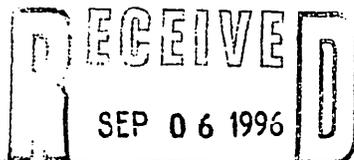


CITY OF RIVERSIDE
CITY COUNCIL MEMORANDUM



DEPT. OF

PUBLIC WORKS

HONORABLE MAYOR and CITY COUNCIL

DATE: July 12, 1983

AGENDA ITEM #: 41

SUBJECT: FRANCHISE FOR UNION PACIFIC RAILROAD AT CRIDGE STREET, AND RELATED AGREEMENTS

On June 28, 1983, the Council introduced the ordinance granting the Union Pacific Railroad a revised franchise at the Cridge Street crossing. The staff report indicated that adoption should wait until details and questions have been resolved with the Union Pacific.

Staff now recommends adoption of the ordinance and approval of three agreements with the Union Pacific. These agreements define what will be done in conjunction with the abandonment of the Union Pacific tracks and their relocation of trains to the Santa Fe tracks. One of the agreements is a three-party agreement involving the Redevelopment Agency, and will have been presented to the Agency for approval earlier today along with another agreement relating to acquisition of the Union Pacific Depot.

RECOMMENDATION

That the City Council:

1. Adopt the ordinance introduced on June 28, 1983; and
2. Authorize execution of agreement numbers CLD 17064-8, 13128-2, and 20066.

PREPARED BY:

Approved by,

Robert C. Wales
Public Works Director

RCW/CC4/La

cc: City Attorney
City Clerk

Douglas G. Weiford
City Manager

Concurs with,

Bob Hill, Executive Director
Redevelopment Agency

JUL 12 1983

V69P7

10477(S)

CITY OF RIVERSIDE

COUNCILMEN
 FRITZEL
 DIGATI
 BUSTAR
 BOWFIELD
 STEWARD
 WARD
 LOVERIDGE

Minutes of Regular Meeting of the City Council
 Date of Meeting: June 28, 1983
 Time of Meeting: 3:00 P.M.
 Place of Meeting: Council Chamber, City Hall

WARDS
 1 2 3 4 5 6

Roll Call:

Present X I A X X X X

The Invocation was given by Councilman Digati.

The Pledge of Allegiance was given to the Flag.

MINUTES

The Minutes of the Meetings of June 17 and 21, 1983, were approved as submitted.

Motion X
 Second X
 All Ayes

PUBLIC HEARINGS BEFORE THE CITY COUNCIL AT 3:00 P.M.

CASE AMD-16-823 - ESTABLISHMENT OF BUSINESS PARK COMBINING ZONE WITH AIRPORT ZONE - ORDINANCE INTRODUCED

3:00 P.M.--Hearing was called on the request of Riverside Air Park to amend Chapter 19.44 of the Riverside Municipal Code to allow the establishment of a Business Park Combining Zone with Zone AIR, Case AMD-16-823. As heretofore directed by the City Council, the minutes of the City Planning Commission and the Environmental Protection Commission pertaining to this case are on file and are a part of the evidence submitted at this hearing, whether or not any portion thereof is read or discussed. The communication from the City Planning Commission stated that the Commission, by a vote of 7 ayes to 0 noes, approved the amendment of Sections 19.44.010, 19.44.020 and 19.44.030(1) to specifically reference the AIR Zone as one of the zones with which the Business Park Zone may be combined. The communication from the Environmental Protection Commission advised that the Commission, by a vote of 7 ayes to 0 noes, determined that the amendment would not have a significant adverse effect on the environment. The Planning Director presented departmental recommendations. No one was present wishing to speak on the matter. No written protests were presented. The hearing was officially closed. It was determined that the proposed Code amendment would not have a significant adverse environmental effect, and the staff report and the environmental assessment were adopted as findings. The Municipal Code amendment was approved as presented; and an ordinance entitled, "An Ordinance of the City of Riverside, California, Amending Sections 19.44.010, 19.44.020 and 19.44.030 of the Riverside Municipal Code to Allow the Establishment of the Business Park Combining Zone With the Airport Zone," was presented and introduced.

Motion X
 Second X
 All Ayes

AMENDMENT TO FRANCHISE WITH UNION PACIFIC RAILROAD - ORDINANCE INTRODUCED

3:00 P.M.--Hearing was called on Resolution No. 15025, adopted June 7, 1983, to consider the proposed amendment to the franchise granted to the Los Angeles and Salt Lake Railroad Company, a corporation, and its lessee, Union Pacific Railroad Company, a corporation, its successors and assigns, by Ordinance No. 1799 of the City of Riverside, in order to grant a right, privilege and franchise for the realignment, maintenance and operation of the mainline track across Cridge Street at a location which is different from that location described in Ordinance No. 1799 of the City of Riverside, California. A written report was submitted from the City Manager and the Public Works Director, concurred in by the City Attorney, recommending that the City Council introduce the ordinance granting the revised franchise to the Union Pacific Railroad at the Cridge Street crossing, but delay adoption of the ordinance until all details and questions have been resolved. No one was present wishing to speak on the matter. No written protests were presented. Following a brief discussion, the public hearing was officially closed; and an ordinance entitled, "An Ordinance of the City Council of the City of Riverside, California, Amending the Franchise Granted to the Los Angeles and Salt Lake Railroad Company, a Corporation, and Its Lessee, Union Pacific Railroad Company, a Corporation, Its Successors and Assigns, by Ordinance No. 1799 of the City of Riverside, California, in Order to Grant a Right, Privilege and Franchise for the Realignment, Maintenance and Operation of the Mainline Track Across Cridge Street at a Location Which is Different From That Location Described in Ordinance No. 1799," was presented and introduced.

Motion X
 Second X
 All Ayes

FURTHER HEARING - ABATEMENT AND REMOVAL OF ABANDONED VEHICLE - 8505 COLORADO - CONT.

3:00 P.M.--Further hearing was called on the matter of the proposed abatement, the assessment of the costs of removal of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof and to consider the assessment of the administrative costs and the cost of removal of the vehicles or parts thereof as a lien against the property

10477(S)

CITY OF RIVERSIDE

INTEROFFICE MEMO

TO: Karen Oakley
Assistant City Clerk

DATE: July 12, 1983

FROM: Carolyn Confer
Sr. Deputy City Attorney

RECEIVED
JUL 21 1983

SUBJECT: BRIEF SYNOPSIS
UNION PACIFIC FRANCHISE

Alice R. Hara
CITY CLERK

Ordinance No. 5092 grants an amendment to the existing franchise between the City of Riverside and the Los Angeles and Salt Lake Railroad Company and its lessee, Union Pacific Railroad, which allows the Railroad's main line track to cross Cridge Street at a location different from the location specified in the original franchise and authorizes the maintenance and operation of the track in the new location.

CC/jm

JUL 12 1983
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COUNCILMEN
 FRIZZELL
 BOGERT
 BOWERS
 MAISEL
 SHEPARD
 TOVERIDGE

July 12, 1983

WARDS

LEGAL FEES - SPIEGEL AND MC DIARMID

A written report was submitted from the City Manager and the Public Utilities Director recommending that the City Council authorize preparation and execution of an amendment to the agreement with Spiegel and McDiarmid increasing the hourly rates to be paid for legal services relative to certain utility matters. The recommendation was approved as presented.

UNIVERSITY AVENUE WIDENING, SOUTH SIDE FROM EUCALYPTUS TO KANSAS - FUND TRANSFER

A written report was submitted from the City Manager and the Public Works Director recommending that the City Council (1) approve the widening of University Avenue on the south side from Eucalyptus Street to Kansas Avenue as described in the report; and (2) transfer \$32,300 from the unappropriated surplus of the Capital Outlay Fund to a new Account 30-575-249-30, University Avenue Widening, Eucalyptus to Kansas. The recommendations were approved as presented.

FRANCHISE FOR UNION PACIFIC RAILROAD AT CRIDGE STREET AND RELATED AGREEMENTS - ORDINANCE ADOPTION

A written report was submitted from the City Manager and the Public Works Director, concurred in by the Executive Director of the Redevelopment Agency, recommending that the City Council (1) adopt the ordinance introduced on June 28, 1983, granting the Union Pacific Railroad a revised franchise at the Cridge Street crossing; and (2) authorize execution of Agreements CLD 17064-8, 13128-2 and 20066. The recommendations were approved as presented; and Ordinance No. 5092 entitled, "An Ordinance of the City Council of the City of Riverside, California, Amending the Franchise Granted to the Los Angeles and Salt Lake Railroad Company, a Corporation, and Its Lessee, Union Pacific Railroad Company, a Corporation, Its Successors and Assigns, by Ordinance No. 1799 of the City of Riverside, California, in Order to Grant a Right, Privilege and Franchise for the Realignment, Maintenance and Operation of the Mainline Track Across Cridge Street at a Location Which is Different From That Location Described in Ordinance No. 1799," was presented; and the title having been read, and further reading waived by the unanimous consent of Councilmembers present, was adopted.

CONSTRUCTION OF MONROE STORM DRAIN RAILROAD LATERAL BY THE FLOOD CONTROL DISTRICT, GRANTING OF EASEMENTS AND PARTICIPATION BY THE CITY

A written report was submitted from the City Manager and the Public Works Director, concurred in by the Administrative Services Director, recommending that the City Council (1) approve execution of the agreement between the City and the Riverside County Flood Control and Water Conservation District, covering cooperative work relating to construction of the Monroe Storm Drain railroad lateral, as described in the report, after the changes requested by the staff have been made; and (2) authorize the execution of easement deeds in favor of the Riverside County Flood Control and Water Conservation District conveying easements across Parcels 1072-4, 1072-5A and 1072-5B, together with a temporary construction easement covering Parcels 1071-104T, 1072-4T1, 1072-4T2, 1072-5T1, 1072-5T2, 1072-5T3 and 1072-5T4. The recommendations were approved as presented.

HIRING OF AN ENGINEERING AIDE II IN THE PUBLIC WORKS DEPARTMENT

A written report was submitted from the City Manager and the Public Works Director, concurred in by the Administrative Services Director, recommending that the City Council authorize the addition of an Engineering Aide II position in the Public Works Department for the 1983-84 fiscal year, or until federal projects are completed, whichever comes first. The recommendation was approved as presented.

REDEVELOPMENT AGENCY

CONTRACTS FOR VIDEO GAMES, FOOD AND BEVERAGE VENDING MACHINES AND LOCKERS FOR THE NEW DOWNTOWN TRANSPORTATION CENTER

A written report was submitted from the Executive Director of the Redevelopment Agency recommending that the City Council authorize execution of contracts with Brookside Foods, Inc., for food and beverage vending machines, B.I.L. Limited for video games, and American Locker Company, Inc., for lockers, all at the new Downtown Transportation Center. The recommendation was approved as presented.

July 15, 1983

Union Pacific Railroad Company
Attention: Robert M. White,
Assistant General Solicitor
P. O. Box 22004
East Los Angeles, CA 90022

Gentlemen:

Enclosed for your information is a certified copy of Ordinance No. 5092 of the City Council of the City of Riverside, California, Amending the Franchise Granted to the Los Angeles and Salt Lake Railroad Company, a Corporation, and Its Lessee, Union Pacific Railroad Company, A Corporation, Its Successors and Assigns, By Ordinance No. 1799 of the City of Riverside, California, in Order to Grant a Right, Privilege and Franchise for the Realignment, Maintenance and Operation of the Mainline Track Across Cridge Street at a Location Which is Different From That Location Described in Ordinance No. 1799.

If you require further information regarding this matter, please contact our office, or Carolyn Confer of the City Attorney's Office.

Very truly yours,

ALICE A. HARE
City Clerk

Encl.

cc: Legal Department

10477(S)

ORDINANCE NO. 5092

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING THE FRANCHISE GRANTED TO THE LOS ANGELES AND SALT LAKE RAILROAD COMPANY, A CORPORATION, AND ITS LESSEE, UNION PACIFIC RAILROAD COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, BY ORDINANCE NO. 1799 OF THE CITY OF RIVERSIDE, CALIFORNIA, IN ORDER TO GRANT A RIGHT, PRIVILEGE AND FRANCHISE FOR THE REALIGNMENT, MAINTENANCE AND OPERATION OF THE MAINLINE TRACK ACROSS CRIDGE STREET AT A LOCATION WHICH IS DIFFERENT FROM THAT LOCATION DESCRIBED IN ORDINANCE NO. 1799.

WHEREAS on June 7, 1983, the City Council of the City of Riverside adopted Resolution No. 15025 declaring its intention to amend its franchise granted to the Los Angeles and Salt Lake Railroad Company, a corporation, and its lessee, Union Pacific Railroad Company, a corporation, its successors and assigns, to realign the mainline track across Cridge Street and fixing the time and place of hearing all persons interested in the proposed amendment to the franchise; and

WHEREAS on the day fixed for the hearing, the City Council heard and passed on all protests;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Riverside, California, that the franchise granted to the Los Angeles and Salt Lake Railroad Company, a corporation, and its lessee, Union Pacific Railroad Company, a corporation, its successors and assigns by Ordinance No. 1799 of the City of Riverside, California, be and the same is hereby amended to grant a right, privilege and franchise for the realignment, maintenance and operation of the mainline track across Cridge Street at a location which is different from that location described in Ordinance No. 1799 of the City of Riverside, California, and which is more particularly described as follows:

BEGINNING at a point in the northerly line of that certain parcel of land conveyed to the City of Riverside by a deed recorded in Book 122, Page 251, et seq., of Deeds, records of Riverside County, distant thereon South 77° 44' 20" East

/24/83
C/jm

1 9.50 feet from the most southerly corner of Lot 103
2 of Francis Cuttle's Subdivision, as shown by map
3 recorded in Book 11, Page 48 of Maps, records of
4 San Bernardino County;

5 THENCE South 36° 44' 55" West, 69.37 feet to
6 a point in the southwesterly line of Cridge Street
7 distant thereon South 60° 56' 00" East 63.89 feet
8 from the intersection of the southeasterly line of
9 Vine Street and said southwesterly line of Cridge
10 Street.

11 A map of which location is attached hereto, marked Exhibit A,
12 and incorporated herein by this reference.

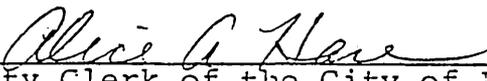
13 BE IT FURTHER ORDAINED that the Grantee hereof shall
14 file with the City Clerk of the City of Riverside a written
15 acceptance of this franchise within thirty (30) days after the
16 effective date of this ordinance.

17 IT IS FURTHER ORDAINED that the City Clerk shall certify
18 to the adoption of this ordinance and cause it to be published
19 at least once in a newspaper of general circulation within
20 fifteen (15) days after its adoption the number, a title, a
21 brief synopsis of the context of such ordinance, and the state-
22 ment that a full copy of the ordinance is available in the
23 office of the City Clerk. This ordinance shall become effective
24 on the 30th day after its adoption.

25 ADOPTED by the City Council and signed by the Mayor and
26 attested by the City Clerk this 12th day of July, 1983.

27 
28 _____
29 Mayor of the City of Riverside

30 Attest:

31 
32 _____
City Clerk of the City of Riverside

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I, Alice A. Hare, City Clerk of the City of Riverside, California, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 28th day of June, 1983, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 12th day of July, 1983, by the following vote, to wit:

Ayes: Councilmembers Loveridge, Shepard, Mansfield, Bowers, Buster, Digati and Frizzel.

Noes: None.

Absent: None.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 12th day of July, 1983.

Alice A. Hare
City Clerk of the City of Riverside

VINE STREET

P.O.B.

VINE ST.

CRIDGE

SCALE - N - 1" = 40'

140.0'

S 60° 56' 00" E

S 60° 56' 00" E
63.89'

EXISTING U.P.R.R. MAIN LINE (TO BE REMOVED)

LOS ANGELES

60'

9.5'

T.P.O.B.

S 35° 24' 55" W 69.37'

PROP. MAIN LINE
(U.P.R.R.)

TO SALT LAKE

A.T. & S.F. MAIN LINE

STREET

S 77° 04' 20" E

COMMERCE

Exhibit "A"

LOS ANGELES & SALT LAKE RAILROAD COMPANY
UNION PACIFIC RAILROAD COMPANY
Map to accompany Franchise with
CITY OF RIVERSIDE
for realigned mainline track crossing
Cridge Street, M.P. 56.61, Riverside,
California.

Scale: 1"=40'

Office of District Real Estate Director
Los Angeles, California 11-17-8