

CITY COUNCIL RESOLUTION NO. 117-09

REDEVELOPMENT AGENCY RESOLUTION NO. 09-37

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND AND THE MEMBERS OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY BOARD AUTHORIZING EXECUTION OF A CONTRACT WITH BKF ENGINEERS FOR THE DESIGN AND ENGINEERING OF THE MARINA BAY PARKWAY GRADE SEPARATION PROJECT AND MAKING FINDINGS AND APPROVALS PURSUANT TO THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW

WHEREAS, the City Council of the City of Richmond (the "City Council") adopted the Amended and Restated Redevelopment Plans for Project Area Nos. 6-A (Harbor Gate) and 11-A (Harbour), adopted by Ordinance Nos. 27-99 and 31-99, dated July 13, 1999, respectively (together, the "Redevelopment Plan"). The Redevelopment Plan sets forth a plan for redevelopment of Project Area Nos. 6-A and 11-A (together, the "Project Area"); and

WHEREAS, the Richmond Community Redevelopment Agency (the "Agency") is responsible for administering the Redevelopment Plan to cause the redevelopment of the Project Area, including installation of public improvements consistent with the Redevelopment Plan; and

WHEREAS, access to the South Shoreline area of Project Area is impeded by lengthy trains traveling at low speed across closely-spaced grade crossings and such conditions are not expected to improve; and

WHEREAS, the Agency commissioned a feasibility study for high-priority grade crossings and Marina Bay Parkway was demonstrated by the feasibility study and through a community process to be the preferred location to improve access to the South Richmond Shoreline area; and

WHEREAS, pursuant to Health and Safety Code Section 33445, and upon making certain findings, the Agency may pay for all of the costs associated with the installation and construction of publicly owned improvements either within or without the Project Area, including the design and construction of a railroad grade separation in place of the existing grade crossing on Marina Bay Parkway between Meeker Avenue and Regatta Boulevard ("Marina Bay Parkway Grade Separation"); and

WHEREAS, the Marina Bay Parkway Grade Separation will benefit the Project Area and the immediate neighborhoods around Marina Bay Parkway by assisting in the elimination of blight by improving circulation and public safety; and

WHEREAS, at their regular meeting of October 28, 2008, the City Council and Agency adopted a joint resolution supporting the use of Measure J transportation sales tax funds programmed for the Richmond Parkway and Richmond ferry service to assist with the design and construction of the Marina Bay Parkway Grade Separation; and

WHEREAS, at its regular meeting of November 19, 2008, the Contra Costa Transportation Authority adopted a resolution approving the third amendment to the 2007 Measure J Strategic Plan, which amendment reprogrammed \$10,100,000 in 2004 dollars from the Richmond Parkway Upgrade to the Marina Bay Parkway Grade Separation.

WHEREAS, the Agency budgeted the necessary funds, including programmed Measure J funds, for the Marina Bay Parkway Grade Separation in the Fiscal Year 2009-2010 budget line item "Marina Bay Parkway Grade Separation" and there are no other reasonable means of financing the Marina Bay Parkway Grade Separation available; and

WHEREAS, Agency staff conducted a bid process in accordance with Agency and City policies and desires to award the contract for the design and engineering of the Marina

Bay Parkway Grade Separation to the responsible bidder whose proposal was determined to be the most advantageous to the Agency and City, taking into consideration the evaluation factors set forth in the request for proposals.

NOW, THEREFORE, BE IT RESOLVED, that the City Council and Agency find the above recitals are true and correct.

BE IT FURTHER RESOLVED, that the City Council and Agency hereby authorize the expenditure of \$2,699,690 identified in its approved FY 2009-2010 budget for the design and engineering of the Marina Bay Parkway Grade Separation.

BE IT FURTHER RESOLVED, that this Resolution authorizes the Agency Executive Director to execute a contract with BKF Engineers for the design and engineering of the Marina Bay Parkway Grade Separation in an amount not to exceed \$2,699,690.

I certify that the foregoing Resolution was passed and adopted by the City Council of the City of Richmond and the Richmond Community Redevelopment Agency Board at a joint meeting thereof held on October 20, 2009 by the following vote:

AYES:	Councilmembers/Boardmembers Bates, Butt, Rogers, Ritterman, Viramontes, Vice Mayor Lopez, and Mayor McLaughlin.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

DIANE HOLMES
Clerk of the Richmond City Council/
Community Redevelopment Agency

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor/Agency Chair

Approved as to Form:

RANDY RIDDLE
City Attorney/Agency Attorney

I certify that the foregoing is a true copy of **Resolution No. 117-09 and 09-37**, finally passed and adopted by the Richmond City Council/Community Redevelopment Agency Board at a regular meeting held on October 20, 2009.