

RESOLUTION NO. 11-3

RESOLUTION OF THE MEMBERS OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY BOARD AUTHORIZING EXECUTION OF A CONTRACT WITH PES ENVIRONMENTAL FOR PROJECT MANAGEMENT SERVICES RELATED TO REMEDIATION ACTIVITIES AT THE MIRAFLORES HOUSING DEVELOPMENT SITE

WHEREAS, the Agency owns certain real property commonly known as the Miraflores Housing Development site, a 14 acre parcel bounded on the north by a portion of the BART rail line, to the east by Highway 80, to the south by Florida and Wall Avenues and to the west by South 45th and South 47th Streets (the “Property”); and

WHEREAS, the Agency desires to assist with the development of for-sale housing and senior rental housing as proposed for the Miraflores Housing Development Project (“Project”); and

WHEREAS, the proposed Project is strategically important, as it is located within Redevelopment Project Area No. 10-A (“Downtown”), adopted by Ordinance No. 26-99 N.S. and dated July 13, 1999 and the Amended and restated Redevelopment Plan for Project Area No.10-B (“Nevin”), originally approved in 1999 under California State Redevelopment Law and expanded by Agency Ordinance Amendment on July 12, 2005, 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 Property is contaminated with hazardous materials and remediation activities including hazardous building abatement, historic structures relocation, demolition and soil remediation must be completed prior to the construction of the proposed housing; and

WHEREAS, the Agency budgeted the necessary funds, including federal, state and local grant funds that the Agency was able to secure for the remediation of the Property in the Fiscal Year 2009-2010 budget item “Miraflores Housing Development” and there are no other reasonable means of financing the remediation of the Property; and

WHEREAS, over the past four years PES Environmental has acted on behalf of the Agency as a subcontractor (procured through a competitive process) under a Program Management Agreement (PMA) between the Agency, Eden Housing Inc. and CHDC to provide services including but not limited to: assessment and characterization of contamination on the site, groundwater sampling, preparation of Remedial Action and Remedial Design Implementation Plans for the remediation of the Property, as well as the preparation of technical analysis and reporting to oversight agencies and project funders; and

WHEREAS, the Agency now wishes to contract directly with PES Environmental to provide Project Management services during the remediation of the Property; and

WHEREAS, by the agenda report accompanying this Resolution and incorporated herein by reference (“Agenda Report”), the Agency Board has been provided with additional information upon which the findings and actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED, that the Agency Board hereby finds the above recitals are true and correct and serve, together with the Agenda Report, as the basis for the findings and actions set forth in this Resolution.

BE IT FURTHER RESOLVED, that the Agency Board hereby authorizes the expenditure of up to \$700,000 as authorized in its approved FY 2010-2011 budget for the remediation of the Property in budget item Miraflores Housing Development.; and

BE IT FURTHER RESOLVED, that the Agency Board hereby approves the funds for and award of a contract to PES Environmental to provide project management services relative to the remediation of the Property in an amount not to exceed \$700,000.

BE IT FURTHER RESOLVED, that the Agency Board hereby authorizes the Executive Director of the Agency to execute a Project Management Agreement in a form substantially similar to the Project Management Agreement included in Attachment 4, subject to minor revisions approved by the Agency Counsel consistent with the Agenda Report and this Resolution, in order to facilitate the completion of the remediation of the Property.

I certify that the foregoing resolution was passed and adopted by the Richmond Community Redevelopment Agency Board at a joint meeting thereof held on January 4, 2011, by the following vote:

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

NOES: None.

ABSENT: None.

ABSTENTIONS: None.

DIANE HOLMES
Clerk of the Richmond Community
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 }

I certify that the foregoing is a true copy of **Resolution No. 11-3**, finally passed and adopted by the Richmond Community Redevelopment Agency at a joint meeting held on January 4, 2011.