



Legislation Details (With Text)

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Title: Actions related to a Right-of-Way Agreement with the California High-Speed Rail Authority (Council Districts 1, 2 and 3)
Sponsors: Public Works Department
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Attachments: 1. Right of Way Agreement_CHSR 7_6_15.pdf, 2. ROW Agreement Exhibits.pdf

Date	Ver.	Action By	Action	Result
7/16/2015	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

July 16, 2015

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SUBJECT

Actions related to a Right-of-Way Agreement with the California High-Speed Rail Authority (Council Districts 1, 2 and 3)

RECOMMENDATION

It is recommended that the Council take the following actions:

1. Approve the attached Right-of-Way Agreement with the California High-Speed Rail Authority (CHSRA) in substantially the form presented; and
2. Authorize the Public Works Director or his designee to sign on behalf of the City.

EXECUTIVE SUMMARY

City staff in the Public Works Department and the City Attorney's Office have negotiated the terms and conditions for the transfer of City rights-of-way and receipt of replacement right-of-way from the

CHSRA along the high-speed rail corridor within the City's Sphere of Influence, generally from the San Joaquin River south to American Avenue; the Agreement is attached. Exhibit A to the Agreement is a representation of the final high-speed rail corridor and the City's modified street alignments. Execution of this document will set the terms of right-of-way transfers.

BACKGROUND

On May 3, 2012, the Council approved a Memorandum of Understanding with the CHSRA to develop a series of Cooperative Agreements between the CHSRA and the City of Fresno. The first of those agreements was approved by the Council August 21, 2014 which consisted of a Utility Relocation Cooperative Agreement. Immediately following Council approval, staff began negotiating specific terms and conditions for an agreement to address right-of-way impacts caused by the high speed rail corridor. That agreement is now ready for the Council to consider approving.

The agreement, addresses City right-of-way to be transferred to CHSRA and for replacement right-of-way for roads, bridges, grade separations, water and sewer lines necessary to accommodate the construction of the high speed rail corridor.

The Agreement requires the CHSRA to reimburse the City for all staff costs associated with the right-of-way transfers. Additionally, under the terms of the agreement the CHSRA must provide the City with documents, sufficiently detailed, for the required relinquishment maps.

The City Attorney has reviewed the agreement and has approved it as to form.

In terms of the overall High-Speed Rail Project, the Council has previously approved agreements with the CHSRA for preparation of a Station-Area Master Plan, Business Relocation Assistance, and construction of the Veterans Boulevard Overpass at the High-Speed Rail alignment and preparation of visual design guidelines for the project.

ENVIRONMENTAL FINDINGS

CHSRA has completed the required Environmental Impact Studies for the high-speed rail corridor through Fresno.

LOCAL PREFERENCE

Not applicable because this is not a competitive bid award.

FISCAL IMPACT

There will be no impact to the General Fund or any City operating funds associated with the recommended action. All City costs for services provided under the existing agreements, including this agreement, will be paid for by the CHSRA project funding.

Attachments:

Right of Way Agreement
ROW Agreement Exhibits