

RESOLUTION NO. 27-13

A RESOLUTION OF THE BOARD OF THE SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING AND LEASE FOR 111-113 MACDONALD AVENUE WITH SAFFRON STRAND INC.

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 building located at 111-113 Macdonald Avenue (the “Facility”) is owned by the Successor Agency and has been underutilized and vacant since 2009; and

WHEREAS, a Request for Proposals (“RFP”) was issued on May 15, 2012 soliciting proposals for use of the Facility by community based organizations; and

WHEREAS, Saffron Strand Inc. (“Saffron”) responded to the RFP proposing use of the Facility for the provision of employment-related services targeting homeless individuals for a period of four years (the “Services”) in consideration for nominal monthly rent payments for occupancy of the Facility; and

WHEREAS, the Community Development Commission recommended extending a Memorandum of Understanding memorializing the provision of Services (“MOU”) and a Lease to Saffron at its August 20, 2012 meeting; and

WHEREAS, Saffron has a remarkable track record as a tenant in its current location in Point Richmond; and

WHEREAS, Saffron has demonstrated leadership advocating for homeless issues through its national forums and employment models; and

WHEREAS, In addition to the provision of Services, Saffron will commit approximately \$10,000 in tenant improvements in further consideration of the Lease for the Facility; 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, and have served, together with the Agenda Report, as the basis for the findings and actions set forth in this Resolution.

BE IT FURTHER RESOLVED, that the Successor Agency hereby authorizes the execution of the MOU and Lease with Saffron for the provision of Services and Saffron's occupancy at 111-113 Macdonald Avenue, respectively.

BE IT FURTHER RESOLVED, that this Resolution shall authorize the Executive Director to make minor amendments to the MOU and Lease as needed to ensure the Services are provided as required.

BE IT FURTHER RESOLVED, that this Resolution authorizes the Executive Director to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding these actions, including submitting the MOU and Lease to the Successor Agency's oversight board for approval, and submission of the approved MOU and Lease to the State of California Department of Finance for approval.

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 Successor Agency to the Richmond Community Redevelopment Agency at a regular meeting thereof held on April 16, 2013, by the following vote:

AYES:	Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Mayor McLaughlin.
NOES:	None.
ABSTENTIONS:	Vice Mayor Boozé.
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. 27-13, finally passed and adopted by the Successor Agency to the Richmond Community Redevelopment Agency at a regular meeting held on April 16, 2013.