

City of Hesperia

STAFF REPORT

DATE: July 16, 2024
TO: Mayor and Council Members
FROM: Rachel Molina, City Manager
BY: Nathan R. Freeman, Director of Development Services
SUBJECT: Memorandum of Understanding between the City of Hesperia and DesertXpress Enterprises, LLC



RECOMMENDED ACTION

It is recommended that the City Council approve a Memorandum of Understanding (MOU) between the City of Hesperia and DesertXpress Enterprises, LLC, doing business as Brightline West, for the DesertXpress Enterprises High-Speed Rail Hesperia Local Rail Services Station.

BACKGROUND

Brightline West (BLW) is a privately-owned rail carrier that is proposing to design, construct, operate, and maintain a private interstate high-speed passenger railroad between Southern California and Las Vegas, Nevada. The dedicated passenger-only electric high-speed rail line will be designed and constructed for operation and maintenance within an approximately 218-mile corridor that will generally follow the Interstate 15 freeway and is proposed to be built primarily in the median of the Interstate 15 freeway in California and Nevada.

The BLW system will include three (3) stations for the primary high-speed rail service (in Las Vegas, Rancho Cucamonga, and Apple Valley) as well as a station in Hesperia that will provide local passenger rail service during certain hours of non-holiday weekdays between the BLW Rancho Cucamonga station and the Hesperia station. The City of Hesperia will benefit from the construction of the Hesperia Station and the construction and operation of the BLW's high-speed rail line.

ISSUES/ANALYSIS

With the aforementioned in mind, the City of Hesperia and BLW are seeking to memorialize, via an MOU, the terms under which both parties will cooperate to facilitate the location, design, and construction of the Hesperia station.

More specifically, as detailed in the MOU, the Hesperia station will be an in-line station with the passenger platform located adjacent to the BLW tracks in the median of the Interstate 15 freeway (Attachment 1). BLW intends to locate a surface parking lot on the west side of the Interstate 15 freeway, south of Joshua Street, with access between the parking lot and station platform to be provided by a pedestrian bridge above the southbound lanes of the Interstate 15 freeway. BLW will acquire the rights to the parking lot property through a separate agreement with Caltrans. Moreover, BLW will design and construct the Hesperia station and parking lot at no cost to the City. The Hesperia station and parking lot will be owned, controlled, and maintained by BLW at no cost to the City.

Vehicular access to the Hesperia station parking lot will be along Outpost Road. At no cost to BLW, the City will acquire all property required for the realignment of Outpost Road to accommodate the design of the parking lot and its access to the Hesperia station. BLW will design and construct the Outpost Road realignment at no cost to the City as part of BLW's scope of work. Following reconstruction, Outpost Road will remain a public street that is owned, controlled, and maintained by the City. Future improvements to Outpost Road, if any, will be the responsibility of the City.

The City will provide plan check and inspection services for the realignment of Outpost Road, waiving local requirements and associated fees with a full subsidy of the costs of these services consistent with the Interstate Commerce Commission Termination Act 49 U.S.C. § 10501 (ICCTA). The City will also provide plan check services and inspection services, consistent with the ICCTA, for other roadway construction in the City's right-of-way (if any). The City also declines to provide plan check or inspection services for any other component of BLW's Hesperia station and will defer to the agency with jurisdiction for the subject project.

Lastly, the MOU will remain in effect for a term of two (2) years and will be automatically extended for one (1) year, after which time any further extension(s) will require formal amendment or a new memorandum of understanding.

CITY GOAL SUPPORTED BY THIS ITEM

Future Development: Facilitate balanced growth to ensure cohesive community development and pursue economic development.

FISCAL IMPACT

There is no fiscal impact to the General Fund associated with this report.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Hesperia Station Parking Aerial Map
2. Memorandum of Understanding