

RESOLUTION NO. 09-19

RESOLUTION OF THE MEMBERS OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY BOARD AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH HOLLAND AND KNIGHT, LLP TO CONTINUE TO PROVIDE ENVIRONMENTAL LEGAL SERVICES FOR THE MIRAFLORES HOUSING DEVELOPMENT

WHEREAS, the Richmond Community Redevelopment Agency (the “Agency”) is the owner of that certain real property located in the City of Richmond, Contra Costa County, California, and more particularly described in the attached Exhibit A (the “Property”); and

WHEREAS, the Agency desires that the Property be developed into approximately 200 units of for-sale housing and 100 units of affordable senior rental housing as proposed for the Miraflores Housing Development Project (“Project”); and

WHEREAS, the City Council of the City of Richmond (the "City Council") adopted the Amended and Restated Redevelopment Plan for Project Area No. 10-A (Downtown), adopted by Ordinance No. 29-99, dated July 13, 1999 and expanded by Agency Ordinance Amendment on July 12, 2005 (the "Redevelopment Plan"); and

WHEREAS, the Project is subject to the Redevelopment Plan and is consistent with the City’s Housing Element, Five Year Consolidated Plan, and the Community and Economic Development Agency’s Strategic Plan goals to “increase the supply of housing, emphasizing affordable components”; and

WHEREAS, the Agency has applied for a General Plan Amendment and a Planned Area Rezoning to accommodate the Project, including contemplated land uses and densities at the Project site; and

WHEREAS, in furtherance of the Project, the Agency prepared a Remedial Action Plan (RAP) for the cleanup and remediation of the Property that will be submitted to the Department of Toxic Substance Control (DTSC) for review and approval; and

WHEREAS, the preparation and review of an Environmental Impact Report (EIR) as required under California Environmental Quality Act and an Environmental Assessment (EA) under the federal National Environmental Protection Act (NEPA) must be completed prior to the approval of the proposed General Plan Amendment; Planned Area Rezoning and RAP; and

WHEREAS, on January 15, 2009, the Agency engaged Holland and Knight, LLP to provide legal services and strategic advice in connection with the Project, including assistance to achieve compliance with NEPA, CEQA and the proposed RAP; and

WHEREAS, the Agency, as provided in the staff report in support of this Resolution, wishes to amend its contract scope of work with Holland and Knight, LLP to include legal services in connection with the implementation of remediation efforts per the proposed RAP and the terms of the Agency’s CalReUSE grant, EPA Clean Up grants and EPA Revolving Loan fund, and to extend the term of the contract; and

WHEREAS, the Agency has budgeted for the application of land use entitlements and the preparation and review of required environmental documents in the approved 2007-2012 Five-Years Capital Project and Program Budget for Miraflores.

NOW, THEREFORE, BE IT RESOLVED that the Agency Board finds and determines the foregoing recitals are true and correct.

BE IT FURTHER RESOLVED that the Agency Board hereby affirms that the Miraflores Housing Development Project is a matter of public purpose, benefits the health and welfare of the community, and advances the elimination of blight while assisting in community revitalization.

BE IT FURTHER RESOLVED that the Agency Board authorizes the Executive Director to execute a contract amendment between the Richmond Community Redevelopment Agency and Holland and Knight, LLP for environmental legal services for the Miraflores

Housing Development as provided in the staff report attached in support of this Resolution.

I certify that the foregoing Resolution was passed and adopted by the Agency Board of the Richmond Community Redevelopment Agency at a regular meeting held on June 16, 2009, by the following vote:

AYES: Councilmembers Bates, Butt, Rogers, Ritterman, Viramontes, Vice Mayor Lopez, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES
Clerk of the Redevelopment Agency

[SEAL]

Approved:

GAYLE McLAUGHLIN
Agency Chairperson

Approved as to form:

RANDY RIDDLE
Agency Attorney

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