

**RESOLUTION NO. 2100**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RICHMOND TO EXECUTE THE HACIENDA FIRST AMENDMENT TO EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT AND THE FIRST AMENDMENT OPTION TO LEASE AGREEMENT WITH MERCY HOUSING AND COMMUNITY HOUSING DEVELOPMENT CORPORATION AND AUTHORIZE THE EXECUTIVE DIRECTOR AND CITY MANAGER OR THEIR DESIGNEE TO NEGOTIATE AND EXECUTE THE FINAL FORM OF THE AGREEMENTS AND ANY SUPPORTING HUD DOCUMENTS AND GRANT APPLICATIONS TO FACILITATE THE COMPLETION OF THE DEVELOPMENT PROJECT**

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**WHEREAS**, on May 19, 2009, the Commissioners of the Richmond Housing Authority Board authorized the Executive Director, under resolution 1930, to initiate negotiations with Mercy Housing California and Community Housing Development Corporation of North Richmond (the "Development Team") to establish an agreement on general project terms; and

**WHEREAS**, the Richmond Housing Authority (the "Authority") and the Development Team completed its initial negotiations and pursuant to resolution 1942 executed an Exclusive Negotiating Rights Agreement (ENRA) and a Predevelopment Cost Sharing Agreement (PCSA) for the Hacienda Rehabilitation Project (the "Project") for a period with an extension that lasts until April 30, 2012; and

**WHEREAS**, during the course of the ENRA period, conceptual plans, predevelopment activities and a draft financing plan were established, however, the affordable housing market also experienced a severe downturn including major funding cuts within the U.S. Department of Housing and Urban Development (HUD), the State's Housing and Community Development (HCD) office and the dissolution of the California Redevelopment Agencies; and

**WHEREAS**, on April 24, 2012, Commissioners of the Richmond Housing Authority Board pursuant to resolution 1960 authorized the Executive Director to extend the schedule of the ENRA/PCSA to September 20, 2013 and to modify the project parameters to a more feasible and competitive development standard consistent with existing affordable housing financing pool; and

**WHEREAS**, on September 26, 2017, the Commissioners of the Richmond Housing Authority Board authorized the city manager or his designee, under resolution 2042, to execute an Exclusive Negotiating Rights Agreement (ENRA) and Predevelopment Cost Sharing Agreement (PCSA) with Mercy Housing California and Community Housing Development Corporation of North Richmond (collectively, the "Development Team") for an eighteen (18) month term for the Hacienda Development Project; and

**WHEREAS**, on December 5, 2017, the Commissioners of the Richmond Housing Authority Board authorized the Option to Lease Agreement (OLA) to provide the Development Team eighteen (18) months to secure the construction financing, governmental permits and/or approvals, and all applicable environmental review required for the rehabilitation and development of the Hacienda Development Project; and

**WHEREAS**, the OLA is needed by the Development Team to provide potential funders proof of site control; and

**WHEREAS**, the Commissioners of the RHA has long maintained as a primary goal the rehabilitation of the Hacienda site; and

**WHEREAS**, over the past six months there has been positive momentum in relation to the Hacienda Development project; and

**WHEREAS**, on March 3, 2019, a design review permit was approved for the Hacienda Development by the City of Richmond Design Review Board (DRB); and

**WHEREAS**, on April 18, 2019, the Planning Commission of the City of Richmond voted to approve the Conditional Use Permit, Design Review Permit, and Parcel Map for the Hacienda project, subject to the conditions of approval; and

**WHEREAS**, Richmond staff members have renegotiated terms for the Hacienda development taking into account the new development project goals and cost saving measures for the RHA; and

**WHEREAS**, due to the recent positive developments supporting the project to move forward, the RHA and City staff believe there is a justification to approve the first amendments to the ERNA and OLA with Mercy Housing and CHDC.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RICHMOND, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA THAT** the Executive Director is hereby authorized to execute the Hacienda First Amendment to Exclusive Negotiating Rights Agreement (ERNA) and First Amendment to the Option to Lease Agreement (OLA) with Mercy Housing and Community Housing Development Corporation (CHDC) and the Executive Director and City Manager or their designee are authorized to negotiate and execute the final form of the agreements and any supporting HUD and grant application documents to facilitate the completion of the development project.

**BE IT FURTHER RESOLVED** that the Executive Director is hereby authorized to take all actions necessary to implement this resolution.

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I certify that the foregoing resolution was passed and adopted by the Richmond Housing Authority Board of Commissioners at a special meeting held on July 16, 2019, by the following vote:

AYES: Commissioners Bates, Johnson, Martinez, Myrick, Willis, Vice Chairperson Choi, Chairperson Butt, and Housing Authority Tenant Commissioner Scott.

NOES: None.

ABSTENTIONS: None.

ABSENT: Housing Authority Tenant Commissioner Smith.

TOM BUTT  
Chairperson

[SEAL]

ATTEST:

PAMELA CHRISTIAN  
Secretary

Approved as to form:

BRUCE GOODMILLER  
Attorney

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

I certify that the foregoing is a true copy of **Resolution No. 2100**, finally passed and adopted at a special Housing Authority Meeting held on July 16, 2019.

  
CLERK OF THE HOUSING AUTHORITY