

RESOLUTION NO. 105-12

A RESOLUTION OF THE BOARD OF THE SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING AN AMENDMENT OF A CONTRACT WITH SUSAN G. MAYER FOR MANAGEMENT CONSULTING SERVICES

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature enacted, and the Governor signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to make certain payments; and

WHEREAS, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association v. Ana Matosantos, et al.*, Case No. S194861), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement; and

WHEREAS, on December 29, 2011 the Supreme Court issued its final decision in the aforesaid litigation, upholding AB 1X 26, invalidating AB 1X 27 and extending all statutory deadlines under AB 1X 26, essentially dissolving all redevelopment agencies throughout the State effective February 1, 2012; and

WHEREAS, in accordance with Health and Safety Code Section 34173, the Successor Agency to the Richmond Community Redevelopment Agency (“Successor Agency”) was created on January 24, 2012; and

WHEREAS, on June 27, 2012 the California Legislature enacted, and the Governor signed, AB 1484 which made several substantive changes to AB 1X 26 and the administrative process of dissolving redevelopment agencies; and

WHEREAS, the legal, administrative and financial interpretations of AB 1X 26 and AB 1484, combined with pending litigation related to these statutes has created uncertainty and, correspondingly, fiscal risk for the Successor Agency and the City; and

WHEREAS, to adequately respond to rapidly changing requirements and to ensure that risk to the Successor Agency and City is minimized, additional specialized financial consulting services are required to support City staff; and

WHEREAS, the proposed \$73,000 expenditure is included within the Successor Agency’s fiscal year 2012-2013 budget line item “Contractual Services – Professional Services” and the administrative budget previously approved by the Oversight Board; and

WHEREAS, by the Agenda Report accompanying this Resolution, the Board of the Successor Agency 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 Successor Agency finds the above recitals are true and correct.

BE IT FURTHER RESOLVED, that the Successor Agency hereby authorizes the amendment of a contract with Susan G. Mayer for management consulting services related to finance issues applicable to the Successor Agency increasing the contract amount by \$63,000 for a total contract amount not to exceed \$73,000 as authorized in its approved Fiscal Year 2012-2013 budget line item Contractual Services.

BE IT FURTHER RESOLVED, that this Resolution shall authorize the City Manager to make minor amendments to the contract as needed to ensure the required consulting services are provided as needed.

BE IT FURTHER RESOLVED, that the Successor Agency designates the City Clerk as the custodian of the documents and other material which constitute the record of proceedings

upon which the decision herein is based. These documents may be found at the office of the City Clerk at the Richmond City Hall, 450 Civic Center Plaza, Richmond, California 94804.

I certify that the foregoing Resolution was passed and adopted by the members of the City Council of the City of Richmond at a regular meeting held on September 11, 2012, by the following vote:

AYES: Councilmembers Bates, Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

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

I certify that the foregoing is a true copy of **Resolution No. 105-12**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on September 11, 2012.