



# City of Santa Clara

1500 Warburton Avenue  
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## Agenda Report

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19-1109

Agenda Date: 11/19/2019

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### REPORT TO COUNCIL

#### SUBJECT

Action on Amendment No. 2 for the Reimbursement Agreement (No. HSR 16-86) with the California High-Speed Rail Authority for the High-Speed Rail Project

#### BACKGROUND

The California High-Speed Rail Authority (Authority) is responsible for the planning, design, construction, and operation of a proposed high-speed rail system in California. A section of the 51-mile San Francisco to San Jose segment (Project) is proposed to be constructed in the City of Santa Clara (City) along the Peninsula Corridor Joint Powers Board (Caltrain) right-of-way.

The Authority has entered into reimbursement agreements (Agreement) with several cities and counties along the Project corridor to reimburse these public agencies for staff time expended in response to requests from the Authority.

On April 18, 2017, the City Council approved the Agreement (No. HSR 16-86) with the Authority to reimburse the City for staff costs for technical and legal reviews associated with the planning and design of the Project. On December 19, 2017, the City Council approved Amendment No. 1 to extend the Agreement to December 31, 2019. The anticipated activities include:

- Technical/engineering review of reports, studies, and plans
- Utility coordination/resolving utility conflicts
- Technical and legal review of cooperative agreements, utility agreements, maintenance and operations agreements, etc.
- Preparation of City Council staff reports and supporting materials

#### DISCUSSION

The term of the amended Agreement ends on December 31, 2019 and the Authority has requested that the Agreement be extended as the Project is still underway. To continue to provide services to the Authority, Amendment No. 2 (Attachment 1), which proposes to extend the term of the Agreement for an additional three years to December 31, 2022 and update the hourly reimbursable rates for City staff, is necessary. Additionally, staff proposes that the City Council authorize the City Manager to approve further amendments to this Agreement if necessary.

#### ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

**FISCAL IMPACT**

There is no additional cost to the City other than staff time and expense. The current amended Agreement along with the proposed Amendment No. 2 would allow for City staff costs to continue to be reimbursed by the Authority up to an amount not-to-exceed \$150,644 through December 31, 2022.

**COORDINATION**

This report has been coordinated with the City Attorney's Office.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

1. Approve and authorize the City Manager to execute Amendment No. 2 for the Reimbursement Agreement (No. HSR 16-86), for an amount not-to-exceed \$150,644, with the California High-Speed Rail Authority for the High-Speed Rail Project, extending the Agreement three more years to December 31, 2022;
2. Authorize the City Manager to make minor, non-substantive modifications to Amendment No. 2, if necessary; and
3. Authorize the City Manager to approve future amendments to the Agreement (No. HSR 16-86).

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Amendment No. 2 to the Reimbursement Agreement