

**JOINT RESOLUTION
CITY COUNCIL NO. 11-17(a)
SUCCESSOR AGENCY NO. 17-1**

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND AND
THE SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT
AGENCY BOARD AUTHORIZING THE EXECUTION OF A NOVATION AGREEMENT
WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY REGION 9 (EPA)**

WHEREAS, in September 2004, the former Richmond Community Redevelopment Agency (Agency) was awarded a Brownfield Revolving Loan Fund (RLF) grant in the amount of \$1,000,000; and

WHEREAS, the former Agency had a loan repayment obligation of \$654,000 on a loan to the Miraflores project to assist in soil remediation; and

WHEREAS, pursuant to AB 1x 26, enacted on June 28, 2011; AB 1484, enacted on June 27, 2012; and SB 107, enacted on September 22, 2015 (collectively, the "Dissolution Law"), all redevelopment agencies in California were dissolved as of February 1, 2012. As set forth in the Dissolution Law, all authority, rights, powers, duties and obligations previously vested with former redevelopment agencies under the Community Redevelopment Law, were vested in the successor agencies; and

WHEREAS, in May 2013, the Successor Agency entered into a Close-out Agreement with EPA for the RLF; and

WHEREAS, the Successor Agency lacks the authority to administer the RLF program as it is required by Dissolution Law to wind down it's affairs; and

WHEREAS, in order to continue with the RLF program, the City of Richmond (City) and Successor Agency are required to enter into a Novation Agreement with EPA that transfers all of the Successor Agency's obligations under the previously approved Close-out Agreement to the City; and

WHEREAS, the Department of Finance and EPA have approved the Novation Agreement; and

WHEREAS, by the Agenda Report accompanying this Joint Resolution, the City Council and the Successor Agency have been provided with additional information upon which the findings and actions set forth in this Joint Resolution are based.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richmond and the Successor Agency to the Richmond Community Redevelopment Agency Board resolve as follows:

1. That execution of the Novation Agreement will allow for the transfer of \$645,000 from the Successor Agency to the City for the operation of the Brownfield Revolving Loan Fund program.
2. That the obligations of the Close-out Agreement will transfer from the Successor Agency to the City.
3. That the City Manager or his designee is authorized to execute the Novation Agreement in the name of the City and the Acting Director of the Successor Agency or his designee is authorized to execute the Novation Agreement in the name of the Successor Agency.

I certify that the foregoing joint resolution was passed and adopted by the City Council of the City of Richmond and the Successor Agency to the Richmond Community Redevelopment Agency at a regular meeting held on February 21, 2017, by the following vote:

AYES: Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, Vice Mayor Beckles, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
AND SUCCESSOR AGENCY

(SEAL)

Approved:

TOM BUTT

Mayor/Successor Agency Chair

Approved as to form:

BRUCE GOODMILLER

City Attorney/Successor Agency Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 11-17(a) and 17-1**, finally passed and adopted by the City Council of the City of Richmond and the Successor Agency to the Richmond Community Redevelopment Agency at a regular meeting held on February 21, 2017.


Pamela Christian, Clerk of the City of Richmond
and Successor Agency