

STAFF REPORT

DATE: May 8, 2023
TO: Sacramento Regional Transit Board of Directors
FROM: Jamie Adelman, VP, Procurement, Real Estate and Special Projects
SUBJ: APPROVING THE FIFTH AMENDMENT TO THE RECIPROCAL USE AND FUNDING AGREEMENT AND THE FIRST AMENDMENT TO EASEMENT AGREEMENT WITH THE SACRAMENTO PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWER AUTHORITY TO EXPAND THE SACRT OPERATING ZONE IN FOLSOM

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

This action will approve an expansion of SacRT's Operating Zone within the Sacramento Placerville Transportation Corridor Joint Powers Authority's (JPA) parcel (APN 071-0020-078) at Glenn Station in Folsom through an amendment to the Reciprocal Use and Funding Agreement ("RUFA") between the JPA, SacRT and the City of Folsom and an amendment to the easement agreement between SacRT and the JPA. The expansion is needed for the passing track currently under construction to provide 15-minute rail service to Folsom.

FISCAL IMPACT

There is no immediate or direct fiscal impact for allowing the expansion of the Operating Zone, though the expansion of the easement and the double tracking will increase SacRT's ongoing maintenance and indemnity obligations under the RUFA and Easement. Without the approval of the expansion of the operating area, the design of the double-tracking would need to be reengineered, which would be costly both in time and materials.

DISCUSSION

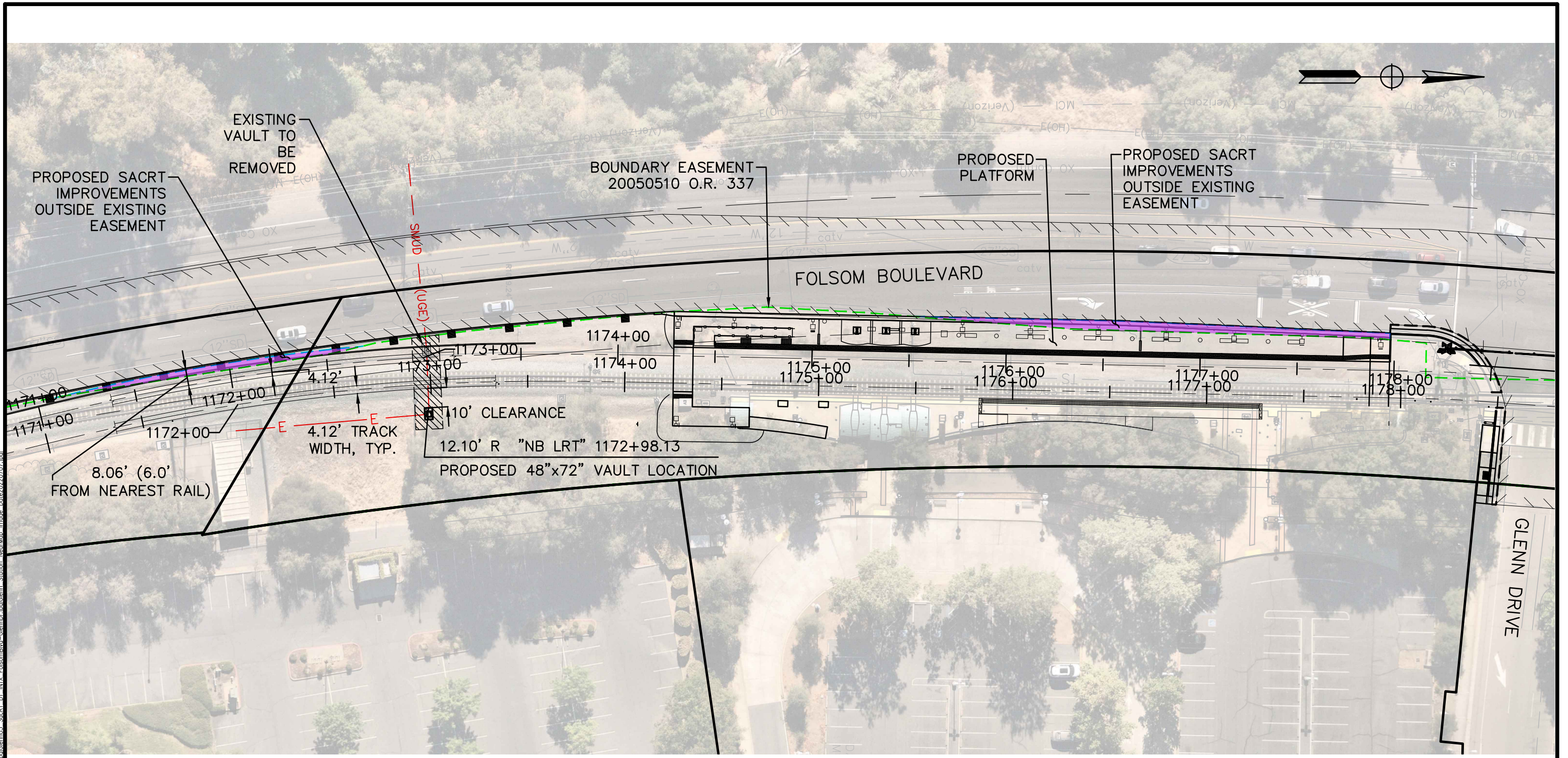
As part of the joint funding of the JPA's 1996 acquisition from Southern Pacific Transportation Company of the eastern rail corridor, which extends into El Dorado County, the funding participants (the SacRT, the City of Folsom, the Sacramento County, El Dorado County), which are also the constituent members of the JPA, entered into a Reciprocal Use and Funding Agreement (RUFA) with the JPA. The RUFA identified each entity's "Allocated Portion" of the corridor that would be granted through an easement, for

which the receiving entity assumed responsibility for managing on behalf of the JPA as the fee owner of the corridor.

The segment within the City of Folsom was initially allocated entirely to the City of Folsom; however, the RUFA acknowledged SacRT's future plans to expand light rail to the City of Folsom and provided for the granting of a reciprocal or joint easement for SacRT to later expand. These provisions were later revised in the First, Second and Third Amendments to the RUFA. When SacRT constructed the light rail extension to the City of Folsom, the JPA and SacRT entered into an easement, recorded in 2005, that established both an "Operating Zone" and "Future Operating Zone" (east of the original single track) within the City of Folsom's Allocated Portion. This area was a subset of Folsom's Allocated Portion.

As a result of the final design of the double-tracking expansion near the Glenn Station (which expands the track to the west, adjacent to Folsom Boulevard), a portion of the project in a few areas (shown in Attachment 1) falls outside of the designated Operating Zone in the RUFA and Easement. The parties desire to amend the Original Easement with the JPA to show the expanded Operating Zone to include the new addition of the second track and allowing for fencing.

Xrefs: X_FRMTOPO-GLENN_K_FRMGLENN_ROADWAY_X_FRMUTL_EXISTX_FRMGLENN_PLATFORM_X_FRMARCH-GLENN_X-FMRPANTILE_Bloc(GleNN_Station_boundary+image-DRAFTV-BNDY-Track_Track_GleNNANSI_B (17x11)
Images: Glenn_Aerial.jpg(GleNN_Station_NearMap_Image_Date:20220707)
Images: Glenn_Aerial.jpg(GleNN_Station_NearMap_Image_Date:20220707)
Images: Glenn_Aerial.jpg(GleNN_Station_NearMap_Image_Date:20220707)



PROPOSED SACRT IMPROVEMENTS OUTSIDE EXISTING EASEMENT

EXISTING VAULT TO BE REMOVED

BOUNDARY EASEMENT 20050510 O.R. 337

PROPOSED PLATFORM

PROPOSED SACRT IMPROVEMENTS OUTSIDE EXISTING EASEMENT




FOLSOM BOULEVARD

GLENN DRIVE

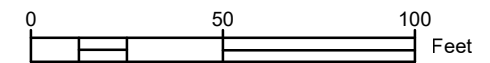
8.06' (6.0' FROM NEAREST RAIL)

4.12' TRACK WIDTH, TYP.

10' CLEARANCE
12.10' R "NB LRT" 1172+98.13
PROPOSED 48"x72" VAULT LOCATION

-  PROPOSED SACRT IMPROVEMENTS OUTSIDE EXISTING EASEMENT
-  EXISTING EASEMENT LINE
-  PROPOSED EASEMENT LINE

SACRT EASEMENT REQUIREMENTS



PSOMAS

555 South Flower Street, Suite 4300
Los Angeles, CA 90071
(213) 223-1400 (213) 223-1444 (FAX)

Attachment 1

RESOLUTION NO. 2023-05-044

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

May 8, 2023

APPROVING THE FIFTH AMENDMENT TO THE RECIPROCAL USE AND FUNDING AGREEMENT AND THE FIRST AMENDMENT TO EASEMENT AGREEMENT WITH THE SACRAMENTO PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWER AUTHORITY TO EXPAND THE SACRT OPERATING ZONE IN FOLSOM

WHEREAS, Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA) is a joint powers authority created by its member agencies: the Counties of Sacramento and El Dorado, the City of Folsom, and the Sacramento Regional Transit District (“Member Agencies”) for the purpose of acquiring and managing railroad right of way from the Southern Pacific Transportation Company; and

WHEREAS, under the Reciprocal Use and Funding Agreement (“RUFA”) entered into effective August 31, 1996, between the JPA and its Member Agencies, the JPA retains fee ownership of the acquired corridor, and each Member Entity was allocated an easement for its Allocated Portion (as defined in the RUFA); and

WHEREAS, under the Third Amendment to the RUFA, dated September 2, 2003, the City of Folsom and SacRT agreed to a reallocation of part but not all of the City of Folsom’s Allocated Portion to permit construction of a single-track light rail system, which resulted in the granting by the JPA of the Original Easement; and

WHEREAS, under an Easement Agreement dated effective September 2, 2004, and recorded May 10, 2005, in book 20050510, page 0337, of the Official Records of Sacramento, California as instrument number 0003564786 (the “Original Easement”), the JPA granted to SacRT an easement for transportation purposes and for uses reasonably related to transportation purposes (the “Easement”) in, on, under, over and through a portion of the JPA’s property; and

WHEREAS, the Original Easement contemplated eventual double-tracking of the system through a “Future Operating Zone”; and

WHEREAS, as a result of the final design of the double-tracking expansion near the Folsom Glenn Station, a portion of the rail in a few areas falls outside of both the current Operating Zone and the designated Future Operating Zone; and

WHEREAS, the SacRT and JPA desire to amend both the RUFA and the Original Easement to expand SacRT’s easement area and Operating Zone.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the First Amendment to the Original Easement agreement, as described in the recitals above, between the JPA as Grantor and the Sacramento Regional Transit District as Grantee, whereby the Operating Zone is expanded to include a new area, as further described therein, is hereby approved.

THAT, the Fifth Amendment to the RUFA, as described in the recitals above, whereby the area of the concurrent easement granted by the JPA to both SacRT and the City of Folsom is modified, is hereby approved.

THAT, General Manager/CEO is hereby authorized and directed to execute the foregoing agreements.

PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary