

RESOLUTION NO. 2024-83

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DECLARING THE PROPERTY AT 100 38TH STREET IN RICHMOND, CALIFORNIA, TO BE EXEMPT SURPLUS LAND IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54221(f)(1)(F) FOR THE REUSE OF THE FORMER WEST COUNTY HEALTH CENTER AS AN AFFORDABLE HOUSING DEVELOPMENT

RESOLVED, by the Board of Supervisors of the County of Contra Costa, State of California:

WHEREAS the County of Contra Costa (the “County”) owns an approximately 2.0-acre property located at 100 38th Street, Richmond, California, having Assessor’s Parcel No. 517-340- 004 (the “Property”).

WHEREAS the Property is the site of the former West County Health Center, which has been relocated to San Pablo and the Property is no longer necessary for County use.

WHEREAS the Property is improved with a multi-story, 83,884-square-foot building (the “Building”) that has been vacant since November 2018.

WHEREAS on May 1, 2019, in compliance with the requirements of Government Code section 54220 et seq. (the “Surplus Land Act”) then in effect, the County notified various public agencies and low-income housing groups of the County’s intention to dispose of the Property as surplus.

WHEREAS two low-income housing groups responded to the County’s notice of intention to dispose of the Property and both were asked to submit proposals to the County for development of the Property.

WHEREAS both proposals were reviewed by a committee consisting of members of four different County departments, including the Health Services Department and the Conservation and Development Department.

WHEREAS the proposal submitted by a partnership of Eden Housing, Inc. and Community Housing Development Corporation of North Richmond (such partnership, the “Developer”), which is comprised of two phases, the first of which consists of an estimated 59 residential rental units, all of which will be affordable to very low-income households, and the second of which consists of an estimated 76 residential rental units, all of which will be affordable to low-income households, and ancillary commercial ground floor uses (the “Development”), was unanimously selected as the preferred option.

WHEREAS the Board of Supervisors of Contra Costa County (the “Board”), at its duly noticed regular public meeting held on December 17, 2019, approved an exclusive negotiating rights agreement between the County and the Developer to enable the Developer to perform due diligence on the potential purchase of the Property, apply for land use entitlements from the City of Richmond for the development of the Development, and negotiate a purchase price for the Property with the County.

WHEREAS, on October 4, 2022, the City Council for the City of Richmond unanimously approved the land use entitlements sought by the Developer for the Development.

WHEREAS a covenant will be recorded against the Property, in a form approved by County Counsel, restricting 100% of the residential units to persons and families of low or moderate income, with at least 75% of the units restricted to lower income households, as determined pursuant to section 50053 of the Health and Safety Code, for a minimum of 55 years (the “Restrictive Covenant”).

WHEREAS the Restrictive Covenant will run with the land and be enforceable against any owner who violates the Restrictive Covenant and each successor in interest who continues the violation.

WHEREAS the transfer of the Property to the Developer for the construction of the Development and the recordation of the Restrictive Covenant satisfy the criteria for exempt surplus land as defined in Government Code section 54221(f)(1)(F).

WHEREAS the Board, at its duly noticed regular public meeting held on July 18, 2023, approved an option agreement between the County and the Developer that establishes the price the Developer will pay to purchase the Property for the development of the Development.

WHEREAS the Board, at its duly noticed regular public meeting held on March 5, 2024, considered the decision to declare the Property exempt surplus land.


NOW THEREFORE BE IT RESOLVED that the Board hereby finds and determines that the foregoing recitals are true and correct.

BE IT FURTHER RESOLVED that the Board hereby declares that the Property is “exempt surplus land,” as that term is defined in Government Code section 54221(f)(1)(F).

BE IT FURTHER RESOLVED that the Board hereby authorizes the Public Works Director, or his designee, to take all actions necessary to complete the transaction contemplated in this Resolution, including the execution and recordation of the Restrictive Covenant.

I hereby certify that this is a true and correct copy of an action taken and entered in the minutes of the Board of Supervisors of the County of Contra Costa on the date shown.

ATTESTED: March, 5 2024

By: 
Jami Morritt
Chief Assistant Clerk of the Board



County Administrator and Clerk
of the Board of Supervisors