

AGENDA ITEM NO.

COUNCIL MEETING

APPROVED BY

DEPARTMENT DIRECTOR

CITY MANAGER

October 2, 2007

FROM: PATRICK N. WIEMILLER, Director   
Public Works Department

BY: SCOTT L. MOZIER, PE, TE, Interim City Engineer/Assistant Director   
Public Works Department, Engineering Division

SUBJECT: ADOPT A RESOLUTION NOMINATING HERNDON AND SHAW AVENUES AT  
THE UNION PACIFIC RAILROAD MAINLINE TRACKS FOR AN ALLOCATION  
FROM THE 2008-2009 AND 2009-2010 STATE GRADE SEPARATION FUND

#### KEY RESULT AREA

Public Safety and Customer Service

#### RECOMMENDATION

It is recommended that the Council:

1. Adopt the attached Resolution nominating Herndon and Shaw Avenues at the Union Pacific Railroad Company mainline tracks for an Allocation from the 2008-2009 and 2009-2010 State Grade Separation Fund.
2. Authorize the Public Works Director or his designee to execute and submit the nominations to the California Public Utilities Commission (CPUC) on behalf of the City.

#### EXECUTIVE SUMMARY

The City of Fresno has planned for many years to grade separate Herndon Avenue and Shaw Avenue from the Union Pacific Railroad tracks. On July 16, 2007, the CPUC advised all local agencies that the deadline to submit nominations for the State's Grade Separation Fund Priority Ranking List for the 2008-09 and 2009-10 fiscal years would be Friday, October 19, 2007. The list is utilized to award funding for Section 190 Grade Separation funds set aside each year by the State Legislature. Staff has also been advised that the list will be utilized to award Proposition 1B funding earmarked for railroad grade separations. Both of these crossings were previously nominated in 1991, 1993, and 1995. The Herndon Avenue and Shaw Avenues crossings at the UPRR tracks have previously been ranked No. 10 and No. 21, respectively. It is through this process that the Shaw/Marks/BNSF grade separation funds were obtained by the City. Staff recommends that both locations be nominated. Of all the existing grade crossings in Fresno, these two possess the vehicular and train volumes, as well as the crossing delay and

## Report to the City Council

### Adopt a Resolution Nominating Herndon and Shaw Avenues at Union Pacific Mainline Tracks for Allocation

October 2, 2007

Page 2

accident history to merit re-nomination. If the crossings rank high on the State-wide list, staff will return to Council with a proposed funding plan for consideration and approval by the Council.

#### **KEY OBJECTIVE BALANCE**

The recommendations provide for Financial Management, Employee Satisfaction and Customer Satisfaction. Financial Management will be achieved through obtaining State funding to combine with local funds for a critical infrastructure improvement. Employee Satisfaction will be achieved by receiving authorization from the Council to pursue grant funding. Customer Satisfaction will be achieved by improving public safety, reducing congestion and improving air quality.

#### **BACKGROUND**

Every two (2) years the State Legislature allocates \$15,000,000 in Grade Separation Funds to Caltrans Division of Rail and the CPUC to eliminate at-grade railroad crossings throughout the state. The PUC establishes a priority list of projects nominated by local agencies, considering such factors as blocking delay, vehicle and pedestrian accidents, crossing geometrics, school and passenger busses, hazardous materials trucks and trains, and project cost.

The State is also going through the appropriations process for components of the Proposition 1B bond funds. The State has already made allocations for other components of the Proposition 1B program such as the \$1 billion SR-99 earmark, the Corridor Mobility Infrastructure Account (CMIA) and traffic synchronization. Various reports from the State indicate that the new CPUC State-wide priority list will be utilized to make allocations for the Proposition 1B Grade Separation funds as well. If the City of Fresno is not on the new list, it is possible based on discussions with the State that the entire \$150 million in Proposition 1B funding would be allocated to other agencies.

Each project is eligible for an allocation of 80% of the project costs not to exceed \$5,000,000 while the local agency and the affected railroad must each provide a 10% match. The cost estimate for the Herndon Avenue and Shaw Avenue crossings of the UPRR mainline tracks is \$32.9 million and \$24.7 million, respectively. The Council should understand that making these nominations implies the City's commitment and intention to proceed with the projects upon an allocation of State funds.

Both of these crossings were previously nominated in 1991, 1993, and 1995. The Herndon Avenue and Shaw Avenues crossings at the UPRR tracks have previously been ranked No. 10 and No. 21, respectively. It is through this process that the Shaw/Marks/BNSF grade separation funds were obtained by the City. The Herndon and Shaw crossings ranked high enough that the CPUC approached the City in 1995 when the agencies with higher-ranked crossings could not provide the necessary matching funds. The City of Fresno was only able to provide matching funds for the Shaw/BNSF and Marks/BNSF crossings and was not able to proceed at that same time with the Herndon and Shaw/UPRR projects. With this in mind, staff believes that the crossings would again score well based on State scoring criteria and that the timing is right to submit the nominations.

**Report to the City Council**

**Adopt a Resolution Nominating Herndon and Shaw Avenues at  
Union Pacific Mainline Tracks for Allocation**

October 2, 2007

Page 3

Staff has hired the professional engineering firms of Nolte Associates and Mark Thomas & Co, to prepare the nomination applications for the Herndon Avenue and Shaw Avenue crossings, respectively. Both firms have extensive experience and a record of many successfully completed grade separation projects. Each firm has been instructed to develop the most feasible and least costly concept with special emphasis on minimal negative impact on adjacent development and public convenience if funding is provided and construction is authorized by the State.

The City Attorney's Office has reviewed and approved the attached resolution nominating these two projects to receive State Grade Separation funds.

**FISCAL IMPACT**

If these projects are nominated for State Grade Separation funds they become eligible for funding 80% of project costs up to \$5 million for a single allocation, or potentially up to \$20 million for multi-year special funding consideration. The City of Fresno will be responsible for at least 10% of project costs. Staff estimates the City's overall funding commitment to be in the range of \$12 million to \$17 million for each location, for design and construction of the respective grade separation structures. If selected, staff would develop, for Council consideration, a detailed funding plan for the selected project(s) utilizing a combination of Measure C, developer impact fees, gas tax and Federal transportation funds.

PW/SLM/DC/eam  
Adopt Reso Nomin Herndon-Shaw UPRR Mainline 10-2-07

Attachment: Resolution  
Conceptual Layouts

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,  
CALIFORNIA, APPROVING THE NOMINATION OF CERTAIN  
PROJECTS FOR STATE GRADE SEPARATION FUNDS

WHEREAS, the California Public Utilities Commission (CPUC) has advised the City that nominations for projects to be funded for the 2008-2009 and 2009-2010 fiscal years from State Grade Separation Funds are due in the CPUC office no later than October 19, 2007; and

WHEREAS, the CPUC advises that nominated projects should be approved by Resolution of the governing body of the local agency; and

WHEREAS, the Council desires to nominate the following projects for State Grade Separation Funds: 1) Grade Separation at Shaw Avenue and the Union Pacific Railway tracks and 2) Grade Separation at Herndon Avenue and the Union Pacific Railway tracks.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO AS FOLLOWS:

1. Approve the nomination of the following projects for State Grade Separation Funds and authorize the Public Works Director to submit the nominations to the CPUC: 1) Grade Separation at Shaw Avenue and Union Pacific Railway tracks, 2) Grade Separation at Herndon Avenue and Union Pacific Tracks.

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CLERK'S CERTIFICATE

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) SS  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

REBECCA E. KLISCH  
City Clerk

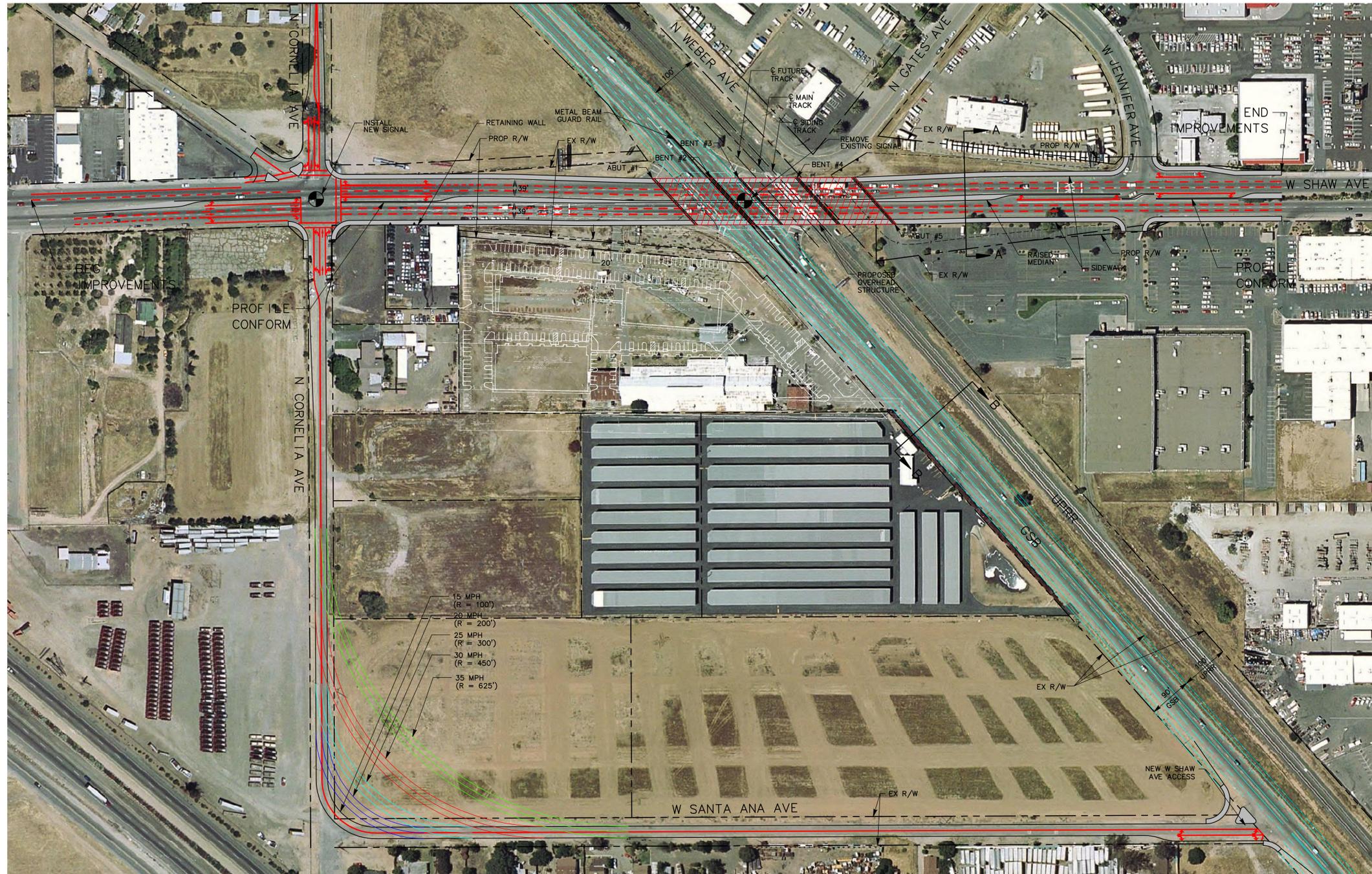
BY \_\_\_\_\_  
Deputy

APPROVED AS TO FORM

JAMES C. SANCHEZ  
CITY ATTORNEY

BY:     R         8-18-07      
Robert R. Coyle, Deputy

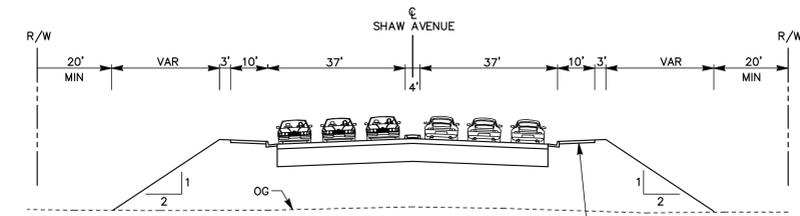
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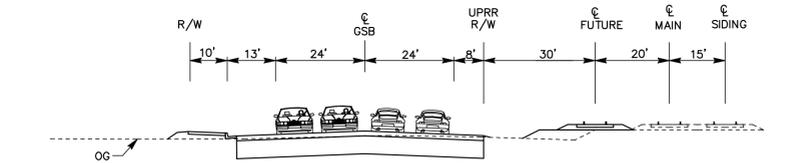
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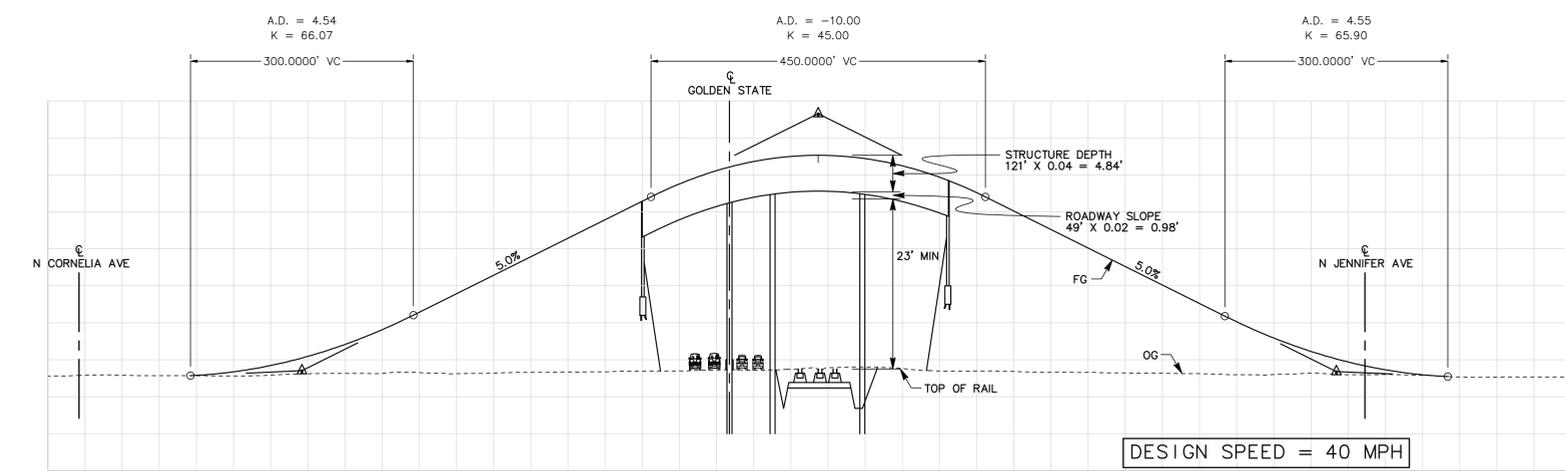
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**SECTION A-A**  
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COMBINED SIDEWALK/  
BICYCLE PATH (BOTH SIDES)



**SECTION B-B**  
NOT TO SCALE (ULTIMATE GSB)

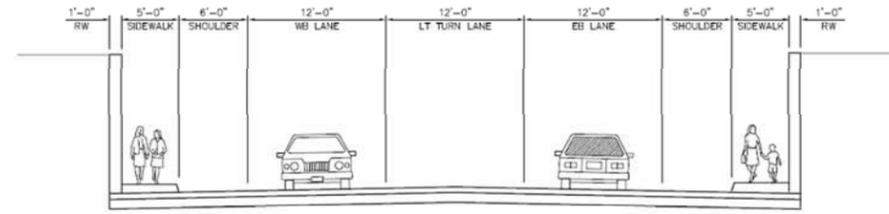


**W SHAW AVE PROPOSED PROFILE**  
SCALE = 1:100 HOR  
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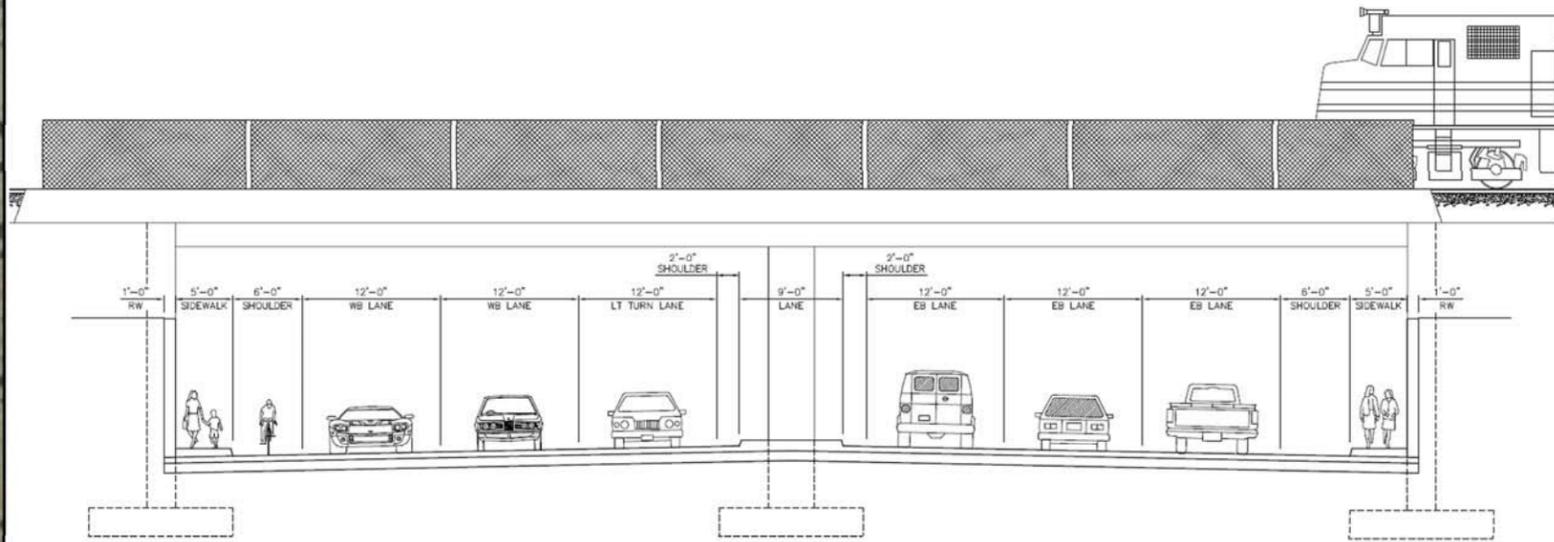


**MARK THOMAS & COMPANY, INC.**  
Providing Engineering, Surveying and Planning Services  
BY: JEFF NETTLETON DATE: 09-14-07

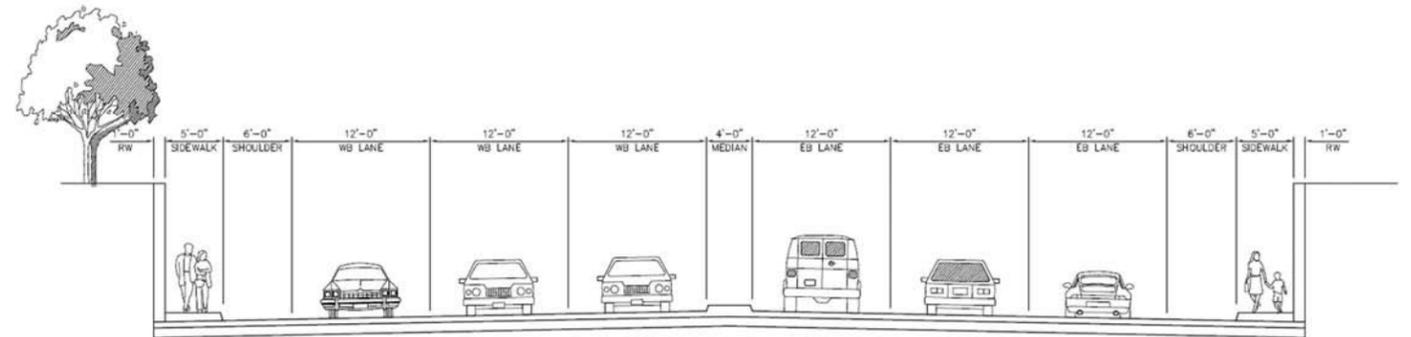
**W SHAW AVENUE / UPRR  
GRADE SEPARATION  
ALTERNATIVE 3 - PLAN AND PROFILE**



**TYPICAL SECTION  
(GOLDEN STATE BLVD)**



**SECTION  
(HERNDON AVE • RAILWAY UNDERPASS)**



**TYPICAL SECTION  
(HERNDON AVE)**

**HERNDON AVENUE  
GRADE SEPARATION**  
CITY OF FRESNO