

RESOLUTION NO. 47-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA ACCEPTING REDEVELOPMENT FUNDS FOR CERTAIN PUBLIC IMPROVEMENTS TO NEVIN AVENUE, MAKING FINDINGS AND APPROVALS PURSUANT TO THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW, AND AWARDED A CONTRACT TO GHILOTTI BROS., INC. IN AN AMOUNT NOT TO EXCEED \$1,145,482 FOR CERTAIN PUBLIC IMPROVEMENTS TO NEVIN AVENUE

WHEREAS, the City Council of the City of Richmond (the "City Council") adopted the Amended and Restated Redevelopment Plan for Project Area No. 10-A (Downtown) adopted by Ordinance No. 29-99, dated July 13, 1999 (the "Redevelopment Plan"). The Redevelopment Plan set forth a plan for redevelopment of Project Area No. 10-A (Downtown); and

WHEREAS, the Richmond Community Redevelopment Agency (the "Agency") is responsible for administering the Redevelopment Plan to cause the redevelopment of the Project Area, including installation of public improvements consistent with the Redevelopment Plan; and

WHEREAS, it would be beneficial to traffic and pedestrian circulation and safety in the Project Area to make certain public improvements to Nevin Avenue from Marina Way to Harbour Way as those identified in the proposed improvement plans and specifications on file with the City Clerk (the "Project Plans"), and the Agency desires to spend funds for the public improvements pursuant to the Project Plans ("Public Improvements"); and

WHEREAS, the Implementation Plan adopted by the Agency specifically identifies the installation of public improvements as a potential project; and

WHEREAS, installation of the Public Improvements conforms with the General Plan of the City; and

WHEREAS, the Agency expenditures for the Public Improvements will assist in the redevelopment of the Project Area and the Public Improvements are necessary to effectuate the purpose of the Redevelopment Plan; and

WHEREAS, pursuant to Health and Safety Code Section 33445, the Agency may, with the consent of the City Council, pay part or all of the cost of the Public Improvements if the City Council makes certain specified findings; and

WHEREAS, by an agenda report accompanying this Resolution and incorporated into this Resolution by this reference (the "Agenda Report"), the City Council has been provided with additional information upon which the findings and actions set forth in this Resolution are based; and

WHEREAS, the City Engineer conducted a bid process in accordance with City policies and desires to award the contract for the construction of Public Improvements to the lowest qualified bidder; and

WHEREAS, the Agency budgeted the necessary funds to construct the Public Improvements and such funds are authorized in its approved FY 2009-2010 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Richmond City Council finds the above recitals are accurate.

BE IT FURTHER RESOLVED, that the City Council hereby finds and determines, pursuant to Health and Safety Code Section 33345, that: (a) the Public Improvements will be of benefit to the Project Area; (b) no other reasonable method of financing the Public Improvements is available to the community; (c) the Public

Improvements will assist in the elimination of one or more blighting conditions inside the Project Area by improving traffic and pedestrian circulation and safety; and (d) the Agency assistance for the Public Improvements is consistent with the Agency's current Implementation Plan.

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to award the bid to Ghilotti Bros., Inc. in an amount not-to-exceed \$1,145,482 for construction of the Public Improvements and authorizes the City Manager to enter into a contract for same.

BE IT FURTHER RESOLVED, that the City Council designates the City Clerk as the custodian of the documents and other material, including the Agenda Report and Project Plans, 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.

BE IT FURTHER RESOLVED, that this Resolution shall take immediate effect from and after its passage.

I certify that the foregoing Resolution was passed and adopted by Richmond City Council at a regular meeting held on May 4, 2010 by the following vote:

- AYES: Councilmembers Butt, Rogers, Vice Mayor Ritterman, Viramontes, and Mayor McLaughlin
- NOES: None.
- ABSTENTIONS: None.
- ABSENT: Councilmembers Bates and Lopez.

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
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. 47-10**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on May 4, 2010.