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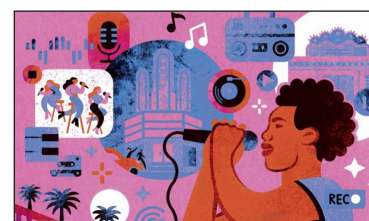
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CONTRA COSTA COUNTY



PHOTOS BY RAY CHAVEZ — STAFF PHOTOGRAPHER

Albert Engel Sr. drives past the Richmond Rail Connector tracks near his property in Richmond on April 19. Engel has been involved in a long-running battle with BNSF Railway regarding what is perceived to be a dangerous portion of the track.

1.25 miles of track at center of lawsuit

A jury trial is slated to begin this summer in case against largest freight railroad company in U.S.

By Katie Lauer
klauer@bayareanewsgroup.com

RICHMOND » Albert Engel Sr. can only stare at the Richmond Rail Connector in his backyard with dread, fearing that the overgrown vegetation, homeless encampments and pools of water that at times accumulate around the nearly decade-old berm foreshadow a train derailment along that track.

The three acres of land abutting the small industrial yard he owns on Giant Road are wedged between BNSF Railway tracks to the east and a Union Pacific Railroad line to the west.

While those railroad lines date back to at least 1915, Engel said his problems began nearly a century later — culminating in an arduous legal battle with the largest freight railroad in the United States.

As Engel's complaint has slogged through Contra Costa County's courts, a host of records his legal team gleaned from railroad staff, contractors and scientific experts has allegedly stoked concerns that the connector could potentially spell disaster for Richmond's shoreline and the entire East Bay.

According to public records, BNSF and its contractors appear to have



Engel, who owns North Richmond Properties, says he "in good conscience" couldn't build a property in the area because of a possible derailment.

overlooked staggering issues during construction and maintenance of the connector; Engel's attorneys allege that all pre-design and pre-construction surveys were conducted by an unlicensed surveyor, BNSF reneged on contractual responsibilities to preserve adequate, unobstructed drainage facilities, and construction crews took shortcuts to meet deadlines associated with the project's public grant funding — all of which pose the potential threat of a derailment.

In 2013, BNSF and government of-

ficials started work on the Richmond Rail Connector, a \$22.6 million Caltrans-approved plan to design, rehabilitate and construct 1.25 miles of curved track to transport crude oil and other cargo across Engel's land, which aimed to sooth traffic congestion, reduce pollution exposure and increase efficiency to the Port of Oakland.

Engel sold the vacant lot as a permanent easement to the railroad behemoth for \$1.6 million that summer, shortly after BNSF filed eminent domain proceed-

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CONSERVATIVE MAJORITY

Court appears to back Trump

Decision saying former president has some level of immunity would likely delay future criminal trials

By Adam Liptak
The New York Times

WASHINGTON » The Supreme Court's conservative majority appeared ready on Thursday to rule that former presidents have some degree of immunity from criminal prosecution, a move that could further delay the criminal case against former President Donald Trump on charges that he plotted to subvert the 2020 election.

Such a ruling would most likely send the case back to the trial court, ordering it to draw distinctions between official and private conduct. Although there was seeming consensus among the justices that the case could eventually go forward based on Trump's private actions, the additional proceedings could make it hard to conduct the trial before the 2024 election.

There were only glancing references to the timing of the trial and no particular sense of urgency among the more conservative justices at Thursday's argument. Instead, several of them criticized what they suggested was a political prosecution brought under laws they said were ill-suited to the case at hand.

If the court effectively blocks a prompt trial, particularly after it acted quickly in March to restore Trump to the ballot in Colorado, it will surely ignite furious criticism from liberals and others who view the former president's actions as an assault on democracy and the rule of law.

Chief Justice John Roberts, who understands himself to be the custodian of the court's prestige and legitimacy, did not tip his hand, although he seemed skeptical of the decision from a unanimous three-judge panel of an appeals court in Washington rejecting Trump's immunity claim.

The appeals court ruled, he said, quoting from

TRUMP » PAGE 5

BAY AREA

Mayors urge Newsom to protect funding for homeless services

By Ethan Varian
evarian@bayareanewsgroup.com

As California staves down a massive budget deficit, the mayors of the Bay Area's largest cities are urging Gov. Gavin Newsom and state lawmakers to avoid cuts to homelessness services and dedicate \$1 billion a year to helping local governments manage the crisis.

This week, the California Big City Mayors coalition called on state officials to continue funding a program that since 2019 has sent \$4 billion to cities and counties to combat homelessness.

While current budget plans don't include cuts to the Homelessness Housing, Assistance and Prevention program, the state hasn't committed to extending it beyond this year. Local officials use the money for various services, from street outreach to building new homeless shelters, and say the funds have been crucial to tackling one of the state's most dire challenges.

"These dollars have changed hundreds of lives in our city and across the state, and are one of the single most impactful investments the state could make in ending the era of encampments," San Jose Mayor Matt Mahan said in a statement.

But the plea comes on the heels of an audit critical of California's homelessness spending released earlier this month.

The California State Auditor found the state has failed to track whether the more than \$24 bil-

BUDGET » PAGE 5

DELAINE EASTIN: 1947-2024

Pioneering educator, 76, had 'boundless intellect'

By Linda Zavoral and Jason Green
Bay Area News Group

Delaine Eastin, the first woman to serve as California's superintendent of public instruction, has died. She was 76.

Eastin was elected to the state office in 1994 and served two terms, overseeing 6 million students in more than 10,000 schools. No other woman has held the post since her tenure.

She died Tuesday evening in Davis, surrounded by loved ones, her representatives said in a statement. The cause of death was complications from a stroke.

"As the beloved daughter of Hank and Dottie — who emphasized the value of education above all — Delaine will be remembered for her boundless intellect, infinitely compassion-

ate spirit, sharp sense of humor, and courageous leadership in local, state, national, and international realms," the statement read. "Her love of education, children, animals, gardens, and the arts shined through everything that she did."

Born in San Diego, Eastin grew up primarily in San Carlos. She attended Brittan Acres Elementary School and graduated from Carlmont High School. Eastin later earned a bachelor's degree from UC Davis, according to The Davis Enterprise.

Following stints in the education and private sectors, Eastin went on to join the Union City Council in 1980. She was then elected to the state Assembly as a Democrat in November 1986, winning the 18th District seat



Eastin

over Republican Martin "Leo" Mehan.

Eastin served in the seat that represented portions of Alameda and Santa Clara counties, through 1994, winning re-election three times.

An early legislative victory for Eastin came in 1987 when the governor signed a bill she authored to give a share of state lottery proceeds to the California School for the Blind and the California School for the Deaf, both of which were located on adjoining campuses in her district.

Eastin said she had learned while she was campaigning door-to-door that the special schools were not receiving a share of the lottery money.

"It appeared to be an oversight" in the lottery law, Eastin told Mercury

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