

RESOLUTION NO. 19-13

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND
AUTHORIZING THE CITY MANAGER TO ACCEPT PROPOSITION 84 GRANT FUNDS
FOR THE DEVELOPMENT OF A LINEAR PARK ALONG THE RICHMOND
GREENWAY, TO EXECUTE ALL REQUIRED CONTRACTS AND AGREEMENTS TO
FACILITATE THE ACQUISITION OF 1605 OHIO AVENUE, AND TO ENTER INTO A
GRANT AGREEMENT WITH THE OFFICE OF GRANTS AND LOCAL SERVICES**

WHEREAS, in June of 2011, the City of Richmond (“City”) partnered with M.I.G and Pogo Park, and other local non-profits including Urban Tilth, to submit an application for a Proposition 84 Statewide Park Program grant (the “Application”). The Application in part focused on the development of a linear park along the Richmond Greenway (the “Project”); and

WHEREAS, Joe L. Fisher, Donald Hampton and Carl Adams, as individuals (collectively, “Seller”) own that certain real property located at 1605 Ohio Avenue, Richmond, California, further described as Assessor’s Parcel No. 540-360-022-3 (the “Real Property”); and

WHEREAS, the Application incorporated the acquisition of the Real Property for use in development of the Project; and

WHEREAS, in March of 2012, the City received a notice of award of \$5,000,000 from the California Office of Grants and Local Services (the “Grantor”) for the Project; and

WHEREAS, the award is contingent upon completion of the CEQA compliance form and also the opening of escrow for the purchase of the Real Property by March 31, 2013; and

WHEREAS, City wishes to purchase the Real Property from Seller for the purposes of developing the Project, and Seller desires to sell the Real Property to City for such purposes; and

WHEREAS, an addendum to the May 2004 Initial Study/Mitigated Negative Declaration adopted by City for the Richmond Greenway is being prepared pursuant to CEQA to consider the Project, including the acquisition of the Real Property; and

WHEREAS, prior to the close of escrow for the purchase the Real Property, City will complete CEQA; and

WHEREAS, a Grant Agreement is needed to be executed with the Grantor before the City can receive the grant funds; and

WHEREAS, the City Council wishes to delegate authorization to execute the Grant Agreement, any ancillary agreements and any amendments thereto to the City Manager; and

WHEREAS, the City wants to enter into the Grant Agreement with the Grantor to carry out the Project.

WHEREAS, by 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.

NOW, THEREFORE, that the City Council of the City of Richmond does resolve as follows:

SECTION 1. The Council hereby finds 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.

SECTION 2. The Council does hereby authorize the City Manager or his designee to execute all required contracts and agreements to facilitate the acquisition of the Real Property.

SECTION 3. The City Council does hereby authorize the City Manager to execute

the Grant Agreement, any ancillary agreements and any amendments thereto with the Grantor.

SECTION 4. The City Council does hereby authorize acceptance and appropriation of all Proposition 84 grant funds for the Project.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on March 5, 2013, by the following vote:

AYES: Councilmembers Bates, Beckles, Butt, Myrick, Rogers, Vice Mayor Boozé, 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:

BRUCE GOODMILLER
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. 19-13, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 5, 2013.