

RESOLUTION NO. XX-25

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND REQUESTING AN ALLOCATION OF REGIONAL MEASURE 3 FUNDS FROM THE METROPOLITAN TRANSPORTATION COMMISSION AND ACCEPTING DESIGNATION BY THE CONTRA COSTA TRANSPORTATION AUTHORITY (CCTA) AS PROJECT SPONSOR FOR SUBPROJECT 25.5 POINT RICHMOND TRAFFIC IMPROVEMENTS, AND IF AWARDED, ACCEPTING AND APPROPRIATING FUNDING

WHEREAS, SB 595 (Chapter 650, Statutes 2017), commonly referred to as Regional Measure 3, identified projects eligible to receive funding under the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for Regional Measure 3 funds, pursuant to Streets and Highways Code Section 30914.7(a) and (c); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests consistent with procedures and conditions outlined in MTC Resolution No. 4404; and

WHEREAS, allocation requests to MTC must be submitted consistent with procedures and conditions as outlined in Regional Measure 3 Policies and Procedures (MTC Resolution No. 4404; and

WHEREAS, the Contra Costa Transportation Authority (CCTA) is the sponsor of Project 25, Richmond-San Rafael Bridge Access Improvements under the Regional Measure 3 Expenditure Plan; and

WHEREAS, Richmond-San Rafael Bridge Access Improvements and Subproject 25.5 Point Richmond Traffic Improvements is eligible as identified in the Regional Measure 3 Expenditure Plan, as identified in California Streets and Highways Code Section 30914.7(a); and

WHEREAS, CCTA has designated the City of Richmond as eligible to request Regional Measure 3 funds for the Project 25, Richmond-San Rafael Bridge Access Improvements and Subproject 25.5 Point Richmond Traffic Improvements; and

WHEREAS, the Regional Measure 3 updated Initial Project Report (IPR) and allocation request, attached hereto and incorporated herein, lists the project, purpose, schedule, budget, expenditure and cash flow plan for which the City of Richmond is requesting that MTC allocate Regional Measure 3 funds; and

WHEREAS, staff recommends that the City Council accept and appropriate the RM3 funding in the amount of \$180,000 for the design phase (Plans, Specifications, and Estimates) of Subproject 25.5 Point Richmond Traffic Improvements if awarded.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The City of Richmond accepts CCTA's designation as implementing agency for the project.

Section 3. The City of Richmond accepts CCTA's delegation of responsibility for certifying the project and allocation request(s) comply with the requirements of the Metropolitan Transportation Commission's Regional Measure 3 Policies and Procedures.

Section 4. The City of Richmond, and its agents shall comply with the provisions of the Metropolitan Transportation Commission's Regional Measure 3 Policies and Procedures.

Section 5. The City of Richmond certifies that the Point Richmond Traffic Improvements Project is consistent with the Regional Transportation Plan (RTP).

Section 6. The year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project.

Section 7. The Regional Measure 3 phase or segment is fully funded, and results in an operable and useable segment.

Section 8. The City of Richmond approves the allocation request and updated IPR, attached to this resolution.

Section 9. The City of Richmond approves the cash flow plan, attached to this resolution.

Section 10. The City of Richmond has reviewed the project needs and has adequate staffing resources to deliver and complete the project within the schedule set forth in the allocation request and updated IPR, attached to this resolution.

Section 11. The City of Richmond is authorized to submit an allocation request for Regional Measure 3 funds for Project 25, Richmond-San Rafael Bridge Access Improvements and Subproject 25.5 Point Richmond Traffic Improvements in accordance with California Streets and Highways Code 30914.7(a).

Section 12. the City of Richmond certifies that the projects and purposes for which RM3 funds are being requested is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 et. seq. and the applicable regulations thereunder.

Section 13. There is no legal impediment to the City of Richmond making allocation requests for Regional Measure 3 funds.

Section 14. That there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the City of Richmond to deliver such project.

Section 15. The City of Richmond indemnifies and holds harmless MTC, BATA, and their Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of the City of Richmond, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM3 funds. The City of Richmond agrees at its own cost, expense, and risk, to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against MTC, BATA, and their Commissioners, officers, agents, and employees, or any of them, arising out of such act or omission, and to pay and satisfy any resulting judgments. In addition to any other remedy authorized by law, so much of the funding due under this allocation of RM3 funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages.

Section 16. The City of Richmond shall, if any revenues or profits from any non-governmental use of property (or project) that those revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital improvements or maintenance and operational costs, otherwise the Metropolitan Transportation Commission is entitled to a proportionate share equal to MTC's percentage participation in the projects(s).

Section 17. That assets purchased with RM3 funds including facilities and equipment shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the Metropolitan Transportation Commission (MTC) shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that Regional Measure 3 funds were originally used.

Section 18. The City of Richmond shall post on both ends of the construction site(s) at least two signs visible to the public stating that the Project is funded with Regional Measure 3 Toll Revenues.

Section 19. The City of Richmond authorizes its City Manager or designee to execute and submit an allocation request for the design phase with MTC for Regional Measure 3 funds in the amount of \$180,000, for the project, purposes and amounts included in the allocation request attached to this resolution.

Section 20. The City Manager or designee is hereby delegated the authority to make non-substantive changes or minor amendments to the allocation request or IPR as he/she deems appropriate.

Section 21. The City Council hereby accepts and appropriates RM3 funding if awarded in the amount of \$180,000 for the Point Richmond Traffic Improvements Project into the Engineering Grant Fund (Fund 1054); and be it further

Section 22. A copy of this resolution shall be transmitted to MTC in conjunction with the filing of the City of Richmond allocation request referenced herein.

Section 23. This Resolution shall take effect upon its passage.

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held October 7, 2025, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

EDUARDO MARTINEZ
Mayor

Approved as to form:

DAVE ALESHIRE
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. XX-25**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on October 7, 2025.

Pamela Christian, Clerk of the City of Richmond