

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED REAL ESTATE AGREEMENT WITH CALTRAIN AND RELATED DOCUMENTS TO ALLOW RELOCATION OF CALTRAIN PARALLELING STATION 3 ON THE EAST SIDE OF THE RAILWAY TRACKS IN THE INDUSTRIAL ZONE**

The City Council of the City of Burlingame, California resolves as follows:

**WHEREAS**, in 2015, Caltrain certified the Final Environmental Impact Report (FEIR) for the Peninsula Corridor Electrification Project (PCEP), which included 10 proposed paralleling stations along the corridor to power its electrified trains; and

**WHEREAS**, Paralleling Station 3 (PS-3) was originally identified in the FEIR as located in Burlingame on the west side of the railway tracks, north of Broadway near the intersection of California Drive and Lincoln Avenue, but that location has been determined to be in conflict with the future Broadway Grade Separation Project footprint (BGSP); and

**WHEREAS**, in response to strong opposition from residents to the relocation of PS-3 on the west side of the tracks near Mills Avenue, the City Council agreed to allow a portion of PS-3 to be constructed on the Public Works Corporation Yard parking lot; and

**WHEREAS**, in August 2018, the City Council approved a Real Estate Agreement with Caltrain to facilitate the relocation of PS-3 in order to avoid future conflicts with the footprint of the BGSP; and

**WHEREAS**, in April 2020, PCEP staff informed the City that their design build contractor has been unable to complete the PS-3 design within the space agreed to by Council in August 2018; and

**WHEREAS**, the City worked with the PCEP staff to revise preliminary design options to minimize impacts to the Public Works Corporation Yard; and

**WHEREAS**, the revised design requires an additional 10-foot strip of land, plus approximately 500 square feet of land, for an additional total of approximately 1,500 square feet from the Public Works Corporation Yard; and

**WHEREAS**, the JPB proposes, in partnership with the City, to pursue funding for the additional redesign and proposed additional City Corporation Yard real estate costs from the San Mateo County Transportation Authority (SMCTA); and

**WHEREAS**, the SMCTA funding request will include two items: (1) the PCEP estimated redesign costs of \$250K and (2) the proposed compensation for the additional real estate within

the City Corporation Yard estimated at \$75K, which will be proportionally consistent with the original land acquisition agreement; and

**WHEREAS**, the new amended agreement will remain consistent with the terms of the original Real Estate Agreement approved in August 2018, with the exception of changes to reflect the revised lease and maintenance access areas and revised payment to the City for mitigating impacts to the parking lot.

**NOW, THEREFORE BE IT RESOLVED, DETERMINED AND ORDERED BY THE COUNCIL, AS FOLLOWS:**

1. The City Manager is authorized to execute an Amended Real Estate Agreement in substantially the form previously approved in August 2018 between the City of Burlingame and Caltrain and all necessary implementing documents including easements and deeds for the purpose of granting Caltrain the required access and property rights on a portion of the Public Works Corporation Yard Parking Lot to facilitate the relocation of PS-3 along the east side of the railway tracks in the Industrial Zone; and
2. The Council authorizes staff to coordinate with Caltrain to work out the details and logistics of the required temporary construction easement and maintenance access on City property to minimize operational impacts to the extent feasible.

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Emily Beach, Mayor

I, MEAGHAN HASSEL-SHEARER, City Clerk of the City of Burlingame, certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on the 6<sup>th</sup> day of July 2020, and was adopted thereafter by the following vote:

AYES:           Councilmembers:  
NOES:           Councilmembers:  
ABSENT:        Councilmembers:

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Meaghan Hassel-Shearer, City Clerk