

RESOLUTION NO. 09-37 (a)

A RESOLUTION OF THE MEMBERS OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY BOARD AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO ALL DOCUMENTS NECESSARY TO INCREASE THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY'S LOAN FOR THE REHABILITATION OF THE CARQUINEZ APARTMENTS BY THREE HUNDRED AND ONE THOUSAND DOLLARS (\$301,000).

WHEREAS, the Richmond Community Redevelopment Agency (RCRA) and Carquinez Associates, LP (Carquinez Associates), have entered into a Loan Agreement to provide One Million Dollars (\$1,000,000) to refinance and rehabilitate "The Carquinez" in order to restore and preserve the habitability and affordability of this six-story, 36-unit senior rental building over ground floor commercial located at 400 Harbour Way, Richmond, CA (the "Development"); and

WHEREAS, the RCRA's loan to Carquinez Associates is evidenced and secured by a promissory note, deed of trust, and a regulatory agreement requiring that upon completion of the rehabilitation of The Carquinez seven (7) units will be restricted to 60% Area Median Income (AMI), eighteen (18) units to 50% AMI, six (6) units to 45% AMI and four (4) units to 30% AMI, plus a manager's unit; and

WHEREAS, the RCRA has determined that the Development is strategically important, as it is located within the Redevelopment Project Area No. 10-A (Downtown), the Macdonald Neighborhood Revitalization Area, and the Iron Triangle Community Development Target Area and the Development is consistent with the City's Housing Element, the Macdonald Avenue Economic Revitalization Plan, the Five Year Consolidated Plan, and the Community and Economic Development Department's Strategic Goals; and

WHEREAS, in the course of the rehabilitation Carquinez Associates' construction contractor uncovered more significant rock pockets in the concrete exterior walls of The Carquinez than anticipated; and

WHEREAS, Carquinez Associates' structural engineer performed additional evaluation of the structural performance of the building over the long term, and determined that additional seismic strengthening is necessary to sustain the structural performance and longevity of the building; and

WHEREAS, Carquinez Associates has identified funds for a portion of the additional scope, and applied to the RCRA for gap financing needed to complete the additional rehabilitation scope for The Carquinez; and

WHEREAS, the RCRA desires to assist the Development and provide a safe living and working environment for its residents and commercial tenants; and

WHEREAS, on October 13, 2009, the RCRA Board approved an amended Fiscal Year 2009-2010 budget that provides additional funds to The Carquinez consisting of One Hundred Fifty Two Thousand Five Hundred and Ten Dollars (\$152,510) from the 2007 Bond and One Hundred Forty Eight Thousand Four Hundred Ninety Dollars (\$148,490) from the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Richmond Community Redevelopment Agency Board hereby accept that the above recitals are accurate and have served, together with the agenda report, as the basis for the findings and approvals set forth in this Resolution; and

BE IT FURTHER RESOLVED, that the Members of the Richmond Community Redevelopment Agency Board hereby authorize the Executive Director to negotiate and enter into all documents necessary to increase the RCRA's loan for the rehabilitation of the Development by \$301,000 for costs associated with the additional seismic and structural rehabilitation scope by Carquinez Associates.

I certify that the foregoing Resolution was passed and adopted by the Richmond Community Redevelopment Agency Board, Richmond, California, at a regular meeting held on October 20, 2009 by the following vote:

AYES: Councilmembers/Boardmembers Bates, Butt, Rogers, Ritterman, Viramontes, Vice Chair Lopez, and Chair McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES
Clerk of the Richmond Community
Redevelopment Agency

(SEAL)

Approved:

GAYLE McLAUGHLIN
Agency Chair

Approved as to form:

RANDY RIDDLE
Agency Attorney

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

I certify that the foregoing is a true copy of **Resolution No. 09-37(a)**, finally passed and adopted by the Richmond Community Redevelopment Agency at a regular meeting held on October 20, 2009.