

**SUCCESSOR AGENCY
RESOLUTION NO. 19-3**

**RESOLUTION OF THE MEMBERS OF THE BOARD OF THE SUCCESSOR
AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY
AUTHORIZING THE EXECUTION OF THE SEVENTH AMENDMENT TO
AGREEMENT FOR LEGAL SERVICES BETWEEN THE SUCCESSOR AGENCY
TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY AND BEST
BEST & KRIEGER, LLP FOR SPECIALIZED LEGAL SERVICES IN
CONNECTION WITH SUCCESSOR AGENCY ACTIVITIES**

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, AB 1X 26 provides that successor agencies be designated as successor entities to the former redevelopment agencies, and provides that, with certain exceptions, all authorities, rights, powers, duties and obligations previously vested with the former redevelopment agencies, under the California Redevelopment Law, are vested in the successor agencies; and

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

WHEREAS, the Successor Agency is the owner of certain real properties recognized on the Department of Finance approved Long Range Property Management Plan, and is responsible for the dissolution of those properties; and

WHEREAS, the Successor Agency is obligated to assist with the dissolution of redevelopment obligations, including those obligations listed on the Recognized Obligation Payment Schedules (“ROPS”); and

WHEREAS, the negotiation and development of disposition and development agreements or similar instruments related to property disposition require adherence to strict state mandated dissolution guidelines and require specialized legal assistance; and

WHEREAS, since January 2011, Best Best & Krieger , LLP (“BBK”) has been contractually engaged with the Successor Agency to provide legal services related to the dissolution of the former Richmond Community Redevelopment Agency pursuant to a legal services agreement; and

WHEREAS, the legal services agreement has been amended six times with the term ending December 31, 2019; and

WHEREAS, the Successor Agency desires to amend the legal services agreement a seventh time to extend the term to June 30, 2020 and to add \$100,000 to the payment limit; and

WHEREAS, by the agenda report accompanying this Resolution (“Agenda Report”) the Successor 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 Successor Agency Board 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 Board hereby authorizes the Executive Director to execute the Seventh Amendment to Legal Services Agreement between the Successor Agency to the Richmond Community Redevelopment Agency and Best Best & Krieger, LLP, extending the term to June 30, 2020 and increasing the payment limit by \$100,000 to an as-amended total of \$385,000 for services in connection with specialized legal services associated with Successor Agency activities.

BE IT FURTHER RESOLVED that the Successor Agency Board hereby authorizes the Executive Director to execute amendments for time to the Legal Services Agreement as needed to facilitate the completion of Successor Agency activities.

BE IT FURTHER RESOLVED that the Successor Agency Board designates the City Clerk as the custodian of the documents and other materials 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 and Richmond City Council at a regular meeting held on September 17, 2019, by the following vote:

AYES: Councilmembers Bates, Johnson, Martinez, Myrick, Willis, Vice Mayor Choi, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
AND SUCCESSOR AGENCY

(SEAL)

Approved:


TOM BUTT
Mayor/Successor Agency Chair

Approved as to form:

BRUCE GOODMILLER
City Attorney/Successor 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. 19-3**, finally passed and adopted by the Successor Agency to the Richmond Community Redevelopment Agency and Richmond City Council at a regular meeting held on September 17, 2019.


Pamela Christian
Pamela Christian, Clerk of the
City of Richmond and Successor Agency