

RESOLUTION NO. 90-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND AUTHORIZING AMENDMENT OF THE 2013-2015 BIENNIAL BUDGET LINE ITEMS PLUNGE BAY TRAIL GAP CLOSURE PROJECT AND SHIPYARD 3 TO FERRY POINT GAP CLOSURE PROJECT

WHEREAS, on July 31, 2012, the City Council of the City of Richmond (the "City Council") apportioned settlement funds received from the Cosco Busan Oil Spill ("Cosco Busan") in the amount of \$669,000 for three separate San Francisco Bay Trail/Waterfront projects, including the Plunge Bay Trail Gap Closure Project (the "Project") and the recently completed Shipyard 3 to Ferry Point Gap Closure Project; and

WHEREAS, the Project was allocated \$254,000 in Cosco Busan settlement funds; and

WHEREAS, there are remaining unspent, dedicated Cosco Busan settlement funds allocated to the completed Shipyard 3 to Ferry Point Gap Closure Project, in the amount of \$81,923; and

WHEREAS, there are also remaining unspent, dedicated grant funds provided by the California Coastal Conservancy ("Coastal Conservancy") allocated to the completed Shipyard 3 to Ferry Point Gap Closure Project, in the amount of \$40,211; and

WHEREAS, on July 30, 2013, the City Council accepted and appropriated a grant of \$45,000 from the Association of Bay Area Governments (the "ABAG Grant") for construction of the Project; and

WHEREAS, the Trails for Richmond Action Committee ("TRAC") has committed to providing a contribution of \$7,651 (the "TRAC Contribution") for the Project; and

WHEREAS, staff desires to appropriate the unspent, dedicated bay trail Cosco Busan settlement funds and Coastal Conservancy grant funds, the ABAG Grant and the TRAC Contribution for the express purpose of constructing the Project; and

WHEREAS, by separate resolution approved concurrently herewith the City Council has approved a construction contract with W.R. Forde Associates for the construction of the Plunge Bay Trail Gap Closure Project in an amount not-to-exceed \$369,138; and

WHEREAS, by the agenda report ("Agenda Report") accompanying this resolution the City Council has been provided with additional information upon which the findings and actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds the above recitals are true and correct and have served, together with the Agenda Report, as the basis for the findings and actions set forth in this Resolution.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the amendment of the Budget line items Plunge Bay Trail Gap Closure Project and Shipyard 3 to Ferry Point Gap Closure Project to increase Fiscal Year 2014-2015 expenditures for the Plunge Bay Trail Gap Closure Project by \$174,785 to \$424,685, to be funded by a decrease in Fiscal Year 2014-2015 expenditures for the Shipyard 3 to Ferry Point Gap Closure Project of \$122,134, re-budgeting and appropriation of a \$45,000 ABAG Grant, and acceptance and appropriation of the \$7,651 TRAC Contribution for the Plunge Bay Trail Gap Closure Project.

BE IT FURTHER RESOLVED that the City Council designates the City Clerk as the custodian of the documents and other materials which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the City Clerk at the Richmond City Hall, 450 Civic Center Plaza, Richmond, California 94804.

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond a regular meeting held on October 21, 2014 by the following vote:

AYES: Councilmembers Bates, Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles 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. 90-14**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on October 21, 2014.