

**RESOLUTION NO. 31-12**

**A RESOLUTION OF THE RICHMOND CITY COUNCIL AS SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY APPROVING AN APPLICATION FOR GRANT AND OR LOAN FUNDS FROM THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCE CONTROL TO FUND REMEDIATION ACTIVITIES AT THE MIRAFLORES HOUSING DEVELOPMENT SITE**

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**WHEREAS**, the U. S. Environmental Protection Agency has provided funds to the Department of Toxic Substance Control (DTSC) to capitalize a revolving loan fund to be used for Brownfield site cleanup (the “Revolving Loan Fund”);and

**WHEREAS**, DTSC has been delegated the responsibility for the administration of the Revolving Loan Fund, including establishing necessary application procedures; and

**WHEREAS**, the procedures established by DTSC require a resolution by the City Council certifying the approval of the City of Richmond as Successor Agency to the Richmond Community Redevelopment Agency’s (Successor Agency) application for funding through the Revolving Loan Fund (Funding) in connection with the Miraflores Housing Development (the “Project”) prior to submission of the application to the DTSC; and

**WHEREAS**, if the Funding is approved by DTSC, the Successor Agency will enter into an agreement with the DTSC to use the Funding to carry out the Project.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council acting for the Successor Agency hereby:

1. Approves the filing of an application to the Revolving Loan Fund for the Funding in an amount not to exceed \$1,200,000 in sub grants and loans in connection with completion of remediation activities at the Project;
2. Certifies that the Successor Agency may make the required assurances and certification in the application, and
3. Certifies that the Project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable permits will have been obtained, and

**BE IT FURTHER RESOLVED** that the City Council acting for the Successor Agency hereby authorizes the City Manager or designee to negotiate and execute all documents and any other instruments necessary or required by DTSC to carry out the intent of this resolution and to administer and expend funds for eligible activities in the manner approved by DTSC’ regulations.

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I certify that the foregoing Resolution was passed and adopted by the City Council as Successor Agency to the Richmond Community Redevelopment Agency at a regular meeting held on March 20, 2012 by the following vote:

AYES: Councilmembers Bates, Beckles, Booze, Butt, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

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. 31-12, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 20, 2012.