

RESOLUTION NO. 95- 125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, AUTHORIZING THE IMPLEMENTATION OF THE EL PASO DE ROBLES MULTI-MODAL FACILITY AND AUTHORIZING STAFF TO SUBMIT AN APPLICATION FOR STATE RAIL BOND FUNDS FOR THE PROJECT

WHEREAS, California voters approved Propositions 108 and 116 which allowed the sale of State bonds to provide funds for rail station and passenger service improvements; and

WHEREAS, the City is processing the environmental analysis of the project including soil contamination; and

WHEREAS, the City will be ready to proceed once the State has receive a hold harmless release from the City regarding toxic soils and groundwater; and

WHEREAS, the construction of the City's Multi-Modal Facility is expected to generate private redevelopment of the surrounding area and further elimination of blight; and

WHEREAS, the State of California, through the Department of Transportation, has set aside \$1.8M in Proposition 116 Rail Bond Funds for completion of the project, including preliminary studies relating to hazardous materials contamination, environmental review, appraisal of the property for acquisition purposes, as well as completion of the plans for station improvements through schematic design and evaluation of estimated costs; and

WHEREAS, the said Phase I studies and schematic design work have been completed; and

WHEREAS, an assessment of the site for potential surface and subsurface hazardous materials contamination has been completed by the City's consultant, GeoSystems, as part of the Phase II

environmental assessment, and no contamination at or above the State or County level has been found or is believed to exist on the site except the uppermost one foot (1') of the soil profile in most areas; and

WHEREAS, based on it's review of the Initial Study, EIS 95-007, and related documents, the City Planning Commission on August 21, 1995 adopted a Negative Declaration pursuant to the California Environmental Quality Act, for completion of the proposed railroad station improvements; and

WHEREAS, a mitigation plan has been incorporated pursuant to the Phase II environmental site analysis that will cap and contain or remove what initial contamination exists on-site; and

WHEREAS, the Phase II environmental analysis is herein made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of El Paso de Robles, California, as follows:

1. That the City of El Paso de Robles will act as Lead Agency for the Multi-Modal Project so as to implement the necessary station improvement plans; and

2. That the City Council authorizes Staff to pursue the allocated \$1.8M Proposition 116 or other State Rail Bond Funds and to undertake the necessary improvements to establish a Multi-Modal Station in the City of El Paso de Robles and to make application to the State of California through the Department of Transportation for said Rail Bond funding; and

3. That all reasonable mitigation steps have been completed to assure due diligence in the mitigation of hazardous waste during construction.

4. That in consideration of the State's providing the said improvements, the City shall hold the State harmless from liability or damages both present and future, related to hazardous materials clean-up, which may be incurred or sustained in connection with the construction of the El Paso de Robles Multi-Modal Facility.

5. That the City will not seek further State funding for clean-up, damages or liability costs associated with hazardous wastes on or below the property to be acquired for the construction of the El Paso de Robles Multi-Modal Facility.

PASSED AND ADOPTED by the City Council of the City of Paso Robles, this 19th day of September, 1995, on the following vote:

AYES: Heggarty, Iversen, Martin, Picanco, and Macklin

NOES: None

ABSENT: None

CITY OF EL PASO DE ROBLES

Walter J. Macklin
MAYOR WALTER J. MACKLIN

ATTEST:

Richard J. Ramirez
Richard J. Ramirez, City Clerk