

RESOLUTION NO. 09-8

RESOLUTION OF THE MEMBERS OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY BOARD SUPPORTING THE ALLOCATION OF FUNDS THROUGH THE PROPOSITION 1C TRANSIT ORIENTED DEVELOPMENT HOUSING PROGRAM TO ASSIST WITH CONSTRUCTION OF PHASE II OF THE RICHMOND TRANSIT VILLAGE.

WHEREAS, the Richmond Community Redevelopment Agency (“Agency”), wishes to apply for and receive an allocation of funds through the Transit Oriented Development (“TOD”) Housing Program; and

WHEREAS, the California Department of Housing and Community Development (“HCD”) has issued a Notice of Funding Availability for the TOD Housing Program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to the TOD Implementation Program established by Part 13 of Division 31 of the Health and Safety Code, commencing with Section 53560. Pursuant to the statute, HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature to the TOD Housing Program subject to the terms and conditions of the statute and the TOD Housing Program Guidelines as amended by HCD on February 4, 2009; and

WHEREAS, the Agency wishes to submit an application, as a co-applicant with The Olson Company, to obtain from HCD an allocation of TOD Housing Funds for Phase II of the Richmond Transit Village project (the “project”);

WHEREAS, the application for and acceptance of grant money to perform tasks that have been analyzed in a certified or adopted environmental document is exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline 15061(b)(3), the general rule that CEQA applies only to projects that have the potential to cause a significant effect on the environment.”

NOW, THEREFORE, the members of the Richmond Community Redevelopment Agency Board do RESOLVE as follows:

If the application for funding is approved, the Agency hereby agrees to use the TOD Housing Program funds for eligible activities in the manner presented in the applications as approved by HCD and in accordance with the Program Guidelines as cited above. The Agency may also execute any and all other instruments necessary or required by HCD for participation in the TOD Housing Program; and

If the application for funding is approved, the Agency will provide the required matching public funds for the project; and

The Agency authorizes the Agency Executive Director or his designee to execute in the name of the Richmond Community Redevelopment Agency the application and all other documents required by HCD for participation in the TOD Housing Program, and to execute any amendments thereto; and

That the Agency hereby appropriates any funds that are received directly by the Agency for this project under the TOD Housing Program into the account for the project; and

That should additional funds be received for the project, the Agency Executive Director or his designee is hereby authorized to accept and allocate the same for the purposes described above; and

That the Agency hereby authorizes the Agency Executive Director or his designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the TOD Housing Program in accordance with this Resolution and its basic purposes; and

That the Richmond Transit Village project and related infrastructure have been independently reviewed under CEQA pursuant to that certain Mitigated Negative Declaration for the Richmond Transit Village, adopted on February 26, 2001; and

That the Agency finds and determines, based on the information in the staff report accompanying this Resolution, that this action complies with CEQA because the application for and appropriation of funds from the TOD program is exempt from CEQA pursuant to CEQA Guidelines Section 15061 (B)(3); and

That all documents shall be reviewed and approved by Agency Counsel prior to execution, and all copies will be placed on file with the Agency Clerk; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the members of the Richmond Community Redevelopment Agency Board support the allocation of funds through the Transit Oriented Development (TOD) Housing Program to assist with construction of Phase II of the Richmond Transit Village.

I certify that the foregoing Resolution was passed and adopted by Richmond Community Redevelopment Agency at a regular meeting held on March 17, 2009 by the following vote:

- AYES: Councilmembers Bates, Butt, Ritterman, Rogers, Vice Mayor Lopez, and Mayor McLaughlin
- NOES: None.
- ABSTENTIONS: None.
- ABSENT: Councilmember Viramontes.

DIANE HOLMES
Agency Clerk

[SEAL]

Approved:

MAYOR GAYLE MCLAUGHLIN
Agency Chair

Approved as to form:

RANDY RIDDLE
Agency Attorney

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