

**CITY COUNCIL RESOLUTION NO. 42-10**

**REDEVELOPMENT AGENCY RESOLUTION NO. 10-11**

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND AND THE MEMBERS OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY BOARD CERTIFYING REVIEW AND CONSIDERATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT, MAKING FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATING OVERRIDING CONSIDERATIONS IN THE APPROVAL AND ADOPTION OF THE AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE RICHMOND MERGED REDEVELOPMENT PROJECT AREA (THE "AMENDED REDEVELOPMENT PLAN")**

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**WHEREAS**, the City of Richmond (the "City") and the Richmond Community Redevelopment Agency (the "Agency") have prepared an Environmental Impact Report (the "EIR") on the proposed Amended and Restated Redevelopment Plan for the Richmond Merged Redevelopment Project Area (the "Amended Redevelopment Plan"), pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*, "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 California Code of Regulations, Sections 15000 *et seq.*, the "State EIR Guidelines"); and

**WHEREAS**, on October 8, 2009 the City delivered a Draft EIR (the "Draft EIR") on the Amended Redevelopment Plan to the State Clearinghouse for distribution to those agencies which have jurisdiction by law with respect to the project, to all affected taxing agencies and to other interested persons and agencies, and sought the comments of such persons and agencies; and

**WHEREAS**, notice to all interested persons and agencies of the completion of the Draft EIR was published in the West County Times on October 8, 10 and 17, 2009; and

**WHEREAS**, ten (10) written comments were received on the Draft EIR prior to the close of the 45-day review period for submitting comments on the Draft EIR and an additional three (3) written comments were received on the Draft EIR after the close of the 45-day review period for submitting comments. The comments received and the City's and Agency's responses to such comments, as well as revisions to the Draft EIR are contained in the Final Environmental Impact Report document dated January 26, 2010 (the "Final EIR"); and

**WHEREAS**, the EIR is incorporated by this reference in this Resolution, and consists of the Draft EIR, the Final EIR, and any additional comments received at the joint public hearing together with the City Council and the Agency responses to those comments set forth in the record of the public hearing; and

**WHEREAS**, by resolution adopted on March 4, 2010, the Richmond Planning Commission recommended that the City Council and Agency certify the EIR; and

**WHEREAS**, a joint public hearing was held by the City Council and the Agency on April 6, 2010 on the Amended Redevelopment Plan and EIR, following notice duly and regularly given as required by law, and all interested persons expressing a desire to comment thereon or object thereto were heard, and the EIR was considered; and

**WHEREAS**, by this joint resolution, the City Council, as the lead agency under CEQA for preparing the EIR and the entity responsible for adopting the Amended Redevelopment Plan; and the Agency, as the agency responsible for preparing and carrying out the Amended Redevelopment Plan under the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*), jointly desire to comply with the requirements of CEQA, the State EIR Guidelines for consideration, certification, and use of the EIR by lead and responsible agencies in connection with the approval and subsequent implementation of the Amended Redevelopment Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richmond and the Richmond Community Redevelopment Agency that the City Council and the Agency hereby find and certify, that the EIR has been completed in compliance with CEQA and the State EIR Guidelines; that the EIR adequately addresses the environmental issues of the Amended Redevelopment Plan; that the City Council and the Agency have reviewed and considered the information contained in the EIR prior to approving the Amended Redevelopment Plan; and that the EIR reflects the independent judgment of the City Council and the Agency.

**BE IT FURTHER RESOLVED** that the City Council and Agency hereby identify the significant effects, adopt the mitigation measures, adopt the monitoring program to be implemented for each mitigation measure, make the findings, and declare the statement of overriding considerations set forth in detail in the attached Exhibit A which is incorporated in this Resolution by this reference. The statements, findings and determinations set forth in Exhibit A are based on the above certified EIR and other information available to the City Council and the Agency, and are made in compliance with Sections 15091, 15092, 15093, and 15096 of the State EIR Guidelines and Sections 21081 and 21081.6 of CEQA.

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I certify that the foregoing Resolution was duly passed and adopted by the City Council of the City of Richmond and the Richmond Community Redevelopment Agency Board at a joint meeting thereof held on April 20, 2010, by the following vote:

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

NOES: None.

ABSTENTIONS: None.

ABSENT: Boardmember/Councilmember Butt

DIANE HOLMES  
Clerk of the Richmond Community  
Redevelopment Agency/City of  
Richmond

(SEAL)

Approved:

GAYLE MCLAUGHLIN  
Agency Chairperson/Mayor

Approved as to form:

RANDY RIDDLE  
Agency Attorney/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. 42-10 and 10-11, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on April 20, 2010.