



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

<b>File #:</b>	A 14-244	<b>Name:</b>	PH AT Grade Imp Agmt UPPR Somavia Road, Slns
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Passed
<b>File created:</b>	10/10/2014	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	10/28/2014	<b>Final action:</b>	10/28/2014

**Title:** a. Approve the Public Highway At-Grade Crossing Improvement Agreement, between the County of Monterey and Union Pacific Railroad Company for the Far Sighted Investments of Monterey, LLC (FSIM) project for 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 Chair of the Board to execute the Public Highway At-Grade Crossing Improvement Agreement. (ADDED VIA ADDENDUM)

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Public Highway At Grade Crossing Imp Agmt, 3. Resolution 11-030, 4. Vicinity Map, 5. Completed Board Order

Date	Ver.	Action By	Action	Result
10/28/2014	1	Board of Supervisors	approved	

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b. Authorize the Chair of the Board to execute the Public Highway At-Grade Crossing Improvement Agreement. (ADDED VIA ADDENDUM)

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve the Public Highway At-Grade Crossing Improvement Agreement, between the County of Monterey and Union Pacific Railroad Company for the Far Sighted Investments of Monterey, LLC (FSIM) project for 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 Chair of the Board to execute the Public Highway At-Grade Crossing Improvement Agreement.

### 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 the Applicant, Far Sighted Investments of Monterey, LLC (FSIM), 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 Union Pacific Railroad Company (UPRR). To construct these improvements, additional right of way is required. The UPRR requires the local agency sign the Public Highway At-Grade Crossing Improvement Agreement, before FSIM can commence work. This agreement will amend an existing grade crossing agreement between the County and UPRR.

The proposed intersection improvements will benefit the residents/ businesses in the vicinity of the project; and will be built by FSIM at no cost to the County.

The California Public Utilities Commission is the lead agency for this portion of the project and has found that it is categorically exempt from the requirements of the California Environmental Quality Act pursuant to Public Resources Code section 21084. The County of Monterey Zoning Administrator found the project as whole to be categorically exempt pursuant to sections 15301(a) and 15301(e).

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel, Auditor-Controller, and Risk Management, have reviewed and approved the Public Highway At-Grade Crossing Improvement Agreement as to form and legality, fiscal terms, and indemnification language, respectively. Due to the late submission of this Board Report, the CAO Budget and Analysis Division was not provided adequate time to fully review for potential fiscal, organizational policy, or other implications to the County of Monterey.

FINANCING:

There is no financial impact to the General Fund. FSIM will pay UPRR's processing fee in its entirety. Prepared by: Ryan D. Chapman, P.E., Traffic Engineer, (831) 796-3009

Approved by:

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

Approved by:

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Carl P. Holm, AICP, RMA Acting Director

Dated: October 17, 2014

Attachments: At-Grade Crossing Improvement Agreement; Resolution No. 11-030; Vicinity Map (attachments on file with the Clerk of the Board)

cc: Laura Lawrence, RMA- Planning