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CITY OF SACRAMENTO

DEPARTMENT OF PUBLIC WORKS

ENGINEERING DIVISION

THOMAS M. FINLEY
Engineering Division Manager

CITY MANAGER'S OFFICE
RECEIVED
MAY 7 1985

APPROVED
BY THE CITY COUNCIL

AG 84185

MAY 14 1985

OFFICE OF THE
CITY CLERK

May 2, 1985

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Supplement to Agreement No. 84151 between Central California Traction Company and the City of Sacramento concerning Temporary Working Easement for the Morrison Creek Assessment District, C.C. 8599

SUMMARY

Attached for Council approval is a Supplemental Agreement between the Central California Traction Company and the City of Sacramento. This Supplemental Agreement amends Agreement No. 84151 by substituting a new Section 4 for the Section 4 in the original Agreement.

BACKGROUND

On March 5, 1985, the City Council passed Resolution No. 85-146 authorizing execution of an agreement between the Central California Traction Company and the City of Sacramento. In the Agreement, the Central California Traction Company granted a temporary working easement to the City across railroad right-of-way to facilitate the placement of a sanitary sewer line as part of the Morrison Creek Assessment District.

The original agreement did not provide for indemnification of the Central California Traction Company if work within the temporary working easement is performed by a contractor. Item 4 of the amendment to the agreement requires the City's contractor for the Morrison Creek Assessment District (Dyn Construction Corporation) to enter into a separate agreement with Central California Traction Company indemnifying the railroad from claims and liability for work performed by the contractor.

FINANCIAL

The amendment to the Agreement will not have a direct financial impact on the City. All costs associated with this Agreement will be borne by the assessment district.

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City Council
Agreement Amendment
Page 2
May 2, 1985

RECOMMENDATION

It is recommended the City Manager and City Clerk be authorized to execute the subject supplement to Agreement No. 84151 by passage of the attached resolution.

Respectfully submitted,

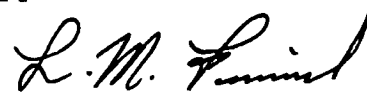


THOMAS M. FINLEY
Engineering Division Manager

RECOMMENDATION APPROVED:

Approved:

Walter J. Slipe, Jr.
FOR: WALTER J. SLIPE
City Manager



FOR MELVIN H. JOHNSON
Director of Public Works

GEG:lw
GG-04017

May 14, 1985
District No. 6

attachment

28A

RESOLUTION NO. 85-364

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

May 14, 1985

RESOLUTION AUTHORIZING EXECUTION OF SUPPLEMENT TO AGREEMENT NO. 84151 BETWEEN CENTRAL CALIFORNIA TRACTION COMPANY AND CITY OF SACRAMENTO CONCERNING TEMPORARY WORKING EASEMENT FOR THE MORRISON CREEK ASSESSMENT DISTRICT, C.C. 8599

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Manager and City Clerk are hereby authorized and directed to execute on behalf of the City of Sacramento that certain Supplement to Agreement No. 84151 between Central California Traction Company and the City of Sacramento to substitute a new Section 4 requiring indemnification from City's contractor for Section 4 in present Agreement.

MAYOR

ATTEST:

CITY CLERK

APPROVED BY THE CITY COUNCIL MAY 14 1985 OFFICE OF THE CITY CLERK



CENTRAL CALIFORNIA TRACTION COMPANY



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1645 CHEROKEE LANE
STOCKTON, CALIFORNIA 95205-2799
PHONE (209) 466-6927

K. J. TINKER
GENERAL MANAGER

RECEIVED
CITY OF SACRAMENTO
ENGINEERING DEPT. April 19, 1985

APR 23 1985 File: 312.21 Elder Cr. Rd.
AM PM Temporary Working
7 8 9 10 11 12 1 2 3 4 5 6 Easement

Mr. Gary E. Gosse, Associate Engineer
City of Sacramento
Department of Public Works
915 I Street
City Hall, Room 207
Sacramento, California 95814

Dear Mr. Gosse:

Please refer to prior correspondence pertaining to Elder Creek Road sewer and water installation beneath our tracks per your file C.C. 8599.

Per our conversation of last week, attached is Supplemental Agreement to Temporary Working Easement Agreement between CCT Co. and City of Sacramento in which there is a change in Item #4 regarding contractors performing work on Central California Traction Company property.

Please arrange for signature of approval on Supplemental Agreement, retaining two (2) copies for your file and return the two (2) copies marked CCT Co. for our file and further handling.

As information, CCT Co. will enter into an agreement with contractor, Dyn Construction Corp., who I understand will be awarded the contract to do the necessary work.

Yours truly,

K. J. Tinker

KJT:nt

Attachments/4