

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,  
3 CALIFORNIA, 1) AUTHORIZING THE FILING OF AN APPLICATION  
4 WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR A  
5 GRANT OF FUNDS TO CONSTRUCT THE THIRD STREET UNDERPASS  
6 AT BURLINGTON NORTHERN SANTA FE RAILROAD PROJECT; 2)  
7 AUTHORIZING THE EXECUTION OF ALL REQUIRED DOCUMENTS BY  
8 THE CITY MANAGER; 3) CERTIFYING THAT ALL MATTERS  
PREREQUISITE TO THE AWARD OF THE CONSTRUCTION CONTRACT  
CAN BE ACCOMPLISHED WITHIN TWO YEARS AFTER ALLOCATION  
OF THE FUNDS; AND 4) CERTIFYING THAT SUFFICIENT LOCAL FUNDS  
WILL BE MADE AVAILABLE AS THE WORK OF THE PROJECT  
PROGRESSES.

9 WHEREAS, on June 29, 2023, the California Public Utilities Commission ("CPUC") filed an  
10 Order Instituting Investigation ("OII") for the purpose of establishing the Grade Separation Priority  
11 List for fiscal years 2024-2025 and 2025-2026; and

12 WHEREAS, the OII requested nominations from interested parties for grade separation  
13 projects involving: 1) existing or proposed crossings at-grade of city streets, county roads, or state  
14 highways in need of separation; or 2) projects affecting the elimination of grade crossings by  
15 removal or relocation of streets or railroad tracks; or 3) existing separations in need of alterations or  
16 reconstruction; and

17 WHEREAS, the City timely submitted a nomination to the CPUC for the Third Street  
18 Underpass at the Burlington Northern Santa Fe Railroad ("BNSF") Project, which consists of the  
19 construction of a grade separated crossing of Third Street at BNSF Mile Post 9.491 and the removal  
20 of the existing at-grade crossing at Mile Post 9.491 ("Project"); and

21 WHEREAS, the CPUC is required, pursuant to Streets and Highways Code section 2452, to  
22 establish and furnish to the California Transportation Commission ("CTC") the Grade Separation  
Priority List; and

23 WHEREAS, subsequent to the CPUC's issuance of the Grade Separation Priority List, the  
24 California Department of Transportation ("Caltrans") accepts applications for an allocation of funds;  
25 and

26 WHEREAS, on June 24, 2024, the CPUC issued Decision 24-06-001, establishing the  
27 California Grade Separation Priority List for fiscal years 2024-2025 and 2025-2026; and  
28

1 WHEREAS, the City has been notified by the CPUC that the Third Street Underpass at  
2 BNSF Project has been nominated to receive grade separation funding, if available, and has ranked  
3 the Project number 3 statewide; and

4 WHEREAS, the City wishes to apply to Caltrans for an allocation of funds for the Project;  
5 and

6 WHEREAS, the City will obtain all necessary orders from the CPUC, execute all necessary  
7 agreements with BNSF, acquire all necessary rights-of-way or obtain an order of the court granting  
8 to said City the prejudgment possession thereof, and accomplish all other requirements prerequisite  
9 to awarding the construction contract for the Project.

10 NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Riverside,  
11 California, as follows:

12 Section 1: Approves the filing of an application with the California Department of  
13 Transportation for a grant of funds for the Third Street Underpass at BNSF Project.

14 Section 2: Authorizes the City Manager, or his designee, to conduct all negotiations, execute  
15 and submit all documents, including, but not limited to application, agreements, amendments,  
16 payment requests which may be necessary for the completion of the aforementioned project.

17 Section 3: All matters prerequisite to the awarding of the construction contract can be  
18 accomplished within two years after the allocation of the funds for the project by the California  
19 Transportation Commission.

20 Section 4: Certifies that sufficient local funds will be made available as the work of the  
21 project progresses.

22 ADOPTED by the City Council and signed by the Mayor this \_\_\_\_ day of \_\_\_\_\_,  
23 2025.

24 \_\_\_\_\_  
25 PATRICIA LOCK DAWSON  
26 Mayor of the City of Riverside

27 Attest:

28 \_\_\_\_\_  
29 DONESIA GAUSE  
30 City Clerk of the City of Riverside

1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at  
3 its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8  
9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
10 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

11  
12 \_\_\_\_\_  
13 DONESIA GAUSE  
14 City Clerk of the City of Riverside  
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