



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE:** AUGUST 9, 2016
FROM: PUBLIC WORKS DEPARTMENT **WARDS:** 3, 4, 5 & 6
SUBJECT: BURLINGTON NORTHERN SANTA FE RAILWAY (BNSF) CORRIDOR QUIET ZONE – AUTHORIZE EXECUTION OF NOTICES REQUIRED TO ESTABLISH AND MAINTAIN A QUIET ZONE BETWEEN THE BUCHANAN STREET AND MARY STREET CROSSINGS

ISSUE:

Authorize the City Manager, or his designee, to execute all notices required to establish and maintain a quiet zone along the BNSF corridor between Buchanan Street and Mary Street.

RECOMMENDATION:

That the City Council authorize the City Manager, or his designee, to execute all notices required to establish and maintain a Quiet Zone along the BNSF corridor between the Buchanan Street and Mary Street crossings.

BACKGROUND:

The City's project to establish a quiet zone along the BNSF corridor between the Buchanan Street and Mary Street is nearing completion. Once all work is complete, the City will provide a Notice of New Quiet Zone Establishment (NOE) to the Federal Railroad Administration (FRA), California Public Utilities Commission, Caltrans and all railroads operating within the quiet zone in accordance with the FRA's Final Rule (49 CFR Part 222). To comply with FRA requirements, the NOE needs to include a statement signed by the City Manager certifying the information submitted is accurate and complete. The quiet zone will become effective at the date and time specified in the NOE. To maintain the quiet zone status, the City needs to send written affirmation signed by the City Manager to the FRA every 3 to 4.5 years that the improvements continue to conform to the FRA Final Rule requirements. Authorization to execute the required notices is being requested in advance of project completion to expedite the date the quiet zone becomes effective.

FISCAL IMPACT:

There is no fiscal impact associated with the NOE or with submittal of future affirmations of project conformance to the FRA.

Prepared by: Kris Martinez, Public Works Director
Certified as to
availability of funds: Scott G. Miller, Interim Finance Director/Treasurer
Approved by: Al Zelinka, FAICP, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachment: Location Map