



City Council Report

Date: February 9, 2015
To: City Council
Through: Kari Kent, Deputy City Manager
From: Beth Huning, City Engineer
Rob Kidder, Assistant City Engineer
Subject: Central Mesa Light Rail Extension Project
Morris Plaza License Agreement
City Project C09046
District 4

Strategic Initiatives



Purpose and Recommendation

The purpose of this report is to provide information to the City Council to review and allow the City Manager to approve the Morris Plaza License Agreement (Agreement) between Valley Metro Rail, Inc. (METRO) and the City of Mesa (City). This agreement is related to the Central Mesa Light Rail Extension (Project) on Main Street from Sycamore to Ashland, which is currently under construction. Refer to Exhibit "A" for a project location map.

Staff recommends Council approve the Morris Plaza License Agreement Resolution authorizing the City Manager to sign the Agreement, which is attached as Exhibit "B".

Background

As part of the electrical improvements required for the Project currently under construction, a Traction Power Sub Station (TPSS) facility is being built on the north side of Main Street within the existing right-of-way of Morris Street. A pedestrian plaza will also be constructed immediately adjacent to the TPSS facility.

The street improvements that were previously in Morris Street right-of-way at this location are being converted to a cul-de-sac to accommodate the TPSS facility and plaza.

Discussion

On September 21, 2011, METRO and the City entered into a Public Way Use Agreement concurrent with the Project development. This agreement authorized METRO to use, on a non-exclusive basis, certain real property owned by Mesa for operation and maintenance of the light rail transit system.

The Agreement before Council is substantially similar to the Public Way Use Agreement, except for the following:

- The Agreement is specific to the TPSS facility and plaza location at Main Street and Morris.
- The Agreement has a term limit of 50 years.
- The Agreement requires METRO to pay a one-time license fee of \$94,700 to the City.

The Agreement stipulates that the City reserves its prior superior right to the public right of way. Additionally, it addresses conditions that METRO must adhere to in its use of the TPSS facility and site including aesthetics of the structures, permitted uses, and disruption to neighboring properties.

Alternatives

The Council could choose not to enter into the Agreement with METRO. In this instance, the TPSS and plaza could be built in City right of way under the terms of the Public Way Use Agreement. However, the City would lose the benefit of the Agreement's 50-year term limit and the license fee of \$94,700.

Fiscal Impact

The City will receive a license fee of \$94,700 for entering the Agreement. METRO will continue to be responsible for all costs associated with the operation and maintenance of the light rail transit system and all costs resulting from any accident or damage that may occur in the operation within the City Property.

Coordinated With

The Transit Services Department, Transportation Department, and City Attorney's Office.