

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA AUTHORIZING REIMBURSEMENT AGREEMENT WITH
UNION PACIFIC RAILROAD COMPANY

WHEREAS, the City of Visalia is moving forward with the design phase for the Goshen Trail from Giddings Street to Camp Drive, this project is referred to as the Goshen Trail Reconstruction Project; and

WHEREAS, the project is the reconstruction of 6.1 miles of asphalt trail that runs parallel to an active Union Pacific Railroad Company railroad; and

WHEREAS, the trail affects thirteen railroad crossings as listed in the Reimbursement Agreement; and

WHEREAS, Union Pacific Railroad Company is responsible for safety and maintenance of the adjacent railroad, any infrastructure improvements that directly or indirectly affect the active railroad will require input and approval from the Union Pacific Railroad Company; and

WHEREAS, Union Pacific Railroad Company has requested that the City sign a Reimbursement Agreement to establish the financial responsibility of the City to reimburse the Union Pacific Railroad Company for their design review, input and approval of the Goshen Trail Reconstruction Project as it pertains to its impact on the active railroad; and

WHEREAS, under the terms of the Reimbursement Agreement the City will agree to be reimburse the Union Pacific Railroad Company for one hundred percent (100%) of all actual costs and expenses incurred for the engineering services associated with the design of the Goshen Trail Reconstruction Project; and

WHEREAS, Union Pacific Railroad Company will provide progressive billing to the City of Visalia based on actual cost in connection with the engineering services for the Goshen Trail Reconstruction Project as it pertains to its impact on the active railroad; and

WHEREAS, the City of Visalia will pay Union Pacific Railroad Company within 30 days after receiving any progressive submitted; and

WHEREAS, Union Pacific Railroad Company will provide final billing within sixty (60) days after completion of the engineering services to the City of Visalia based on actual cost in connection with the engineering services for the Goshen Trail Reconstruction Project as it pertains to its impact on the active railroad; and

WHEREAS, the City of Visalia will pay Union Pacific Railroad Company within 30 days after receiving final bill;

NOW, THEREFORE, BE IT RESOLVED, that that the City Council of the City of Visalia:

1. The Visalia City Manager is authorized on behalf of the City of Visalia to sign Reimbursement Agreement with Union Pacific Railroad Company, (draft attached for reference) with any such additional non-substantive changes as the City Manager deems appropriate.