



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** John Ristow

**SUBJECT:** RAILROAD MAINTENANCE  
AGREEMENT

**DATE:** March 6, 2019

Approved

Date

3-8-19

**COUNCIL DISTRICT: 6**

## RECOMMENDATION

Approve the Railroad Maintenance Agreement with the Peninsular Corridor Joint Powers Board (JPB) for the grade crossing improvements at West Virginia Street and at Auzerais Avenue.

## OUTCOME

Approval of the Maintenance Agreement will establish the City's maintenance responsibilities for the grade crossing improvements.

## BACKGROUND

On January 4, 2018, the JPB Board of Directors approved a \$1.6M contract with Granite Rock Company for construction of the Grade Crossings Improvement Project (Project). The scope of this Project is to improve the safety at fifteen grade crossing locations along the Caltrain corridor from San Francisco to San José. Improvements within the City of San José limits included new median islands, pavement striping and signage at both West Virginia Street and Auzerais Avenue. These medians are required by the Federal Railroad Administration and are intended to create a barrier that discourages vehicles from driving around the down crossing gates.

## ANALYSIS

The Maintenance Agreement is a standard agreement that establishes the understandings and agreements relating to construction and maintenance of the median islands. Under the terms of the Maintenance Agreement, JPB funded all costs related to the design and construction of the Project and upon completion of the improvements, the City will accept maintenance responsibilities of the median islands located within the public right of way. The Maintenance

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Agreement also outlines the requirements for the City to access JPB right of way if the necessary maintenance or repair work requires any encroachment within 15 feet of the nearest rail track.

### **EVALUATION AND FOLLOW-UP**

No additional follow up action with the Council is expected at this time.

### **PUBLIC OUTREACH**

On August 21, 2018, prior to the start of median island construction, JPB distributed construction notices to the residents and businesses located within a 300-ft radius of the project site. This memorandum will be posted on the City's Council Agenda website for the March 19, 2019 Council Meeting.

### **COORDINATION**

This memorandum and the agreements have been coordinated with the Planning, Building and Code Enforcement Department, Budget Office and the City Attorney's Office.

### **COMMISSION RECOMMENDATION/INPUT**

No commission recommendation or input is associated with this action.

### **COST SUMMARY/IMPLICATIONS**

There are no direct City costs associated with the actions in this memo. These medians will not require routine maintenance by the City. Costs could be incurred to repair any damage to the medians, but those costs would be one-time in nature and expected to be able to be absorbed with existing operations and maintenance funding in the Department of Transportation General Fund non-personal/equipment appropriation.

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**CEQA**

Peninsula Corridor Electrification Program Final Environmental Impact Report (SCH #2013012079), File No. PP16-061

/s/

JOHN RISTOW

Acting Director of Transportation

For questions, please contact Jessica Zenk, DOT Interim Deputy Director, at (408) 535-3543.