



# City Council Memorandum

City of Arts & Innovation

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**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: NOVEMBER 19, 2019**  
**FROM: PUBLIC WORKS DEPARTMENT      WARDS: 1, 2, AND 3**  
**SUBJECT: RAILROAD QUIET ZONE PROJECTS UPDATE**

**ISSUE:**

Receive a Quiet Zone projects update.

**RECOMMENDATION:**

That the City Council receive and file this report providing an update on the City's Quiet Zone projects.

**BACKGROUND:**

On April 10, 2018, the City Council 1) approved the concept design for the Palm Avenue/Union Pacific Railroad crossing; 2) approved the concept design Alternative 1 for the Brockton Avenue/Union Pacific Railroad crossing; and 3) directed the Public Works Department to complete the project design and file a Notice of Intent to create a new quiet zone at the Palm Avenue to Brockton Avenue rail crossings.

On October 11, 2018, the Transportation Committee received a report on the Public Works Department's Capital Improvement Projects (CIP) which were in the design phase. The report included Quiet Zone project updates for Panorama Road at Union Pacific Railroad (UP) and Cridge Street at Burlington Northern Santa Fe (BNSF) railroad, the Union Pacific Railroad, and the Southern California Regional Rail Authority (SCRRA).

**DISCUSSION:**

**Panorama Road to Cridge Street Quiet Zone**

The engineering design for both of these crossings is complete and staff are working with the respective rail agencies to execute the Construction and Maintenance (C&M) agreements. The C&M agreement for the Cridge Street crossing will be entered with BNSF, UP, and SCRRA while the C&M agreement for the Panorama Road crossing will be entered with UP.

BNSF and SCRRA have provided updated cost estimates and draft C&M agreements for the Cridge Street crossing. These documents have been reviewed by engineering staff and the City

Attorney’s Office, and the agreements have been returned to the railroad agencies for finalization. UP is still in the process of updating their cost estimates for the track and signal work for both the Panorama Road and Cridge Street crossings, which are anticipated to be completed by early 2020. Once all agreements are finalized and approved by the City Attorney’s Office, staff anticipates bringing them to City Council for approval by the second quarter of 2020.

Construction of this Quiet Zone is expected to start in the first quarter of 2021, and will take approximately three months to construct. Upon completion of the project, a Notice of Quiet Zone Establishment (NOQZE) will be filed by the City. The Quiet Zone can be established no earlier than 21 days after the date on which the NOQZE is mailed (anticipated mid 2021).

The total construction cost estimate for Panorama Road to Cridge Street Quiet Zone is \$6 million with an annual maintenance cost of \$50,000 for the additional crossing equipment. The City will be responsible for maintenance costs associated with the quiet zone equipment.

*Palm Avenue to Brockton Avenue Quiet Zone*

On August 14, 2018, the City filed the Notice of Intent (NOI) to create the Palm Avenue to Brockton Avenue Quiet Zone with the Federal Railroad Administration (FRA), California Public Utilities Commission (CPUC), Riverside County Transportation Commission (RCTC), Caltrans, and Union Pacific Railroad operating within the quiet zone.

In late 2018, UP went through agency restructuring which resulted in project delays and staff reductions, including the Manager of Industry and Public Projects that was assigned to this Quiet Zone (QZ) project. After numerous correspondence, on September 23, 2019, UP notified the Public Works Department that they had hired a consultant to represent UP on this QZ project. The restructuring within the UP organization resulted in an approximately one-year delay to project delivery. The Public Works Department anticipates receiving updated railroad cost estimates by March of 2020 in order to execute a C&M agreement with UP for the construction and establishment of the Quiet Zone.

Assuming there are no further project delays, construction of this Quiet Zone is anticipated to start in the first quarter of 2021 and last three months. Upon completion of the project, a Notice of Quiet Zone Establishment (NOQZE) will be filed by the City. The Quiet Zone can be established no earlier than 21 days after the date on which the NOQZE is mailed.

The total construction estimate for Palm Avenue to Brockton Avenue Quiet Zone is \$2 million with an annual maintenance cost of \$35,000 for both crossings. The City will be responsible for maintenance costs associated with the quiet zone equipment.

*Mission Inn Avenue, Third Street, and Spruce Street Quiet Zone*

The City’s Capital Improvement 5-Year Funding Plan for the Mission Inn Avenue, Third Street, and Spruce Street Quiet Zone Project is shown in Table 1.

**Table 1: 5-Year Funding Plan (Measure A)**

Prior Years	FY2018/19	FY2019/20	FY2020/21	FY2021/22	FY2022/23
\$ 20,000	\$ 20,600	\$ 757,500	\$ 772,700	\$ 788,200	\$804,000

To date, this project is partially funded (\$798,100) and will become fully funded in FY 2022/23 with a total capital allocation of \$3,163,000. Per the 5-Year Funding Plan, the project’s construction and Quiet Zone establishment is anticipated to occur on or after FY 2022/23.

On March 21, 2019, Public Works staff held a preliminary field meeting with the representatives of the FRA, CPUC, SCRRA, RCTC, and BNSF railroad to review and determine the scope of work required to establish a Quiet Zone at the Mission Inn Avenue rail crossing. On July 18, 2019, a secondary field meeting was held to review and determine the scope of improvements necessary to establish a Quiet Zone at the Third Street and Spruce Street rail crossings. Based on feedback from FRA and CPUC, the Public Works Department will prepare preliminary improvement plans and schedule a formal Field Diagnostic meeting to finalize the scope of work required at each rail crossing.

On April 11, 2017, the City Council approved the Third Street rail crossing as the top priority railroad grade separation, and directed the Public Works Department to complete the Project Approval and Environmental Document (PA&ED) phase of the project. The PA&ED phase will be complete by March of 2020.

The Third Street grade separation project is focal to the Mission Inn Avenue to Spruce Street Quiet Zone discussion as the grade separation project may be under construction by the second half of 2022 and may be complete by early to mid-2024. The Third Street grade separation project has a funding shortage of \$16 million but staff is actively seeking grant funding and working with RCTC and WRCOG to close the funding gap. During the field meetings, BNSF confirmed that trains would be sounding their horns during the grade separation's construction period and any established QZ at Third Street and/or Mission Inn Avenue would be compromised and rendered ineffective. Further, based on CPUC and FRA input, staff estimates that temporary rail improvements at the Third Street grade crossing may be in excess of \$1 million in order to establish an interim Quiet Zone. The Public Works Department does not support the interim Third Street QZ improvements as the \$1 million cost is considered "throw away" which may hinder the City's pursuit of grant funds and/or collaboration with RCTC and WRCOG to construct the Third Street grade separation project. Finally, due to the anticipated Quiet Zone and grade separation construction schedules which may start in 2022/23, there may be limited benefit to establishing interim QZ improvements by mid-2022 as trains would resume sounding their horns during the construction of the grade separation project. There would be no anticipated benefits of an interim QZ at Third Street as the completion of the QZ project would coincide with the beginning of the construction of the grade separation.

**FISCAL IMPACT:**

There is no fiscal impact associated with this update.

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Approved by:	Rafael Guzman, Assistant City Manager
Approved as to form:	Gary G. Geuss, City Attorney

Attachment: Presentation