

**WRITTEN REQUEST
TO ESTABLISH
CITY OF RICHMOND
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(POINT MOLATE)**

Honorable City Council
City of Richmond
450 Civic Center Plaza
Richmond, CA 94804

Members of the City Council:

This is a written request to create a community facilities district pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”). The undersigned, being two members of the City Council of the City of Richmond, California (the “City”), hereby state as follows:

1. Point Molate. The City is the fee title owner of 100% of the real property described in (i) Exhibit A-1 to that certain Disposition and Development Agreement for Point Molate Mixed-Use Development, by and between the City and Winehaven Legacy LLC, a Delaware limited liability company (“Winehaven”), dated as of September 30, 2020 (the “DDA”) and (ii) Exhibit A to that certain Development Agreement, by and between the City and Winehaven, dated as of October 21, 2020 (the “DA” and together with the DDA, the “Development Agreements”), and depicted on the boundary map attached as Exhibit A hereto (the “Property”). The Property was formerly within the boundaries of Point Molate Naval Fuel Depot prior to its closure. Pursuant to the terms and conditions set forth in the Development Agreements, the City intends to convey the Property to Winehaven which will develop the Property as set forth therein, and the formation of a community facilities district by the City that encompasses the Property is a precondition to such conveyance. The Development Agreements further provide that such community facilities district shall provide for financing of the facilities and services described in Exhibit B attached hereto (the “Facilities” and “Services,” respectively).

2. **Proceedings Requested.** Pursuant to Section 53318(a) of the Act, the undersigned being two members of the City Council of the City hereby request that the City Council of the City institute proceedings pursuant to the Act to establish the City of Richmond Community Facilities District No. 2022-1 (Point Molate) (“CFD No. 2022-1”), and designate three improvement areas therein, to finance the Facilities and Services.

This written request is dated March 4, 2022.



Tom Butt
Mayor of the City of Richmond

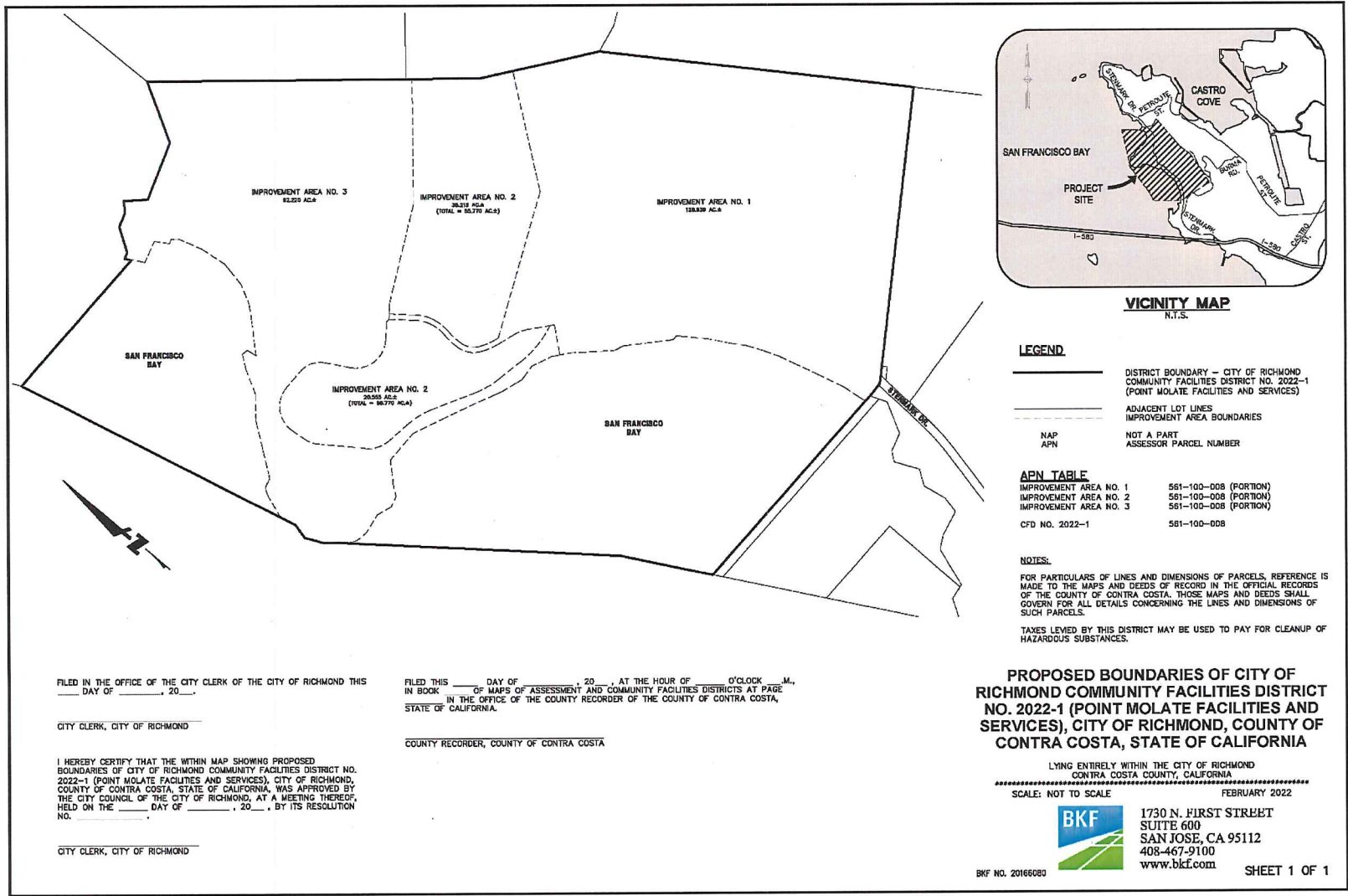


Nathaniel Bates
Councilmember of the City of Richmond

EXHIBIT A

**PROPOSED BOUNDARIES OF
CITY OF RICHMOND
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(POINT MOLATE)**

The proposed boundaries of the territory for inclusion in the City of Richmond Community Facilities District No. 2022-1 (Point Molate) are depicted in the attached map.



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF RICHMOND THIS _____ DAY OF _____, 20____.

CITY CLERK, CITY OF RICHMOND

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF CITY OF RICHMOND COMMUNITY FACILITIES DISTRICT NO. 2022-1 (POINT MOLATE FACILITIES AND SERVICES), CITY OF RICHMOND, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF RICHMOND, AT A MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, BY ITS RESOLUTION NO. _____.

CITY CLERK, CITY OF RICHMOND

FILED THIS _____ DAY OF _____, 20____, AT THE HOUR OF _____ O'CLOCK _____ M., IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

COUNTY RECORDER, COUNTY OF CONTRA COSTA

PROPOSED BOUNDARIES OF CITY OF RICHMOND COMMUNITY FACILITIES DISTRICT NO. 2022-1 (POINT MOLATE FACILITIES AND SERVICES), CITY OF RICHMOND, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

LYING ENTIRELY WITHIN THE CITY OF RICHMOND
CONTRA COSTA COUNTY, CALIFORNIA

SCALE: NOT TO SCALE FEBRUARY 2022



1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
408-467-9100
www.bkf.com

BKF NO. 20166080

SHEET 1 OF 1

EXHIBIT B
LIST OF FACILITIES

CFD No. 2022-1, on behalf of itself and each improvement area thereof, is hereby authorized to finance the costs of the purchase, construction, expansion, improvement, or rehabilitation of facilities permitted under the Mello-Roos Act from the proceeds of special taxes and bonds issued by CFD No. 2022-1, including, without limitation:

CITY FACILITIES

The types of City Facilities that are proposed to be financed by CFD No. 2022-1 with the proceeds of special taxes and bonds issued by CFD No. 2022-1 consist of backbone infrastructure needed for new and existing development (both within the project limits as well as offsite improvements), such as roadway, bridge, sewer, dry utilities, storm drain, sea wall, street and parkway landscaping, curb and gutter, medians, median landscaping, traffic signals, entry signage, parks, trails, police facilities, fire facilities, and appurtenances and appurtenant work.

The description of City Facilities is general in nature. The final nature and location of the City Facilities will be determined upon preparation of final plans and specifications. Addition, deletion or modification of descriptions of the City Facilities may be made consistent with the requirements of the City Council of the City, CFD No. 2022-1 and the Act.

EAST BAY MUNICIPAL UTILITIES DISTRICT (“EBMUD”) FACILITIES

The proposed EBMUD Facilities include the construction, purchase, modification, expansion, improvement and/or rehabilitation of public facilities to be owned and operated by EBMUD including, without limitation, water system facilities and acquisition of water system capacity.

The EBMUD Facilities listed herein are representative of the types of facilities authorized to be financed by CFD No. 2022-1. Detailed scope and limits of specific projects will be determined as appropriate, consistent with the standards of the EBMUD. Addition, deletion or modification of descriptions of the EBMUD Facilities may be made consistent with the requirements of the governing board of the EBMUD, CFD No. 2022-1 and the Act. The Facilities are necessary for CFD No. 2022-1 (and each improvement area thereof) and are generally intended to comply with the requirements of the City.

The description of Facilities is general in nature. The final nature and location of the Facilities will be determined upon preparation of final plans and specifications.

Any Facility authorized to be financed by CFD No. 2022-1 may be financed through the construction and acquisition of the Facility or through the payment of fees for such Facility.

The Facilities constructed or acquired may be located within or outside CFD No. 2022-1.

The Facilities to be financed shall include all hard and soft costs associated with the Facilities, including the costs of the acquisition of land and rights-of-way, the costs of design, engineering and planning, the costs of any environmental or traffic studies, surveys or other reports, costs related to

landscaping and irrigation, soils testing, permits, plan check, and inspection fees, insurance, legal and related overhead costs, coordination and supervision and any other costs or appurtenances related to any of the foregoing as may be further defined in one or more acquisition agreements with the developer of the property in CFD No. 2022-1.

LIST OF SERVICES

The types of Services that are proposed to be provided by CFD No. 2022-1 and funded with the proceeds of special taxes levied by CFD No. 2022-1 consist of services permitted to be financed under the Mello-Roos Community Facilities Act of 1982 including, without limitation, police and fire protection, ambulance and paramedic services, street sweeping, traffic signal maintenance and the maintenance of City-owned parks, parkways and open spaces, lighting, flood and storm protection services and the operation of storm drainage systems. All of the services to be financed must be in addition to those provided within the boundaries of CFD No. 2022-1 before CFD No. 2022-1 is created, and shall not supplant services already available within that territory when CFD No. 2022-1 is created.