



Agenda Report

Fullerton City Council

MEETING DATE: JULY 15, 2025

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: STEPHEN BISE, P.E., PUBLIC WORKS DIRECTOR

PREPARED BY: JEROME JOAQUIN, PUBLIC WORKS ADMIN MANAGER
DAVID GRANTHAM, P.E., CITY ENGINEER

SUBJECT: JOINT PARTICIPATION AGREEMENT AND
ENCROACHMENT AGREEMENT WITH CALIFORNIA
STATE UNIVERSITY FULLERTON FOR THE TITAN
GATEWAY PEDESTRIAN BRIDGE PROJECT

SUMMARY

Request to approve Joint Participation Agreement and Encroachment Agreement with the California State University Board of Trustees for the Titan Gateway Pedestrian Bridge Project at the Nutwood Avenue and Commonwealth Avenue intersection.

PROPOSED MOTION

1. Approve Joint Participation Agreement for the Titan Gateway Pedestrian Bridge Project.
2. Approve Encroachment Agreement for the Titan Gateway Pedestrian Bridge Project.
3. Authorize the Mayor to execute both Agreements, in a form approved by the City Attorney.

ALTERNATIVE OPTIONS

- Approve the Proposed Motion
- Other options brought by City Council
- Reject the Proposed Motion.

STAFF RECOMMENDATION

Staff recommends the Proposed Motion.

CITY MANAGER REMARKS

The City Manager recommends approval of the Joint Participation Agreement and encroachment agreement.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement

- Infrastructure and City Assets.

FISCAL IMPACT

This item generates no fiscal impact. City staff and consultants would incur time assisting the University secure project certifications, authorizations and project closeout with the California Department of Transportation (Caltrans) for the Titan Gateway Pedestrian Bridge Project. The Joint Participation Agreement specifies the City would recover incurred costs up to \$50,000. Staff does not anticipate costs reaching this amount.

BACKGROUND AND DISCUSSION

California State University Fullerton (CSUF) plans to construct a new pedestrian and bicycle bridge, known as the Titan Gateway Pedestrian Bridge Project, at the Nutwood Avenue and Commonwealth Avenue intersection. The bridge would connect the main CSUF campus with College Park, a CSUF property at the southeast corner of the intersection, and span Nutwood Avenue east of the Commonwealth Avenue intersection.

CSUF received Congressional earmark funding for this project allocated through the Consolidated Appropriations Act, 2022 and 2023 Highway Infrastructure Programs ("HIP") set aside for "Community Project Funding / Congressionally Directed Spending". Approved funding allocated \$5 million from Cycle 1 and \$5 million from Cycle 2 to fund the Titan Gateway Pedestrian Bridge Project (Project) construction phase.

Joint Participation Agreement

Caltrans administers federal transportation funding allocated within California and any entity receiving such funds must have an executed Master Agreement Administering Agency – State Agreement for Federal Aid Projects with Caltrans to access the funds. Unfortunately, CSUF does not possess such agreement and, due to funding deadlines, CSUF does not have time to independently obtain the agreement which can take up to two years due to the extensive financial audit and approval process required by Caltrans.

In the spirit of interagency cooperation, and in coordination and approval from Caltrans, CSUF would utilize the City Master Agreement with Caltrans. City staff developed a Joint Participation Agreement with CSUF to outline the partnership terms and conditions and govern CSUF use of the City Master Agreement.

The Joint Participation Agreement clearly establishes CSUF responsibilities with respect to the project including costs, design, construction, etc. and ensure the City has indemnification against any claims arising from the project.

City staff would help CSUF secure and authorize the federal funding through Caltrans in accordance with Caltrans' Local Assistance Procedures Manual (LAPM) procedures, the required framework to administer and implement federally-funded transportation projects. CSUF would reimburse eligible City expenses and costs associated with facilitating this project.

Encroachment Agreement

Nutwood Avenue is a 100-foot-wide easement dedicated to the City for roadway and public utility purposes. The CSUF project would span over and across Nutwood Avenue which requires City approval and authorization.

The involved scope and large scale of the project, combined with a public agency applicant, requires a more comprehensive approach than the typical encroachment permit process. Staff recommends approving an Encroachment Agreement to formally address responsibilities regarding bridge construction, long-term operation, maintenance, inspection, etc.

City staff collaborated with the City Attorney while developing the Joint Participation Agreement and the Encroachment Agreement to ensure the Agreements are consistent with applicable policies, protect City interests and clearly articulate responsibilities and liabilities of all parties.

Attachments:

- Attachment 1 – Project Description and Location Map
- Attachment 2 – Joint Participation Agreement
- Attachment 3 – Encroachment Agreement

cc: City Manager Eric J. Levitt