

CITY COUNCIL RESOLUTION NO. 131-10

REDEVELOPMENT AGENCY RESOLUTION NO. 10-28

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND AND THE MEMBERS OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY BOARD AUTHORIZING THE CITY MANAGER AND EXECUTIVE DIRECTOR OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY TO NEGOTIATE AND EXECUTE THE SUBLEASE, SUB-SUBLEASE, PROJECT DEVELOPMENT AGREEMENT AND FIRST AMENDMENT TO PARKING LOT LEASE CONSISTENT WITH THE TERMS OF THE LETTER OF INTENT FOR THE RENOVATION OF THE OILHOUSE FOR THE ROSIE THE RIVETER WORLD WAR II/HOMEFRONT NATIONAL HISTORICAL PARK EDUCATION CENTER (VISITOR CENTER)

WHEREAS, the City Council of the City of Richmond (the "City Council") adopted the Amended and Restated Redevelopment Plan for Project Area No. 11-A adopted by Ordinance No. 29-99, dated July 13, 1999, as amended (the "Redevelopment Plan"). The Redevelopment Plan sets forth a plan for redevelopment of Project Area No. 11-A (the "Project Area"); and

WHEREAS, the Richmond Community Redevelopment Agency (the "Agency"), formally the Richmond Redevelopment Agency, and Orton Development, Inc. ("ODI") entered into a Disposition and Development Agreement ("DDA") dated November 18, 2003, concerning the sale, lease, and redevelopment of the Ford Assembly Building at 1414-1422 Harbour Way South ("Site"); and

WHEREAS, federal legislation creating the Rosie the Riveter National Historic Park Education Center stipulated that a visitor center to support the park ("Visitor Center") will be located in the Ford Assembly Building, and construction of the Visitor Center is a requirement of the DDA; and

WHEREAS, in order to resolve an outstanding dispute with ODI regarding the DDA's requirement that the Visitor Center be located in the Craneway, the Agency, the City of Richmond ("City") and the National Park Service ("NPS") have agreed to facilitate the use of Historic Tax Credit and New Markets Tax Credit financing ("Tax Credit Financing") by ODI in order to reimburse ODI for a portion of the costs associated with the rehabilitation and reuse of the Oilhouse (instead of the Craneway) as a Visitor Center to be operated by the NPS. The Tax Credit Financing and the limitation on the NPS's ability to enter into a lease term in excess of 20 years requires that the City and the Agency participate in the following agreements with ODI and the NPS: a sublease by and between the City and an affiliate of ODI, a sub-sublease by and between the City and NPS, and a project development agreement by and among the City, Agency, NPS and an affiliate of ODI; and

WHEREAS, also in order to resolve the outstanding disputes, the Agency and ODI agreed to enter into a first amendment to parking lot lease concerning that certain parking lot located immediately south of Terminal 3; and

WHEREAS, the Agency, City, NPS, and ODI have concluded their negotiations regarding the relocation of the Visitor Center into the Oilhouse and are finalizing the various agreements between them consistent with the Letter of Intent dated November 9, 2010; and

WHEREAS, the agenda report accompanying this resolution and incorporated herein by references ("Agenda Report"), the City Council and the Richmond Redevelopment Agency Board ("Agency Board") have been provided with additional information upon which the findings and action set forth in this resolution are based.

NOW, THEREFORE, BE IT RESOLVED, that the City Council and Agency Board hereby find 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 City Council and Agency Board hereby authorize the City Manager and the Executive Director of the Agency, as the case may be, to negotiate and execute the sublease, sub-sublease, project development agreement and first amendment to parking lot lease, consistent with the terms of the Letter of Intent dated November 9, 2010, for the renovation of the Oilhouse for the Rosie the Riveter World War II/Home Front National Historical Park Education Center (Visitor Center).

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a joint regular meeting thereof, held on December 7, 2010, by the following vote:

AYES: Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Bates.

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. 131-10 and 10-28**, finally passed and adopted by the Richmond Community Redevelopment Agency and City Council at a joint meeting held on December 7, 2010,