



STAFF REPORT

MEETING DATE: March 22, 2023

PRESENTER: Jerry Jones, City Engineer

SUBJECT: Resolution Approving Pipeline Crossing Agreement with Union Pacific Railroad Company for New Sewer Main Crossing in Goldenrod Avenue (JJ)

RECOMMENDATION: Council adopt the attached resolution approving a Pipeline Crossing Agreement with Union Pacific Railroad Company for a new sewer main crossing in Goldenrod Avenue and authorize the City Manager to sign the Agreement.

EXECUTIVE SUMMARY:

Hart Ranch Community Park is a proposed 15 acre park located on the northeast corner of Goldenrod Avenue and California Avenue. In order to provide sewer service to the Park, a sewer main must be installed in Goldenrod Avenue from north of the Union Pacific Railroad (UPRR) tracks, south under the UPRR tracks to California Avenue. Staff submitted an application to UPRR for approval of the crossing and UPRR has informed City Staff that the sewer main crossing must be performed via boring and jacking and will require a Pipeline Crossing Agreement be executed with UPRR by the City. The City has entered into Pipeline Crossing Agreements with UPRR for all other underground crossings under UPRR tracks within the City in the past.

FISCAL IMPACT:

The City will be required to pay an on-time license fee in the amount of \$5,000 to UPRR, per the terms of the agreement. The City will be responsible for the operation and maintenance costs associated with the sewer main within the UPRR right-of-way and maintain insurance coverage per the terms of the agreement. The City is already required to maintain insurance coverage for the other existing underground crossings of UPRR right-of-way and should not have to adjust coverage limits.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 23-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
APPROVING PIPELINE CROSSING AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY
FOR NEW SEWER MAIN CROSSING IN GOLDENROD AVENUE**

WHEREAS, The Union Pacific Railroad Company owns right-of-way and railroad facilities that cross Goldenrod Avenue in the City of Kerman, Crossing DOT No. 752967Y, at Railroad Mile Post 193.72; and

WHEREAS, the development of Hart Ranch Community Park will necessitate an underground sewer main crossing of the Union Pacific Railroad's right-of-way; and

WHEREAS, the Union Pacific Railroad Company requires a Pipeline Crossing Agreement be executed by the City prior to any work being performed within the Union Pacific Railroad right-of-way.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN HEREBY RESOLVES that the Pipeline Crossing Agreement with Union Pacific Railroad Company for the new sewer main crossing in Goldenrod Avenue, as attached hereto as Exhibit 'A', is hereby approved and that the City Manager is authorized to sign the agreement on behalf of the City of Kerman.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 22nd day of March 2023, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Marci Reyes
City Clerk