



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: December 6, 2016

Subject: Approve and Authorize the Longitudinal Pipeline Agreement with Union Pacific Railroad, Byron area.

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### **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute the Longitudinal Pipeline Agreement (Agreement) with Union Pacific Railroad Company (UPRR) for the construction, use, maintenance and operation of one underground 18 inch longitudinal pipeline for transporting and conveying storm water at 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 Diablo Intersection, which includes construction of a traffic signal pavement widening, ADA compliant pedestrian facilities, railroad crossing improvements and drainage

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **12/06/2016** ☒ 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: December 6, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Kevin Emigh, (925)  
313-2233

cc:

improvements. On June

### BACKGROUND: (CONT'D)

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.

On September 13, 2016, the County Board of Supervisors approved the Public Highway At-Grade Crossing Agreement for the Byron Highway - Camino Diablo Intersection Improvement Project.

The purpose of the Longitudinal Pipeline Agreement between the County and UPRR is to allow for the construction, use and future maintenance of storm drain system under the tracks. To complete the Project as planned, the County must enter into said Agreement to facilitate the construction of the storm drain improvements across railroad facilities at Byron Highway and Camino Diablo Road intersection. The conditions include a payment of a \$5,000.00 fee for the rights to construct, maintain and repair the storm drain within UPRR right of way.

### CONSEQUENCE OF NEGATIVE ACTION:

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

### ATTACHMENTS

UPRR Agreement