

M e m o r a n d u m

To: CHAIR AND COMMISSIONERS

CTC Meeting: October 19-20, 2016

Reference No.: 4.4
Action

From: SUSAN BRANSEN
Executive Director

Subject: **ADOPTION OF THE 2016 HIGHWAY RAILROAD CROSSING SAFETY ACCOUNT PROGRAM**

ISSUE:

Should the California Transportation Commission (Commission) adopt the proposed Proposition 1B 2016 Highway Railroad Crossing Safety Account (HRCSA) Program?

RECOMMENDATION:

Commission staff recommends that the Commission adopt the proposed Proposition 1B 2016 HRCSA Program as provided in Attachment 1.

BACKGROUND:

Proposition 1B, approved by the voters in November 2006, authorized the issuance of \$19.925 billion in State general obligation bonds for specific transportation programs, including \$250 million to fund the HRCSA Program. The HRCSA Program is divided into the following two parts:

Part 1 – Comprised of \$150 million which shall be made available for allocation to projects on the priority list established by the California Public Utilities Commission (PUC) pursuant to the process established in Chapter 10 (commencing with Section 2450) of Division 3 of the Streets and Highways Code, with two exceptions: (1) a dollar for dollar match of non-state funds shall be provided for each project, and (2) the \$5 million maximum in Section 2454 shall not apply to HRCSA funds.

Part 2 – Comprised of the remaining \$100 million which shall be made available to high-priority railroad crossing improvements, including grade separation projects, that are not part of the process established in Chapter 10 (commencing with Section 2450) of Division 3 of the Streets and Highways Code. Projects identified in Part 2 may include any of the following:

- (a) Crossings where freight and passenger rail share the affected rail line.
- (b) Crossings with a high incidence of motor vehicle-rail or pedestrian-rail collisions.
- (c) Crossings with a high potential for savings in rail and roadway traffic delay.
- (d) Crossings where an improvement will result in quantifiable emission benefits.
- (e) Crossings where the improvement will improve the flow of rail freight to or from a port facility.

At the August 2016 Commission meeting, Commission staff identified \$2.706 million in HRCSA fund savings available for programming: \$0.555 million for Part 1 and \$2.151 million for Part 2. Commission staff also presented the four project nominations received by the July 1, 2016 deadline. The four nominations requested HRCSA funds totaling \$23.971 million. Staff recommendations were posted on the Commission's website September 16, 2016 and program applicants were informed by phone of the Commission staff's recommendations for the HRCSA Program.

Commission staff along with a representative from the California Department of Transportation reviewed the nominations in accordance with the HRCSA Guidelines. Only one project, the Durfee Avenue Grade Separation, was reviewed for the Part 1 HRCSA funding due to the requirement of being on the PUC priority list. All nominations were reviewed for the Part 2 HRCSA funding as allowed for in the approved HRCSA Guidelines. The nominations for Part 2 were reviewed for their effectiveness in providing safety, operational, capacity, and emission reductions benefits.

Based on the evaluation of each nomination, Commission staff recommend the full \$2.706 million of available HRCSA funding be programmed to the Durfee Avenue Grade Separation Project.

Attachment 1 – 2016 Highway Railroad Crossing Safety Account Staff Recommendation

Attachment 2 – Resolution GS1B-P-1617-01

Attachment 3 – Local Agency Letters

Highway Railroad Crossing Safety Account
 2016 Program Staff Recommendation
 (Dollars in Thousands)

Recommend for Programming								
County	Nominated By	Project Name	PUC List	Enviro. Clearance	Const. Start	Total Project	HRCSA Request	HRCSA Staff Recommendation
Los Angeles	ACE Construction Authority	Durfee Avenue Grade Separation Project	Yes	Jul-14	Oct-17	\$ 78,381	\$ 6,000	\$ 2,706
		Total Recommended for Programming - Part 1						\$ 555
		Total Recommended for Programming - Part 2						\$ 2,151
		Total Recommended for Part 1 and Part 2						\$ 2,706
		Available Funding						\$ 2,706
		Remaining Balance						\$ -

Not Recommended for Programming								
San Bernardino	San Bernardino Associated Governments	Redlands Passenger Rail Project	No	Mar-15	Jun-17	\$ 23,600	\$15,371	\$ -
Los Angeles	Southern California Regional Rail Authority	MacDevitt Street Grade Crossing Safety Improvements	No	Sep-16	May-17	\$ 1,686	\$ 1,092	\$ -
Los Angeles	Southern California Regional Rail Authority	Merced Avenue Grade Crossing Safety Improvements	No	Mar-17	Nov-17	\$ 2,313	\$ 1,508	\$ -

CALIFORNIA TRANSPORTATION COMMISSION
Adoption of 2016 Proposition 1B
Highway-Railroad Crossing Safety Account (HRCSA) Program

RESOLUTION GS1B-P-1617-01

- 1.1 WHEREAS the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by voters as Proposition 1B on November 7, 2006, includes \$250 million for the Highway-Railroad Crossing Safety Account (HRCSA) Program to fund the completion of high-priority grade separation and railroad crossing safety improvements, and
- 1.2 WHEREAS the Proposition 1B provides that HRCSA funds are available, upon appropriation by the Legislature, to the Department of Transportation (Department), as allocated by the California Transportation Commission (Commission), and
- 1.3 WHEREAS the HRCSA program includes \$150 million under Government Code Section 8879.23(j)(1), described in the Commission's guidelines as Part 1, for projects on the priority list established by the Public Utilities Commission (PUC) pursuant to the process established in Chapter 10 (commencing with Section 2450) of Division 3 of the Streets and Highways Code, and
- 1.4 WHEREAS the HRCSA program includes \$100 million under Government Code Section 8879.23(j)(1), described in the Commission's guidelines as Part 2, for high-priority railroad crossing improvements that are not part of the PUC priority list process, and
- 1.5 WHEREAS the Commission, at its April 9, 2008 meeting, adopted the HRCSA Guidelines (Resolution GS1B-G-0708-01) for the initial HRCSA Program, and
- 1.6 WHEREAS in accordance with the HRCSA Guidelines, every two years the HRCSA Program will be updated and funds not allocated or savings generated from the savings at award will be available for reprogramming, and
- 1.7 WHEREAS the Commission at its May 18-19, 2016 meeting, updated the HRCSA Guidelines (Resolution GS1B-G-1516-01) to establish the schedule for the 2016 programming process and to instruct agencies to submit nominations by July 1, 2016, and
- 1.8 WHEREAS all other provisions of the HRCSA Guidelines adopted by the Commission on April 9, 2008 remain in effect, and
- 1.9 WHEREAS for the 2016 HRCSA Program, \$2.706 million is available for reprogramming, \$0.555 million for Part 1 and \$2.151 million for Part 2, and
- 1.10 WHEREAS the Commission received four project nominations requesting \$23.971 million in HRCSA funding by the deadline of July 1, 2016, and

- 1.11 WHEREAS Commission staff has reviewed and evaluated the project nominations consistent with the criteria set forth in the adopted HRCSA guidelines, and
- 1.12 WHEREAS the Commission held a public hearing on August 18, 2016, received comments and testimony on nominated projects, and
- 1.13 WHEREAS Commission staff released its recommendation on September 16, 2016, to program \$2.706 million to one project eligible for funding under Part 1 and Part 2,
- 2.1 NOW THEREFORE BE IT RESOLVED that the Commission adopts the Durfee Avenue Grade Separation project into the Highway-Railroad Crossing Safety Account (HRCSA) 2016 Program, and
- 2.2 BE IT FURTHER RESOLVED that the project's approved HRCSA funding is to be considered a "not to exceed amount" and that any increase in project cost is the responsibility of the nominating agency, and
- 2.3 BE IT FURTHER RESOLVED that the Commission expects the California Department of Transportation and nominating agencies to execute a project baseline agreement that sets forth the project scope, measurable expected performance benefits, delivery schedule, and estimated costs and funding plan. The baseline agreement shall be signed by the Director of the California Department of Transportation and nominating agency executive directors, and
- 2.4 BE IT FURTHER RESOLVED that the Commission requires that the baseline agreement include quantification of expected benefits related to the effectiveness of the proposed project and the degree in which the project reduces corridor or air basin emissions, and that these benefits be updated at the time the HRCSA allocation is requested, and
- 2.5 BE IT FURTHER RESOLVED that the Commission expects the nominating agency to provide a local board resolution that commits the funding identified in the project agreement and funding plan, and
- 2.6 BE IT FURTHER RESOLVED that the Commission may delete a project from the adopted HRCSA program for which a baseline agreement is not executed within 90 days of program adoption, and the Commission will not consider approval of project allocations prior to the execution of the baseline agreement, and
- 2.7 BE IT FURTHER RESOLVED that the Commission expects the Department of Transportation will ensure that allocation requests in HRCSA funding conform with and contain all elements required in a Section 190 allocation request including, but not limited to, a PUC order to construct, railroad agreement, certification of environmental clearance, General Plan of the project, including profiles and typical sections, and
- 2.8 BE IT FURTHER RESOLVED that the Commission requires the implementing agencies and the Department of Transportation to meet the requirements of Government Code Section 8879.23(j)(1), as added by Proposition 1B, and to Government Code Section 8879.50, as enacted through implementing legislation in 2007 (Senate Bill 88 and Assembly Bill 193), and
- 2.9 BE IT FURTHER RESOLVED that the Commission requires the implementing agencies and the Department of Transportation to adhere to the California Transportation Commission's HRCSA Guidelines and Accountability Implementation Plan.



Samuel Gutierrez, Interim Director of Public Works

Reference No.: 4.4
October 19-20, 2016
Attachment 3

July 13, 2016

Susan Bransen
Executive Director
California Transportation Commission
1120 N Street
Sacramento, CA 95814

Re: Support for Highway-Railroad Crossing Safety Account Grant Request for MacDervitt Street and Merced Avenue Crossings in Baldwin Park

Dear Ms. Bransen:

I am writing to support the request to fund grade crossing improvements at two crossings located near a number of K-12 schools, MacDervitt Street and Merced Avenue, both in the City of Baldwin Park.

There are 38 commuter trains and six freight trains that transverse these crossings daily, making them some of the busiest crossings on the Metrolink system. With children and adults moving actively near these crossings daily, I cannot overstate the importance of installing safety enhancements as soon as possible. The City stands ready to cover the difference between state funds awarded and the cost of installing these improvements.

The constructions of the treatments at both crossings, which will focus on pedestrian safety, have a total construction cost of \$3.65 million. We understand that there is approximately \$2.6 million available in your current call for projects under the Proposition 1B Highway-Railroad Crossing Safety Account grant program. The City will provide the additional \$1.05 million. This represents a 40% match to the state funds.

The City will also fund the design costs which are not eligible under this program. That totals \$0.35 million for both crossings. With our contribution of \$1.4 million, we stand in full support of the request for \$2.6 million from the Southern California Regional Rail Authority, project applicant.

On behalf of the City, I strongly urge the Commission to fund fully this request.

Sincerely,

A handwritten signature in blue ink that reads 'Samuel Gutierrez'.

Samuel Gutierrez

Interim Director of Public Works
City of Baldwin Park

From: Shannon Yauchzee [<mailto:SYauchzee@baldwinpark.com>]

Sent: Tuesday, September 20, 2016 12:14 PM

To: Bransen, Susan@DOT <susan.bransen@dot.ca.gov>; Finman@MajesticRealty.com

Cc: Sam Gutierrez <SGutierrez@baldwinpark.com>; Robert Tafoya <Robert.Tafoya@tafoyagarcia.com>; Cruz Baca <CBaca@baldwinpark.com>; Manuel Lozano <MLozano@baldwinpark.com>; Susan Rubio <SRubio@baldwinpark.com>; Monica Garcia <Monica_Garcia@baldwinpark.com>; Ricardo Pacheco <RPacheco@baldwinpark.com>

Subject: Award of Grant for Metrolink Safety Improvements at Merced and McDevitt

Honorable Commissioners Yvonne Brathwaite Burke and Fran Inman,

I write to you to plead that you consider and approve Metrolink (SCRRA) safety improvements grants in Baldwin Park on Merced and McDevitt. These are important safety improvements in the community and region. They are close to schools and major roads. Everyday school children can be seen crossing these locations. These projects will help improve conditions in Baldwin Park a City in need of more economical, environmental and social justice. The amount requested is relatively small compared to the increases in safety and quality of life to our schools, students and residents of the region. We understand the projects are in the final recommendations cut but may be cut due to a larger project designed to help the movements of goods to our ports which is an important issue, but should not an issue overshadow safety around schools and neighborhoods especially given the reasonable costs of the improvements. We understand a final decision is due this week and ask you to approve these grants.

Shannon Yauchzee



Shannon Yauchzee | CEO / City Manager

City of Baldwin Park | [14403 E. Pacific Avenue, CA 91706](http://14403.E.Pacific.Avenue.CA.91706)

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From: mike gutierrez [<mailto:gogutie66@yahoo.com>]

Sent: Monday, September 26, 2016 9:54 AM

To: Bransen, Susan@DOT <susan.bransen@dot.ca.gov>

Cc: Finman@MajesticRealty.com; SYauchzee@baldwinpark.com; Manuelbpm99@yahoo.com; [Monica Garcia@baldwinpark.com](mailto:MonicaGarcia@baldwinpark.com); SGutierrez@baldwinpark.com; Ricardo Pacheco <amsenergy@yahoo.com>; Cruz Sembello <cruzsembello@hotmail.com>; Angelica Hernandez <angelica.hernandez@sen.ca.gov>; Annie Fox <annie@lavoice.org>

Subject: Award of Grant for Metrolink Safety Improvements at Merced and McDevitt

Honorable Commissioners Yvonne Brathwaite Burke and Fran Inman,

I am writing as the Pastor of the largest church in Baldwin Park (10000 families) and many of them use that road on Merced and McDevitt. I ask that you please the safety improvements grants for Baldwin Park. In the summer, Metrolink met with LA Voice and parishioners at the church and this was promised to them as well as noise reduction. I was at the meeting too and the residents deserve the improvements they were told they would receive. As a matter of social justice and safety, I ask you to do the right thing and approve the grant.

Sincerely

Fr. Michael D. Gutierrez

Pastor

St. John the Baptist Catholic Church

Baldwin Park