

# Plan to assemble Fresno County land for high-speed rail maintenance facility hits brakes

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A financial plan to assemble land in Fresno County for the California High-Speed Rail heavy maintenance facility has changed, and county officials are looking for new ways to organize a land deal as the clock keeps ticking.

A developer had proposed putting up \$750,000 that the Fresno County Transportation Authority would reimburse if Fresno County was chosen for the massive project, which involves more than 700 acres and 17 properties, and might mean 1,500 jobs.

A site under consideration is in the area around Malaga and the county's Juvenile Justice Center. A decision is possible in May from the California High-Speed Rail Authority, officials say.

The issue was added late last week to the supervisors' Tuesday agenda after the original agenda was published. Supervisors wanted to discuss using the money prior to a Fresno County Transportation Authority meeting scheduled for Wednesday. The authority is not expected to take any action on the item.

But because the original proposal to reimburse \$750,000 for money fronted by lawyer and developer Tim Jones has changed, keeping the authority from being able to approve it, the supervisors' discussion Tuesday had little effect other than to outline members' positions.

In 2010, the transportation authority voted to use \$25 million in Measure C money as an enticement for the state to select a Fresno-area site for the heavy maintenance facility. But that money would only be made available to the state if, and after, Fresno was chosen. Using that money before a Fresno site is chosen would violate rules for Measure C, the county's half-cent transportation tax.

To undertake such a plan would require amending Measure C to provide up to \$750,000 to reimburse Jones for escrow deposits to landowners after a year if the state has not selected a site.

The concept was approved by the Fresno Council of Governments and, in October, the Fresno County Transportation Authority had asked for a proposal in writing.

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Henry R. Perea, Fresno County supervisor

Supervisors Buddy Mendes and Andreas Borgeas, who serve on the Fresno County Transportation Authority, said that the deal from Jones had changed from their earlier understanding.

In a Nov. 18 email sent to transportation authority lawyer Mike Rowe, Jones said he was seeking \$750,000 to assemble the land and would seek reimbursement in a year.

But there was a new wrinkle.

"If I make the deal and the land transfers, I expect to sell the land to its ultimate buyer for 13 percent over all costs to acquire," Jones wrote. "Ten percent of this amount would go to me and 3 percent would go to Pearson Realty."

But the county would be unable to use public money to pay for the commission, officials said.

Borgeas and Supervisor Henry R. Perea said they welcomed efforts by Jones to help the county acquire land for the facility.

“I applaud his effort to engage on this issue,” Borgeas said. “I commend Mr. Jones for wanting to help the community and contribute to this process, but the terms would have to be mutually agreeable ... there are limits on the use of taxpayer dollars to achieve that purpose.”

Perea said the proposal by Jones was trying to help and that Fresno County officials have to continue working to assemble the land, because a siting decision is expected in May.

“From a competitive perspective, the only issue that we had for Fresno County, was the fact that we didn’t have the land secured,” he said. “So this was the effort to be proactive and secure the land.”

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