

RESOLUTION NO. 22-13

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA APPROVING THE PUBLIC HIGHWAY OVERPASS CROSSING AGREEMENT WITH THE EAST BAY REGIONAL PARK DISTRICT AND UNION PACIFIC RAILROAD COMPANY FOR THE CONSTRUCTION, MAINTENANCE AND USE OF THE NEW ATLAS ROAD BRIDGE

WHEREAS, the City of Richmond ("City") and the East Bay Regional Park District ("Park District") desires to construct the Atlas Road Bridge, a grade separated crossing over the railroad right-of-way, as the new entry into Point Pinole Regional Shoreline ("Project"); and

WHEREAS, Union Pacific Railroad Company ("UPRR") agreed to give the easement rights for the Atlas Road Bridge to the Park District at no cost based on a 1998 Memorandum of Understanding between UPRR and the Park District arising from the construction of the City of Martinez Intermodal Project; and

WHEREAS, a Public Highway Overpass Crossing Agreement between the Park District, the City, and UPRR is required to allow construction, maintenance and use of the Atlas Road Bridge over the UPRR' s rail corridor; and

WHEREAS, pursuant to the proposed Public Highway Overpass Agreement, the District would agree to fund, design and construct the Project and the City would agree to own and maintain the Project following construction; and

WHEREAS, the Project has been previously reviewed under the California Environmental Quality Act and no other review is required.

NOW, THEREFORE, BE IT RESOLVED THAT:

- a. The City Manager is hereby authorized to execute the Public Highway Overpass Agreement; and
- b. The City Manager is hereby authorized to take all actions necessary to implement the foregoing resolution.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on March 19, 2013, by the following vote:

AYES: Councilmembers Bates, Beckles, Butt, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
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. 22-13, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 19, 2013.