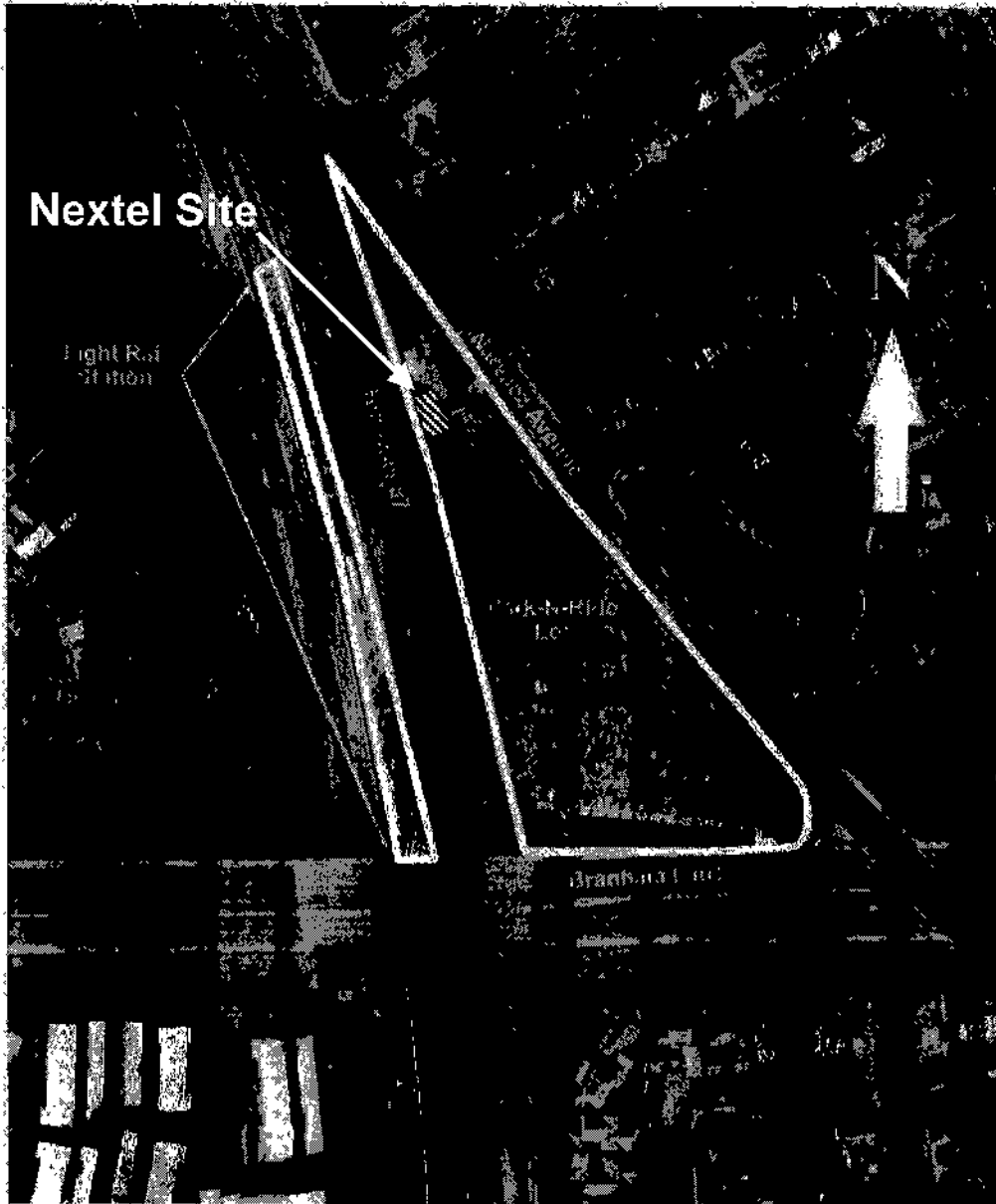


ATTACHMENT A

Location Map of Nextel Communications Site



Previous agreements related to this project have included a Joint Powers Agreement establishing oversight roles and responsibilities of all parties and cooperative agreements for construction and funding of the improvements.

DISCUSSION:

The proposed cooperative agreements recommended by staff will establish the final ownership of all properties originally acquired for the project as well as establish maintenance and use rights for jointly shared properties and facilities. Attachments to the agreement provide details of each specific property and identify the final ownership of each parcel. Following execution of the agreement each agency will be responsible to prepare property deeds and record each deed establishing title to the property.

Of particular importance to VTA is the Joint Use and Maintenance Agreement between Caltrans and VTA covering operation of the Guadalupe Light Rail in the median of SR 87. Under this agreement, Caltrans is to own the land under the freeway, the light rail track, and the stations. VTA will have full authority and right to use the track and stations as long as VTA operates light rail in this corridor. The agreement further establishes Caltrans right to own and operate the freeway. The agreement outlines procedures for either party to access and maintain its own facility and to allow access in the event of an emergency. The agreement provides full rights of ownership for VTA to operate and maintain its track and stations, to operate trains, and to use the combined communication system duct banks.

ALTERNATIVES:

There are no practical alternatives to the recommended action.

FISCAL IMPACT:

There is no additional direct fiscal impact to VTA related to this action beyond the previously established budget for property transactions outlined in the agreements. However, with the property transactions covered in these agreements, VTA stands to gain financially through the acquisition of potentially valuable properties. Several of the properties included in this agreement are the subject of VTA Joint Development activities.

Prepared by: John Ristow, Deputy Director of Programming & Project Development

