

RESOLUTION NO. 164-25

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
REQUESTING AN ALLOCATION FOR REGIONAL MEASURE 3 FUNDS FROM THE
METROPOLITAN TRANSPORTATION COMMISSION AND ACCEPTING THE
DESIGNATION AS REGIONAL MEASURE 3 IMPLEMENTING AGENCY FOR
TRANSFORMATIVE CLIMATE COMMUNITIES (TCC) PROJECTS RICHMOND
WELLNESS TRAIL PHASE II AND NEIGHBORHOOD COMPLETE STREETS, AND
IF AWARDED, ACCEPT AND APPROPRIATE FUNDING**

WHEREAS, SB 595 (Chapter 650, Statutes 2017), commonly referred as Regional Measure 3, identified projects eligible to receive funding under the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for Regional Measure 3 funds, pursuant to Streets and Highways Code Section 30914.7(a) and (c); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for Regional Measure 3 funding; and

WHEREAS, allocation requests to MTC must be submitted consistent with procedures and conditions as outlined in Regional Measure 3 Policies and Procedures (MTC Resolution No. 4404); and

WHEREAS, the Bay Area Toll Authority (BATA) and Contra Costa Transportation Authority (CCTA) are eligible sponsors of Project 25, Richmond-San Rafael Bridge Access Improvements in the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Project 25, Richmond-San Rafael Bridge Access Improvements, Subproject 25.6, Richmond Wellness Trail Phase II, and Subproject 25.7, Neighborhood Complete Streets are eligible for consideration in the Regional Measure 3 Expenditure Plan, as identified in California Streets and Highways Code Section 30914.7(a); and

WHEREAS, BATA designated the City of Richmond as an entity that is eligible to request Regional Measure 3 funds for the Project 25, Richmond-San Rafael Bridge Access Improvements and Subproject 25.6, Richmond Wellness Trail Phase II, and Subproject 25.7, Neighborhood Complete Streets; and

WHEREAS, the Regional Measure 3 updated Initial Project Report (IPR) and allocation request, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule, budget, expenditure and cash flow plan for which the City of Richmond is requesting that MTC allocate Regional Measure 3 funds; and

WHEREAS, staff recommends that the City Council accept and appropriate the RM3 funding in the amount of \$10,000,000.00 for Richmond-San Rafael Bridge Access Improvements, for construction of Neighborhood Complete Streets (\$7,500,000) and Richmond Wellness Trail Phase II (\$2,500,000) if awarded;

NOW, THEREFORE BE IT RESOLVED that the City of Richmond accepts BATA's designation as implementing agency for the project; and be it further

RESOLVED that the City of Richmond accepts BATA's delegation of responsibility for certifying the project and allocation request(s) comply with the requirements of the Metropolitan Transportation Commission's Regional Measure 3 Policies and Procedures; and be it further

RESOLVED, that the City of Richmond, and its agents shall comply with the provisions of the Metropolitan Transportation Commission's Regional Measure 3 Policies and Procedures; and be it further

RESOLVED, that the City of Richmond certifies that the TCC Richmond Wellness Trail Phase II and Neighborhood Complete Streets projects are consistent with the Regional Transportation Plan (RTP); and be it further

RESOLVED, that the year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project; and be it further

RESOLVED, that the Regional Measure 3 phase or segment is fully funded, and results in an operable and useable segment; and be it further

RESOLVED, that the City of Richmond approves the allocation request and updated IPR, attached to this resolution; and be it further

RESOLVED, that the City of Richmond approves the cash flow plan, attached to this resolution; and be it further

RESOLVED, that the City of Richmond has reviewed the project needs and has adequate staffing resources to deliver and complete the project within the schedule set forth in the allocation request and updated IPR, attached to this resolution; and, be it further

RESOLVED, that the City of Richmond is authorized to submit an allocation request for Regional Measure 3 funds for Subproject 25.6 Richmond Wellness Trail Phase II, and Subproject 25.7, Neighborhood Complete Streets in accordance with California Streets and Highways Code 30914.7(a); and be it further

RESOLVED, that the City of Richmond certifies that the projects and purposes for which RM3 funds are being requested is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 *et seq.*) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 *et. seq.* and the applicable regulations thereunder; and be it further

RESOLVED, that there is no legal impediment to the City of Richmond making allocation requests for Regional Measure 3 funds; and be it further

RESOLVED, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the City of Richmond to deliver such project; and be it further

RESOLVED, that the City of Richmond indemnifies and holds harmless MTC, BATA, and their Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of the City of Richmond, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM3 funds. The City of Richmond agrees at its own cost, expense, and risk, to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against MTC, BATA, and their Commissioners, officers, agents, and employees, or any of them, arising out of such act or omission, and to pay and satisfy any resulting judgments. In addition to any other remedy authorized by law, so much of the funding due under this allocation of RM3 funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages, and be it further

RESOLVED, that the City of Richmond shall, if any revenues or profits from any non-governmental use of property (or project) that those revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital improvements or maintenance and operational costs, otherwise the Metropolitan Transportation Commission is entitled to a proportionate share equal to MTC's percentage participation in the projects(s); and be it further

RESOLVED, that assets purchased with RM3 funds including facilities and equipment shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the Metropolitan Transportation Commission (MTC) shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that Regional Measure 3 funds were originally used; and be it further

RESOLVED, that the City of Richmond shall post on both ends of the construction site(s) at least two signs visible to the public stating that the Project is funded with Regional Measure 3 Toll Revenues; and be it further

RESOLVED, that the City of Richmond authorizes its City Manager or designee to execute and submit allocation requests for the construction phase with MTC for Regional Measure 3 funds in the amount of \$10,000,000.00, for funding for construction of Neighborhood Complete Streets (\$7,500,000) and Richmond Wellness Trail Phase II (\$2,500,000), purposes and amounts included in the allocation request attached to this resolution; and be it further

RESOLVED, that the City Manager or designee is hereby delegated the authority to make non-substantive changes or minor amendments to the allocation request or IPR as he/she deems appropriate; and be it further

RESOLVED, that the City Council hereby accepts and appropriates RM3 funding if awarded in the amount of \$10,000,000.00 for funding for construction of Neighborhood Complete Streets (\$7,500,000) and Richmond Wellness Trail Phase II (\$2,500,000); and be it further

RESOLVED, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the City of Richmond allocation request referenced herein.

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held on December 2, 2025, by the following vote:

AYES: Councilmembers Bana, Jimenez, Wilson, Vice Mayor Zepeda, and Mayor Martinez.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Brown.
RECUSED: Councilmember Robinson.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND

Approved:

EDUARDO MARTINEZ
Mayor

Approved as to form:

DAVE ALESHIRE
City Attorney



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

I certify that the foregoing is a true copy of **Resolution No. 164-25**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 2, 2025.



Pamela Christian, Clerk of the City of Richmond