

**RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD  
FOR THE COUNTY OF CONTRA COSTA**

Adopted this Resolution on 01/25/2021 by the following vote:

**AYE:**  5 **John Hild**  
**Susan Morgan**  
**Rita Xavier**  
**Gabriel Lemus**  
**Jack Weir**

**NO:**

**ABSENT:**  1 **Federal D. Glover**

**ABSTAIN:**

**RECUSE:**



**Resolution: 2021/18**

**RESOLUTION 2021-18 OF THE COUNTYWIDE OVERSIGHT BOARD APPROVING AND AUTHORIZING THE SUCCESSOR AGENCY TO ENTER INTO A CONTRACT WITH ENSAFE, AND DIRECTING STAFF TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE APPROVALS UNDER THIS RESOLUTION.**

**WHEREAS**, the California state legislature enacted Assembly Bill x1 26 (the "Dissolution Act") to dissolve redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.); and

**WHEREAS**, on January 17, 2012 pursuant to Health and Safety Code Section 34173, the Board of Supervisors of the County of Contra Costa (the "Board of Supervisors") declared that the County of Contra Costa, a political subdivision of the State of California (the "County"), would act as successor agency (the "Successor Agency") for the dissolved Redevelopment Agency of the County of Contra Costa (the "Former RDA") effective February 1, 2012; and

**WHEREAS**, the Dissolution Act generally provides that (with exceptions) agreements between the Former RDA and the County are not Enforceable Obligations, but Health and Safety Code Sections 34178(a) and 34180(h) authorize the Successor Agency and the County, with Oversight Board approval, to reenter into such agreements; and

**WHEREAS**, the Former RDA is party to a settlement agreement that directs the clean-up of a hazardous materials site known as the Hookston remediation project (a recognized obligation); and

**WHEREAS**, the Former RDA and Ensafe previously entered into an agreement to provide project management services for the Hookston remediation project; and

**WHEREAS**, the Successor Agency has continuously contracted with Ensafe to provide project management services for the Hookston Remediation project; and

**WHEREAS**, the Department of Finance denied the renewal of the Ensafe contract as a Recognized Obligation without resolution from the Countywide Oversight Board.

**NOW, THEREFORE, BE IT RESOLVED** that the Oversight Board hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

**BE IT FURTHER RESOLVED** that the Oversight Board, pursuant to Health & Safety Code Sections 34178(a) and 34180(h), hereby approves renewal of the Ensafe Contract with the Successor Agency; and

**BE IT FURTHER RESOLVED** that the Oversight Board hereby determines that, as re-authorized, the Ensafe contract shall constitute a "Recognized Obligation" for all purposes of the Dissolution Act.

**BE IT FURTHER RESOLVED** that nothing in this Resolution shall abrogate, waive, impair or in any other manner affect the right or ability of the Successor Agency to initiate and prosecute any litigation with respect to any agreement or other arrangement between the County and the Former RDA, including, without limitation, any litigation contesting the purported

invalidity of such agreement or arrangement pursuant to the Dissolution Act.

**BE IT FURTHER RESOLVED**, that this Resolution shall take immediate effect upon adoption.

**BE IT FURTHER RESOLVED:** That the Successor Agency shall be authorized and directed to execute any other form of resolution, if determined to be substantially equivalent to this form of resolution by County Counsel.

**BE IT FURTHER RESOLVED:** That to the extent that any actions authorized herein have already been performed by the Successor Agency, such actions are hereby ratified, confirmed and approved in all respects.

**PASSED AND ADOPTED** this January 25, 2021.

ATTEST:

A handwritten signature in black ink, appearing to read "Maureen Toms", written over a horizontal line.

Maureen Toms, Oversight Board Secretary

**Contact:**

**cc:** Maureen Toms, DCD