



Legislation Details (With Board Report)

**File #:** A 12-186      **Name:** Agreement with CPUC Caltrans FSIM LLC Project  
**Type:** BoS Agreement      **Status:** Passed  
**File created:** 10/2/2012      **In control:** Board of Supervisors  
**On agenda:** 10/16/2012      **Final action:** 10/16/2012

**Title:** a. Approve the Request to CPUC Staff for Authorization to Alter Highway-Rail Crossing Pursuant to General Order 88-B Agreement with the California Public Utilities Commission and the California Department of Transportation for the Far Sighted Investments of Monterey, LLC Project for intersection improvements required for compliance with Condition of Approval No.17 of Development Permit No. PLN100620, located at 22250 Somavia Road, Salinas, in the Greater Salinas Area Plan; and  
b. Authorize the Director of Public Works to execute the Request to CPUC Staff for Authorization to Alter Highway-Rail Crossing Pursuant to General Order 88-B Agreement.

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Request to CPUC Staff for Authorization to Alter Highway-Rail Crossing Pursuant of General Order 88-B, 2. Vicinity Map, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
10/16/2012	1	Board of Supervisors	approved	

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b. Authorize the Director of Public Works to execute the Request to CPUC Staff for Authorization to Alter Highway-Rail Crossing Pursuant to General Order 88-B Agreement.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve the Request to CPUC Staff for Authorization to Alter Highway-Rail Crossing Pursuant to General Order 88-B Agreement with the California Public Utilities Commission and the California Department of Transportation for the Far Sighted Investments of Monterey, LLC Project for intersection improvements required for compliance with Condition of Approval No.17 of Development Permit No. PLN100620, located at 22250 Somavia Road, Salinas, in the Greater Salinas Area Plan; and
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SUMMARY/DISCUSSION:

On June 30, 2011, the Monterey County Zoning Administrator approved Resolution No. 11-030, a Combined Development Permit (PLN100620) for the re-establishment of an existing 34,630 square foot commercial building to an agricultural fertilizer operation to be developed in three phases, by Far Sighted Investments of

Monterey, LLC, (FSIM) aka Helena Chemical Company, located at 22250 Somavia Road, Salinas, in the Greater Salinas Area Plan. Resolution No. 11-030 included Condition of Approval No. 17, which required FSIM to obtain an encroachment permit from the California Department of Transportation (Caltrans) and construct intersection improvements at Highway 101 and Somavia Road.

The proposed improvements are located on Somavia Road, a County road. Somavia Road crosses the railroad which is under the jurisdiction of the California Public Utilities Commission (CPUC). To construct these improvements, the CPUC regulations require the local agency to sign the Request to CPUC Staff for Authorization to Alter Highway-Rail Crossing Pursuant to General Order 88-B. Caltrans requires the Authorization before they can issue their encroachment permit.

The intersection improvements at Highway 101 and Somavia Road are meant to address FSIM's operational and safety concerns. The proposed intersection improvements will benefit the residents and businesses in the vicinity of the project as well, and will be built by FSIM at no cost to the County.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the Request to CPUC Staff for Authorization to Alter Highway-Rail Crossing Pursuant to General Order 88-B Agreement as to form and legality.

FINANCING:

There is no impact to the General Fund. All construction costs will be funded by FSIM.

Prepared by: Arturo Adlawan P.E., Senior Civil Engineer, (831) 755-4823

Approved by:

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Robert K. Murdoch, P.E., Director of Public Works

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Benny J. Young, RMA Director

Dated: October 5, 2012

Attachments: Request to CPUC Staff for Authorization to Alter Highway-Rail Crossing Pursuant to General Order 88-B; Vicinity Map