



*City of Arts & Innovation*

# City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: MAY 11, 2021

FROM: PUBLIC WORKS DEPARTMENT WARDS: 2 AND 3

SUBJECT: PUBLIC HIGHWAY AT GRADE CROSSING AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY IN THE AMOUNT OF \$745,617 FOR PANORAMA ROAD CROSSING IMPROVEMENTS RELATED TO THE ESTABLISHMENT OF A RAILROAD QUIET ZONE – PANORAMA ROAD TO CRIDGE STREET

## **ISSUE:**

Approve a Public Highway At Grade Crossing Agreement with Union Pacific Railroad Company for Panorama Road crossing improvements in the amount of \$745,617.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve the Public Highway At Grade Crossing Agreement with Union Pacific Railroad Company for Panorama Road crossing improvements in the amount of \$745,617; and
2. Authorize the City Manager, or his designee, to execute the Public Highway At Grade Crossing Agreement with Union Pacific Railroad Company, including making minor and non-substantive changes.

## **BACKGROUND:**

On November 19, 2019, the City Council received a Quiet Zone projects update. Following discussion and without formal motion, the City Council received and ordered filed the update on the Railroad Quiet Zone projects for Panorama Road to Cridge Street, Palm to Brockton Avenues, and Mission Inn Avenue/Third Street/Spruce Street.

## **DISCUSSION:**

The Panorama Road to Cridge Street Quiet Zone project (Attachment 1), when completed, will establish a railroad Quiet Zone corridor, and eliminate the routine sound of train horns from Buchanan Street to Downtown Riverside Metrolink Station. The Panorama Road rail crossing is maintained by Union Pacific Railroad Company (UPRR), whereas the Cridge Street rail crossing

is maintained jointly by Burlington Northern Santa Fe Railway (BNSF), Southern California Regional Rail Authority (SCRRA, a.k.a. Metrolink), and UPRR.

The Public Works Department continues to work with the respective rail agencies to finalize the agreements for the Cridge Street crossing. The agreements are integrated as BNSF owns and maintains the three (3) easterly tracks, the easterly gates, and warning devices; and SCRRA owns and maintains the most westerly track. UPRR owns and maintains the westerly gates and warning devices. As a result, for the Cridge Street rail crossing, the City is required to enter into a separate agreement with each party. The Public Works Department anticipates returning to the City Council by the third quarter of 2021 to approve these agreements.

The Public Works Department has negotiated the attached agreement (Attachment 2) with UPRR for the construction of the crossing improvements needed to establish a Quiet Zone at Panorama Road. The agreement outlines each party's obligations during and after the construction of the improvements. Under the terms of the agreement:

1. UPRR, at the City's sole cost and expense, will furnish all labor, materials, tools and equipment to remove the existing vehicular and pedestrian warning devices (two gate mechanisms, each) and install four (4) new vehicular gate mechanisms (two entrance gates and two exit gates), and two (2) pedestrian gate mechanisms;
2. Install new crossing surface (concrete panels) for the pedestrian/bicycle crossing; and
3. City, at its sole cost and expense, shall construct all street improvements consisting of construction of a concrete sidewalk on the south side of the crossing, construction of concrete curbs and gutters, installation of fencing and emergency pedestrian exit gate systems at both sides of the pedestrian/bicycle crossing, repaving of the road for approximately 100-feet on each side of the crossing, and traffic signing and striping.

The installation of the new vehicular and pedestrian warning devices and the crossing surface improvements by UPRR are estimated to cost \$667,767 and railroad flagging is estimated to cost \$31,000. Additionally, upon the execution of the agreement, City shall pay UPRR the sum of \$28,500 for a 3,667 square-foot street easement required for the new crossing improvements, as well as \$18,530 for the City's share of the annual inspection and maintenance costs (subject to annual increase) of the additional active warning devices installed by UPRR.

Construction of the Panorama Road to Cridge Street Quiet Zone corridor is expected to start in early 2022 and last approximately four 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.

### **FISCAL IMPACT:**

The immediate fiscal impact is \$745,617. Sufficient funds are available in the Measure A Capital Outlay Fund under project account numbers 9593432-440312 – BNSF/UP QZ-Panorama/Cridge and 9593430-440313 – BNSF/UP QZ-Panorama/Cridge to execute the railroad agreement. The annual signal maintenance fee of \$18,530, subject to an annual rate increase based on the American Association of Railroad's (AAR) signal unit cost index, will be included in budget submissions for future fiscal years.

Prepared by:	Kris Martinez, Public Works Director
Certified as to availability of funds:	Edward Enriquez, Chief Financial Officer/City Treasurer
Approved by:	Rafael Guzman, Assistant City Manager
Approved as to form:	Kristi Smith, Interim City Attorney

Attachments:

1. Location Map
2. UPRR Agreement