



# County of Fresno

Hall of Records, Rm. 301  
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## Legislation Details (With Text)

**File #:** 18-0270 **Name:** Utility Agreement with Fresno Irrigation District

**In control:** Public Works & Planning

**On agenda:** 4/17/2018 **Final action:** 4/17/2018

**Enactment date:** **Enactment #:**

**Title:** Approve and authorize Director of Department of Public Works and Planning, subject to review and approval of County Counsel and the Auditor-Controller/Treasurer-Tax Collector, to execute a Utility Agreement with Fresno Irrigation District and any amendments that the Director deems necessary for construction of Fresno Canal Bridge on McKinley Avenue Replacement Project (\$0)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Agenda Item, 2. Location Map, 3. Attachment A

Date	Ver.	Action By	Action	Result
4/17/2018	1	Board of Supervisors	Conducted Hearings	Pass

**DATE:** April 17, 2018

**TO:** Board of Supervisors

**SUBMITTED BY:** Steven E. White, Director  
Department of Public Works & Planning

**SUBJECT:** Utility Agreement with the Fresno Irrigation District for the Fresno Canal Bridge on McKinley Avenue Replacement Project - Federal Project No. BRLO-5942(225)

### RECOMMENDED ACTION(S):

**Approve and authorize the Director of the Department of Public Works and Planning, subject to the review and approval of County Counsel and the Auditor-Controller/Treasurer-Tax Collector, to execute a Utility Agreement with the Fresno Irrigation District and any amendments that the Director deems necessary for the construction of the Fresno Canal Bridge on McKinley Avenue Replacement Project (\$0).**

The recommended action will allow the Director to sign a Utility Agreement with the Fresno Irrigation District (FID) as required by the California Department of Transportation (Caltrans) in order to receive funding to construct the project. This item pertains to a location in District 5.

### ALTERNATIVE ACTION(S):

Your Board may elect not to approve the recommended action, however, the delay caused by returning this agreement to your Board will delay the project's construction, which is scheduled for fall 2018 when irrigation flows are anticipated to be low.

### FISCAL IMPACT:

There will be no Net County Cost associated with the recommended action. Costs for plan review (\$2,334)

have already been paid to FID and these costs have been reimbursed by the Highway Bridge Program (HBP). The additional funds paid to FID for the encroachment permit along with the contract construction cost of the project will also be reimbursed by the HBP. No local match is required. Sufficient appropriations have been included in the Department of Public Works and Planning - Road Org 4510 FY 2017-18 Adopted Budget.

**DISCUSSION:**

The Department plans to replace the structurally deficient, load-posted Fresno Canal Bridge on McKinley Avenue next fall/winter when irrigation flows are low as per FID's biennial schedule. FID has reviewed the project plans and given input on the project's design. The County will secure an encroachment permit from FID prior to the start of construction. Design and Right-of-Way acquisition are now complete. When Department staff attempted to obtain authorization for the next phase of the project, Caltrans staff informed the Department that a utility agreement using Caltrans' template between FID and the County is required. As this new requirement was not known to staff, it was not built into the project schedule. In order to avoid further delaying the project's construction, it is requested that your Board authorize the Director to sign the final utility agreement, which will be substantially similar to Attachment A.

The Department will return to your Board at a later date with a request to award the construction contract.

**OTHER REVIEWING AGENCIES:**

The draft Utility Agreement was developed with Caltrans staff based on the standard Utility Agreement Clauses in the Caltrans Local Assistance Procedures Manual. As of the preparation date of the agenda item, County Counsel and FID had not completed their review of the draft agreement, which, when finalized, FID plans to approve at their next practicable Board meeting.

**REFERENCE MATERIAL:**

BAI #49, May 16, 2017  
BAI #49 & #50 December 13, 2016  
BAI #34, September 17, 2013

**ATTACHMENTS INCLUDED AND/OR ON FILE:**

Location Map  
Attachment A

**CAO ANALYST:**

Sonia M. De La Rosa