

RESOLUTION 2019-116

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO ACCEPTING CERTAIN REAL PROPERTIES ON EL PORTAL DRIVE AND HUMBOLDT AVENUE IDENTIFIED ON GRANT DEEDS FROM CONTRA COSTA COUNTY AS PART OF THE I-80/SAN PABLO DAM ROAD INTERCHANGE PROJECT

WHEREAS, the Contra Costa Transportation Authority (Authority) accepted the construction work for the first phase of the I-80/San Pablo Dam Road Interchange Project (Project) in July of 2018 which included the realignment of El Portal Drive;

WHEREAS, several portions of the properties (totaling 6,388 square feet) acquired by Contra Costa County (County) on behalf of the Authority on El Portal Drive (El Portal Properties) are on City right-of-way and will need to be conveyed to the City via Grant Deed;

WHEREAS, during the Project development phase, the County (on behalf of the Authority) acquired several parcels totaling 12,884 square feet on Humboldt Avenue (Humboldt Properties) in the City of San Pablo, which are needed for the second phase of the Project; and

WHEREAS, the Authority is requesting the City to hold title of the Humboldt Properties until Phase 2 improvements take place. In return, the Authority will contribute \$10,000 to help the City maintain these vacant lots;

WHEREAS, the proposed resolution authorizes the City Manager to execute Certificates of Acceptance accepting the El Portal Properties and Humboldt Properties via Grant Deed; and

WHEREAS, To the extent that this action is providing the transfer of ownership of remnant parcels on El Portal Drive with no other development action, this is not a project requiring environmental review pursuant to the California Environmental Quality Act (CEQA). As to the parcels on Humboldt Avenue that will be used for Phase 2 of the Project, this proposed action is consistent with the Initial Study with Mitigated Negative Declaration/Environmental Assessment adopted for this Project on February 25, 2010 and the proposed modifications do contemplated by this Fifth Amendment to the Agreement do not include substantial changes to the Project or the circumstances under which the Project is undertaken or new information of substantial importance and thus no further environmental review is required under 14 California Code of Regulations section 15162.

NOW, THEREFORE, the City Council of the City of San Pablo does hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein.

Section 2. Approval of Certificates of Acceptance. The City Council hereby approves the Certificates of Acceptance in the form attached to the staff report accompanying this resolution, and the City Council hereby authorizes the City Manager to execute the Certificates of Acceptance on behalf of the City, and to make such changes or additions thereto with the concurrence of the City Attorney as are necessary or appropriate and which do not substantially alter the rights and obligations of the City thereunder. The City Manager is further authorized to execute such other documents and take such other actions as are necessary to carry out and implement the obligations of the City under the Certificates of Acceptance.

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PASSED AND ADOPTED this 15th day of July, 2019, by the following votes:

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| AYES: | COUNCILMEMBERS: | Pineda, Xavier, Pabon-Alvarado, Cruz and Kinney |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |
| ABSTAIN: | COUNCILMEMBERS: | None |

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| ATTEST: | APPROVED: |
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/s/ Patricia Ponce
Patricia Ponce, City Clerk

/s/ Rich Kinney
Rich Kinney, Mayor