



Legislation Details (With Text)

File #: ID18-0808 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 6/15/2018 **In control:** City Council
On agenda: 12/13/2018 **Final action:** 12/13/2018
Title: Approve a Master Trails Agreement with the Fresno Irrigation District (Citywide).
Sponsors: Public Works Department
Indexes:
Code sections:
Attachments: 1. Supplement - Master Trails Agreement and Exhibit A.pdf

Date	Ver.	Action By	Action	Result
12/13/2018	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

December 13, 2018

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

SUBJECT

Approve a Master Trails Agreement with the Fresno Irrigation District (Citywide).

RECOMMENDATION

Staff recommends the Council adopt a Master Trails Agreement with the Fresno Irrigation District (FID); and authorize the City Manager or designee to sign the attached agreement on behalf of the City.

EXECUTIVE SUMMARY

The City of Fresno 2035 General Plan and Active Transportation Plan (ATP) contemplate several trails on FID canal banks, especially within the older core of the City. The adopted City budget includes the Midtown Trail Project, seven miles in length, which would also utilize the FID canal system for most of the new trails. In order to implement this project and future bankside trail projects consistent with the General Plan and ATP, an agreement is needed between the City and FID. Staff recommends the Council approve the attached agreement to cover the Midtown Trail and all future trail projects with FID.

BACKGROUND

Staff has been negotiating a Master Trails Agreement with FID over the past two years, consistent with deal points previously considered by the Council. The agreement will allow the City to utilize FID canal banks in order to make trail improvements and provide public access to improved recreational trails. The following is a brief summary of the City's obligations under the proposed Master Trails Agreement, within the project limits:

- Indemnify FID per the terms of the agreement.
- Handle any right-of-way or property acquisition where needed.
- Consult with FID on all trail planning.
- Maintain the trail surfacing, fencing and landscaping, or any other amenities added with the trail project.
- Handle all weed abatement for the "trail side" of the canal, from the water surface to the property line.
- Handle all illegal dumping including litter control on either side of the canal.
- Address any homeless activity on either side of the canal.
- Pay for any increased costs to FID for standard maintenance activities, or provide City services as needed to offset the cost increases associated with the trail.
- Pay for 50% of canal dredging costs when mutually agreed upon by both parties, or the increased costs of canal dredging due to the impact of the trail.
- Install and maintain signage informing the public of the rules and regulations associated with using these trails within the FID canal system.
- Where the City is acquiring property or receiving a dedication for a trail parallel to but outside of the FID easement, provide indemnification to FID and also perfect any prescriptive easements held by FID for the 20' wide canal maintenance access.
- Preserve FID access to the canal system.
- Pay FID for all necessary plan review and inspection costs.

The agreement has been reviewed and approved as to form by the City Attorney's Office.

ENVIRONMENTAL FINDINGS

This is not a project pursuant to CEQA guidelines section 15378. This is an organizational and administrative activity intended to set forth the required content of future common use agreements for specific trail segments. Environmental findings will be made for common use agreements for specific trail segments as those segments are identified.

LOCAL PREFERENCE

Local Preference does not apply to this item because the agreement does not involve the purchase of goods, materials or services.

FISCAL IMPACT

There will be no impact to the General Fund from the execution of the Master Trails Agreement. All capital costs for bankside trail projects will be funded by grants or Measure "C" Trail funding as included in the adopted City budget. Operations and maintenance will be addressed with the future award of construction contracts for trail projects to be built under this agreement.

Attachment:
Master Trails Agreement