

**BEFORE THE  
FRESNO COUNTY TRANSPORTATION AUTHORITY  
RESOLUTION No. 2017-01**

IN THE MATTER OF ) ) <b>AMENDMENT NO. 3</b> ) ) TO THE MEASURE "C" ) EXTENSION ) EXPENDITURE PLAN ) _____ )	) ) ) ) ) ) ) ) ) )	RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE MEASURE "C" EXTENSION EXPENDITURE PLAN TO ALLOCATE AN AMOUNT NOT TO EXCEED \$500,000 TO REIMBUSE THE CITY OF FRESNO FOR NON-REUNDABLE DEPOSITS
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WHEREAS, the November 7, 2006 Measure "C" Ballot Measure that was approved by voters created an Alternative Transportation / Rail Consolidation Program funded by the proceeds of Measure "C" sales and use taxes; and

WHEREAS, The Fresno COG Policy Board and the Fresno County Transportation Authority Board approved Amendment #1 to the Measure "C" Expenditure Plan in 2010 which authorized \$25 million to be reallocated from the Alternative Transportation / Rail Consolidation Program to a High Speed Rail Program, conditioned upon and subsequent to Fresno County being formally designated by the California High Speed Rail Authority (CHSRA) as the location of the High Speed Rail Heavy Maintenance Facility; and

WHEREAS, the City of Fresno represents that discussions with CHSRA representatives make it clear that control of the site will be a major factor in the High Speed Rail Heavy Maintenance Facility site selection process; and

WHEREAS, the City of Fresno has hired a specialized right of way consultant, Continental Field Services (CFS), to negotiate land prices and two-year land sale option contracts transferable to the CHSRA in the event Fresno County is formally designated as the location of the High Speed Rail Heavy Maintenance Facility; and

WHEREAS, the City of Fresno requests Amendment #3 to the Measure "C" Expenditure Plan allow the cost of non-refundable deposits for acquisition of land options to be reimbursed from Measure "C" prior to the CHSRA designating Fresno County as the location of the High Speed Rail Heavy Maintenance Facility; and

WHEREAS, on January 26, 2017, the COG Policy Board approved the proposed amendment by adoption of its Resolution No. 2017-01, subject to final approval of the Fresno County Transportation Authority Board.

**NOW, THEREFORE BE IT RESOLVED**, and notwithstanding any provision contained in Amendment #1, the Fresno County Transportation Authority hereby authorizes transfer of an

amount not to exceed \$500,000, from the \$25 million previously reserved by Amendment #1, for reallocation to the High Speed Rail Program, and subject to subsequent approval and execution of an appropriate agreement between the Fresno County Transportation Authority and the City of Fresno, to reimburse the City of Fresno, in an amount not to exceed \$500,000, for the cost of non-refundable deposits for purchasing land options for the High Speed Rail Heavy Maintenance Facility, which transfer and reimbursement, pursuant to such subsequent agreement and this Amendment #3, may occur both prior to, and irrespective of whether, the CHSRA formally designates Fresno County as the location of the High Speed Rail Heavy Maintenance Facility.


THE FOREGOING RESOLUTION was passed and adopted by the Fresno County Transportation Authority this 8<sup>th</sup> day of February 2017.

AYES: Ashbeck, Mendes, Brand, Cardenas, Clements, Dhaliwal

NOES:

ABSTAIN: Borgeas

ABSENT: Brandau

Signed   
Ernest Buddy Mendes, Chairman

ATTEST:

I hereby certify that the foregoing is a true copy of a resolution of the Fresno County Transportation Authority adopted at a duly noticed public hearing thereof on the 8<sup>th</sup> day of February 2017.

Signed   
Mike Leonardo, Executive Director