



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: September 13, 2016

Subject: Public Highway At-Grade Crossing Agreement with Union Pacific Railroad, Byron area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute the Public Highway At-Grade Crossing Agreement (Agreement) with Union Pacific Railroad Company (UPRR) (SCH:2015042014) for the construction, use, maintenance and repair of an at-grade crossing over Camino Diablo for the Byron Highway - Camino Diablo Intersection Improvements Project, Byron area. Project No.: 0662-6R4094, Federal Project No.: HSIPL 5928 (117) (District III)

FISCAL IMPACT:

23% Highway Safety Improvement Program Grant Funds, 17% Measure J Return to Source Funds, 48% Local Road Funds and 12% East County Regional Area of Benefit Funds.

BACKGROUND:

Contra Costa County received HSIP funds to improve the Byron Highway and Camino

☒ APPROVE ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/13/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 13, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Kevin Emigh,
925-313-2233

cc:

Diablo Intersection which includes construction of a traffic signal pavement widening,
ADA

BACKGROUND: (CONT'D)

compliant pedestrian facilities, railroad crossing improvements and drainage improvements. On June 9, 2015, the County Board of Supervisors approved the Byron Highway - Camino Diablo Intersection Improvement Project and adopted the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Plan in Compliance with the California Environmental Quality Act.

The County currently holds a Highway Roadway Easement, which was granted by instrument dated November 19, 1934 by the Southern Pacific Company. The proposed project improvements will extend beyond the limits of the existing Highway Roadway Easement. The improvements consist of pavement widening, new sidewalk, concrete track panels, new traffic signal, preemption upgrades to the at-grade crossing and placement of minor fill and culvert extensions.

The purpose of the agreement between the County and UPRR is to allow for the construction, use and future maintenance of improvements within UPRR right of way. To complete the Project as planned, the County must enter into said Agreement to facilitate the construction of roadway improvements across railroad facilities at Byron Highway and Camino Diablo Road intersection. The conditions include a payment of a \$21,259.00 fee for the rights to construct, maintain and repair improvements within UPRR right of way and payment for work to be performed by UPRR to upgrade crossing operations equipment as a result of the project.

CONSEQUENCE OF NEGATIVE ACTION:

The project will not have sufficient land rights to allow construction in accordance with the approved plans and specifications.