



# BOARD OF SUPERVISORS COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER  
200 WEST 4<sup>TH</sup> STREET / MADERA, CALIFORNIA 93637  
(559) 675-7700 / FAX (559) 673-3302 / TDD (559) 675-8970  
Agendas available: [www.MaderaCounty.com](http://www.MaderaCounty.com)

## Members of the Board

Tom Wheeler  
Brett Frazier  
David Rogers  
Robert L. Poythress  
Leticia Gonzalez

## The Board of Supervisors

January 3, 2023  
Chairman David Rogers

<b>DEPARTMENT</b> Public Works Department/Engineering Services Division/CED	<b>DEPARTMENT CONTACT</b>	<b>AGENDA ITEM</b> {{item.number}} <b>CONSENT CALENDAR</b>
<b>SUBJECT:</b> Joint Use Agreements (JUA's) with PG&E related to relocation of utilities for the High Speed Rail (HSR) Avenue 17 Grade Separation project.	<b>REQUIRED VOTE:</b> 3/5 Vote Required	<b>DOC. ID NUMBER</b> 22-1047
<b>STRATEGIC FOCUS AREA(S):</b> Community, Public Safety, Public Information, Infrastructure, Government Relations, Health		
<b>For Clerk of the Board's Office Use Only</b>		
<b>CLERK NOTES:</b> {{motions.text}}		
<b>RESULT:</b> {{voting.status}} [{{voting.for_count}}] TO [{{voting.against_count}}] <b>MOVER:</b> {{motions.mover format="[[firstname]] [[lastname]], [[title]]"}} <b>SECONDER:</b> {{motions.seconder format="[[firstname]] [[lastname]], [[title]]"}} <b>AYES:</b> {{voting.for_names format="[[lastname]]"}}		
Is this item Budgeted? No Will this item require additional personnel? No Previous Relevant Board Actions: N/A PowerPoint Presentation? No Supporting Documents: Click or tap here to enter text.		<b>DOCUMENT NO(S).</b>

## RECOMMENDED ACTIONS:

Consideration of entering into Joint Use Agreements with PG&E related to relocation of utilities for the High Speed Rail Avenue 17 Grade Separation Project and authorize the Chairman to sign.

## DISCUSSION / FISCAL IMPACT / STRATEGIC FOCUS:

### DISCUSSION:

The California High Speed Rail Authority (Authority) initiated construction of the first segment of the High Speed Rail (HSR) project in Madera County under Construction Package 1 (CP-1).

As part of the CP-1 construction, there are several County roadways that require construction of grade separation structures (bridges) to carry the existing County Road over the proposed HSR track. The Authority has been working, through their design-build contractor, to design and build the various grade separation projects throughout Madera County.



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Included in the various grade separation projects is the Avenue 17 alignment between Road 27 and Road 28, just northeast of the City of Madera. The Avenue 17 project will include constructing a grade separation structure over the future HSR track and the existing Burlington Northern Santa Fe (BNSF) track east of Road 27 along the Avenue 17 alignment. A new 2-lane road will also be constructed to extend Avenue 17 further to the east and connect into Road 28 (currently no roadway exists east of the BNSF tracks).

As part of the Avenue 17 project, the Authority is working with the various utility companies to relocate existing facilities so as not to conflict with the project construction. Included in the relocation work are facilities that belong to PG&E. During the relocation process, the Authority and PG&E determined that a portion of the existing PG&E facilities along Avenue 17 are within easements in favor of PG&E per unrecorded deed # 2211-18-0078, which pre-dates the County's road right of way easement.

As a result, PG&E has requested the Authority to obtain Joint Use Agreements (JUA's) in favor of PG&E for the proposed relocated PG&E facilities to replace the current PG&E easements from which their facilities will be moved. A copy of the Authority's request to approve the JUA's on behalf of PG&E is attached.

Public Works Staff, with the assistance and consultation from County Counsel, has worked with the Authority to develop the JUA's presented for the Board's approval. In summary, the JUA's will give PG&E the right install their relocated facilities in, under, and through various locations within the Avenue 17 right of way, with the understanding that any future project proponent, whether it be the County or others, that may require these facilities to be relocated would be responsible for the costs of relocation.

Per the Authority's request and the PG&E memo, once the JUA's have been approved and signed by the County, PG&E will proceed with the necessary steps to have the JUA's fully executed and recorded and return copies for the County's records.

The department recommends approval of the Joint Use Agreement's (JUA's) for PG&E, as requested on their behalf by the Authority.

### **OTHER AGENCY INVOLVEMENT:**

California High Speed Rail Authority  
Pacific Gas & Electric

### **FISCAL IMPACT:**

The cost for any relocation of the PG&E utilities for the HSR Avenue 17 Grade Separation project will be borne by HSR. Costs for future relocation of PG&E utilities in the JUA areas will be borne by the agency/entity initiating the relocation.

### **FUNDING SOURCES:**



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To be determined

### **CONNECTION TO THE COUNTY OF MADERA STRATEGIC PLAN - MISSION 2023:** **STRATEGIC FOCUS AREAS**

- Focus Area 1: Community
- Focus Area 3: Public Safety
- Focus Area 4: Public Information
- Focus Area 6: Infrastructure
- Focus Area 7: Government Relations
- Focus Area 8: Health

### **ATTACHMENTS**

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1. HSR request for approval of PG&E JUA's (11/28/22)
2. LD# 2211-18-10075-Joint Use Agreement
3. LD# 2211-18-10076-Joint Use Agreement
4. LD# 2211-18-10077-Joint Use Agreement
5. LD# 2211-18-10078-Joint Use Agreement