

RESOLUTION NO. 89-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA ACCEPTING AND APPROPRIATING \$976,000 OF MEASURE J GRANT FUNDS, ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE NORTH SHORE (GOODRICK AVENUE) BAY TRAIL GAP CLOSURE PROJECT TO COMMENCE WITH THE PUBLIC BID PROCESS FOR THE CONSTRUCTION OF THE PROJECT

WHEREAS, on April 25, 2012, the City Council of the City of Richmond (the “City Council”) adopted the Richmond General Plan 2030 (the “General Plan”), which establishes the goals, policies and implementing actions for development of the City of Richmond; and

WHEREAS, Policy CR1.6 of the General Plan calls for completion of the San Francisco Bay Trail in Richmond; and

WHEREAS, the City of Richmond staff, on August 25, 2014, applied to the Association of Bay Area Governments (ABAG) to provide for planning efforts on behalf of the North Shore (Goodrick Avenue) Bay Trail Gap Closure Project (Project); and

WHEREAS, the City of Richmond was awarded planning grant funds in the amount of \$63,000 by the ABAG for the purposes of planning the Project; and

WHEREAS, with the support of the Trails for Richmond Action Committee (TRAC), the City of Richmond subsequently applied to the Contra Costa Transportation Authority (CCTA) for Measure J Program 13 Pedestrian, Bicycle and Trail Facilities construction grant funds to construct the Project; and

WHEREAS, the City of Richmond was awarded \$976,000 grant funds by the CCTA for the purpose of constructing the Project; and

WHEREAS, pursuant to the responsibility given to the Planning Director of the City of Richmond by City Council Resolution 125-03 for the general administration of the California Environmental Quality Act (CEQA), and the State CEQA Guidelines, and in accordance with CEQA of 1970 as amended, an Initial Study and Draft Mitigated Negative Declaration (DMND) was prepared by LSA on January 2017 for the Project: for which a Notice of Intent was published on January 11, 2017 announcing a thirty (30) day public comment period; and

WHEREAS, during the comment period five comments were received on the DMND; and

WHEREAS, following the public comment period, a final Mitigated Negative Declaration was prepared. The final MND includes minor edits to the DMND text in response to comments received (Exhibit A, attached hereto). As required by CEQA, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared to report on and monitor the changes which are required to mitigate or avoid significant environmental effects (Exhibit B, attached hereto); and

WHEREAS, the minor revisions to the MND do not constitute “substantial revisions” as defined in Section 15073.5(b) of the CEQA Guidelines, thus the MND is not subject to recirculation prior to adoption; and

WHEREAS, on November 20, 2018, the Richmond City Council held a public meeting to consider adoption of the final MND.

NOW, THEREFORE, BE IT RESOLVED that, after hearing all interested persons and considering all relevant evidence, the Council finds and determines as follows:

1. The Project Final MND, consisting of the Draft MND and Responses to Comments in Exhibit A, and the Mitigation Monitoring and Reporting Program in Exhibit B, have been completed in accordance with the requirements of the California Environmental Quality Act, and the State CEQA Guidelines (14 Cal. Code Regs Section 15000et.seq);

2. The MND for the project was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, and the State CEQA Guidelines, and constitutes an adequate, accurate, objective, and complete MND in accordance with the requirement of CEQA statues and the State CEQA Guidelines;

3. The MND for the project has been reviewed and found adequate by the City Council prior to authorizing the initiation of the bidding process for the work, and the MND reflects the independent judgment and analysis of the City; and

4. The Initial Study for the Project identifies potentially significant effects on the environment; however, revisions to the Project and incorporation of the mitigation measures in the Project will reduce any and all significant adverse environmental impacts to a less-than-significant level. There is no substantial evidence in the record that the resulting Project in light of the whole record before the Council that will have a significant effect on the environment.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council does hereby adopt the Mitigated Negative Declaration, which consists of the Draft MND and Responses to Comments, and MMRP dated January 2017.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby accept and appropriate the Measure J Program 13 Pedestrian, Bicycle and Trail Facilities (PBTF) grant funds to commence with the public bid process for Project construction, and appoints the City Manager, or his designee, as agent to administer, conduct all negotiations, execute and submit all documents including, but not limited to agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held November 20, 2018, by the following vote:

AYES: Councilmembers Choi, Martinez, Myrick, Recinos, Vice Mayor Willis, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Beckles.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

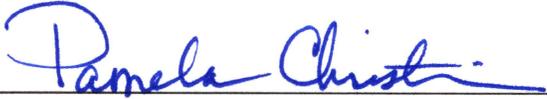
TOM BUTT
Mayor

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. 89-18**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on November 20, 2018.


Pamela Christian, Clerk of the City of Richmond