

**RESOLUTION NO. 94-16**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,  
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ACCEPT AN  
EASEMENT DEED FROM THE HILLTOP VILLAGE OWNERS  
ASSOCIATION, FOR INSTALLATION OF RETAINING WALL SOIL NAILS AS  
PART OF THE PROPOSED SAN PABLO AVENUE COMPLETE STREETS  
PROJECT, AND TO SIGN THE CERTIFICATE OF ACCEPTANCE FOR  
RECORDING THE EASEMENT WITH THE COUNTY RECORDER**

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**WHEREAS**, the San Pablo Avenue Complete Streets Project (Project) is a joint undertaking between the Cities of Richmond and San Pablo, to improve multi-modal access, safety, and connectivity along San Pablo Avenue from Rivers Street to Hilltop Drive; and

**WHEREAS**, on April 23, 2013, the Richmond City Council received a presentation regarding the Project concept plan that was funded through a Caltrans Environmental Justice Transportation Planning Grant, which was developed in collaborated with the City of San Pablo; and

**WHEREAS**, on June 18, 2013, the Richmond City Council authorized the Mayor to sign a letter to the Contra Costa Transportation Authority Board in support of the grant application by the Cities of Richmond and San Pablo for the Project under the One Bay Area Grant (OBAG) Program; and

**WHEREAS**, the City of San Pablo was awarded \$5,978,000 in OBAG funds for the Project; and

**WHEREAS**, on March 3, 2015, the Richmond City Council authorized the execution of a Memorandum of Understanding with the City of San Pablo for the design and construction of the Project; and

**WHEREAS**, a retaining wall is proposed to be constructed within the Public Right-of-Way in order to facilitate construction of the Project's proposed pedestrian and bicycle facilities, and the soil nails supporting the retaining wall by necessity will be installed underneath a privately owned parcel; and

**WHEREAS**, the Project designer hired a Right-of-Way consultant to prepare an Easement Deed for the property owner to grant the City access for the proposed soil nails; and

**WHEREAS**, the property owner, Hilltop Village Owners Association, signed the Easement Deed and the City must accept the Easement Deed and record the Easement Deed with Contra Costa County;

**NOW, THEREFORE, BE IT RESOLVED** The City Manager is hereby authorized to accept the Easement Deed and sign the Certificate of Acceptance for recording the Easement Deed with the Contra Costa County Recorder; and

**BE IT FURTHER RESOLVED** 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 October 4, 2016, by the following vote:

AYES: Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor Martinez, and Mayor Butt.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:  
TOM BUTT  
\_\_\_\_\_  
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. 94-16**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on October 4, 2016.

  
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Pamela Christian, Clerk of the City of Richmond