution of all contracts necessary to carry out the intent of this Resolution.

PASSED AND ADOPTED by the Members of the City Council of the City of Richmond and the Richmond Community Redevelopment Agency Board at a joint meeting held on March 18, 2008, by the following vote:

AYES: Councilmember/Members Bates, Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Viramontes, and Mayor McLaughlin

NOES: None

ABSTENTIONS: None

ABSENT: None

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE McLAUGHLIN
Mayor/Agency Chair

Approved as to form:

LOUISE RENNE, Interim
City Attorney / Agency Attorney

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

I certify that the foregoing is a true copy of Resolutions 28-08 and 08-13, finally passed and adopted by the Council of the City of Richmond and the Redevelopment Agency at a joint meeting held on March 18, 2008.