

**RESOLUTION NO. 142-21**

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND AUTHORIZING THE EXECUTION OF A TASK AUTHORIZATION TO NHA ADVISORS, LLC FOR MUNICIPAL ADVISOR SERVICES AND AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES AGREEMENTS WITH WILLDAN FINANCIAL SERVICES FOR SPECIAL TAX CONSULTANT SERVICES AND STRADLING YOCCA CARLSON & RAUTH FOR BOND COUNSEL SERVICES RELATED TO LAND-SECURED FINANCING DISTRICT(S) FOR THE POINT MOLATE DEVELOPMENT**

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**WHEREAS**, the City of Richmond requires special services for project-related financial planning including but not limited to review and negotiation of terms for land-secured financing districts, including landscaping and lighting districts, community facilities districts, benefit assessment districts, geologic hazard abatement districts, and tax-exempt financing mechanisms necessary to fulfill the terms of the City's Disposition and Development Agreement and its Development Agreement with developer SunCal et al. for the City-owned property commonly known as Point Molate; and

**WHEREAS**, the City has agreed to cooperate with developers in the formation of a community facilities district, as permitted by State law, to finance the construction, development, and operation of the Master Infrastructure, Offsite Improvements, and Master Developer Amenities in connection with projects and the development of property, and

**WHEREAS**, the use of professionals drawn from a group of firms that have undergone a competitive process ensures fairness in the process of selecting professionals to assist the City; and

**WHEREAS**, on October 5, 2021, the City Council adopted Resolution No. 120-21, authorizing the execution of Professional Services Agreements with three on-call Municipal Advisors to support the formation of land-secured financing districts; and

**WHEREAS**, Resolution No. 120-21 included the following language, "WHEREAS, the City Council shall review the benefits and risks of any proposed land-secured financing district prior to initiation of Municipal Advisor consulting services and may approve, disapprove, revise, amend or cancel the nature and scope of work;" and

**WHEREAS**, NHA Advisors, LLC has provided a scope of services and fee schedule, not-to-exceed fee of one hundred thousand dollars (\$100,000) to provide Municipal Advisor services related to the Point Molate Community Facilities District formation process; and

**WHEREAS**, in August 2021, the City issued a Request for Qualifications (RFQ) for a professional special tax consultant and a professional bond counsel via bidsonline.com; and

**WHEREAS**, proposals from all responding firms were reviewed by representatives of Finance, Public Works, Community Development, Economic Development, and City Attorney's office and were evaluated based on each firm's technical qualifications, experience, past performances, references, demonstrated understanding of and approach to services, and fees; and

**WHEREAS**, the firms recommended are Willdan Financial Services (Special Tax Consultant) and Stradling Yocca Carlson & Rauth (Bond Counsel), each for a two-year term and time & materials, not-to-exceed fee of forty thousand dollars (\$40,000) and one hundred thousand dollars (\$100,000) respectively; and

**WHEREAS**, the Finance Department will manage the contract(s), and the costs of each individual contract will be ultimately be borne by the project applicant through the deposit of funds to the City, and

**WHEREAS**, the approved firms and the contract limits may be revised, amended, or cancelled by action of the City Council, including by Resolution for the issuance of bonds.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Richmond hereby authorizes staff to execute a Task Authorization to NHA Advisors, LLC for Municipal Advisor services for time & materials, not-to-exceed fee of \$100,000; and authorizes the City Manager to execute professional services agreements with Willdan Financial Services for Special Tax Consultant services for time & materials not-to-exceed fee of \$40,000; and Stradling Yocca Carlson & Rauth for Bond Counsel services for time & materials not-to-exceed fee of \$100,000; for services related to land-secured financing district(s) for the Point Molate Development.

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held November 23, 2021, by the following vote:

AYES:	Councilmembers Bates, Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

THOMAS K. BUTT  
Mayor

Approved as to form:

TERESA STRICKER  
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. 142-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on November 23, 2021.

  
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Pamela Christian, Clerk of the City of Richmond