

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND
AGENDA REPORT

2009 JAN 15 PM 5:25

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: January 27, 2009

RE: **A Report And Two Pieces Of Legislation:**

1) A Resolution Rescinding No. 80939 C.M.S. Adopted December 4, 2007, Which Will: 1) Restore Resolution No. 23515 C.M.S., Passed August 30, 1949, Which Granted A Revocable Permit For The Maintenance And Operation Of A Spur Track On And Across 23rd Avenue, 29th Avenue, Derby Street, Lancaster Street And Ford Street And Upon And Along Glascock Street Between 29th Avenue And Lancaster Street In The City Of Oakland ("Fruitvale Track"), And 2) Withdraw Previous Direction Regarding The Filing Of An Action For "Adverse Abandonment" Of The Fruitvale Track With The Department Of Transportation Surface Transportation Board, And

2) A Resolution Authorizing The City Administrator To Execute A Letter Of Understanding With The California Department Of Transportation ("Caltrans") To Close The Railroad Crossing At 5th Avenue, Known As The Hanlon Lead, Provided That Certain Railroad Safety And Community Improvements Are Implemented On And Around The Fruitvale Track With Funding Provided By Caltrans, All In Connection With Caltrans 5th Avenue Seismic Retrofit Project

SUMMARY

Two resolutions have been prepared for Council approval. The first resolution rescinds Resolution No. 80939, which was adopted by the Council on December 4, 2007, and the second resolution authorizes the City Administrator to execute a letter of understanding (LOU) with Caltrans.

The City Council revoked a 1949 permit for railroad operations and maintenance on a spur track along Glascock Avenue. This action would reinstate that permit in return for short-term safety improvements, long-term safety improvements and community improvements in the Glascock Avenue vicinity. The various improvements are outlined in Attachment A to this report.

Staff recommends approval of the two resolutions.

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FISCAL IMPACT

Execution of the LOU will allow the City to receive \$1,242,500 from Caltrans for community improvements to streets and sidewalks, as well as an estimated amount of \$129,750 for railroad crossing safety improvements in the City's jurisdiction, which will be implemented by the City. In addition, the LOU identifies an estimated amount of \$874,375 of railroad crossing improvements that will be installed within the railroad's jurisdiction.

There would be no adverse fiscal impact from the actions requested in this report. Caltrans will fund the improvements that are described in Attachment A.

BACKGROUND

Caltrans is retrofitting the 5th Avenue overcrossing of Interstate 880 to bring it up to modern seismic standards. Part of the project will include widening the roadway to allow shoulders. The project will require that Union Pacific railroad abandon the Hanlon Lead, a track running along Embarcadero. Union Pacific has customers, including ConAgra, that still require train service. Union Pacific plans to service those customers using the spur track along Fruitvale and Glascock Avenues. In 1949, the City of Oakland granted a revocable permit for train operations along the Glascock spur. The City Council revoked that permit in December of 2007.

KEY ISSUES AND IMPACTS

The basic agreement will have Caltrans fund the required safety improvements required by the California Public Utilities Commission (CPUC) in order to use the Glascock spur. In addition, Caltrans will agree to fund a series of public improvements along the spur track as outlined in Attachment A.

SUSTAINABLE OPPORTUNITIES

Economic: None identified at present.

Environmental: None identified at present.

Social Equity: None identified at present.

DISABILITY AND SENIOR CITIZEN ACCESS

The street and sidewalk improvements outlined in this report will improve disabled and senior access in the area.

RECOMMENDATION(S) AND RATIONALE

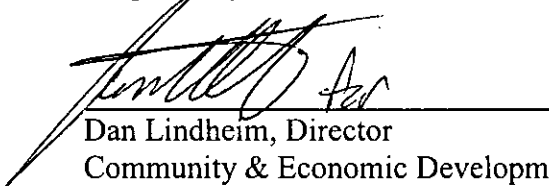
Staff recommends that the City Council adopt the resolution restoring the revocable permit and rescinding the direction to pursue the adverse abandonment action, and adopt the resolution authorizing the City Administrator to execute a Letter of Understanding with Caltrans to fund certain short term safety, long term safety and community improvements along the Glascock spur track.

ACTION REQUESTED OF THE CITY COUNCIL

That the City Council:

- 1) Adopt the resolution to restore the 1949 revocable permit; and
- 2) Rescind the direction to pursue an abandonment action on the Glascock spur; and
- 3) Adopt the resolution authorizing the City Administrator to execute a Letter of Understanding with Caltrans to fund certain short term safety, long term safety and community improvements along the Glascock spur track.

Respectfully submitted,

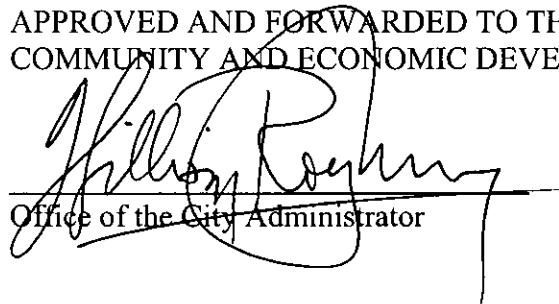


Dan Lindheim, Director
Community & Economic Development Agency

Reviewed by:
Michael J. Neary, P.E.
Deputy Director
Community & Economic Development Agency

Prepared by:
Wladimir Wlassowsky, P.E.
Transportation Services Division

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:



Office of the City Administrator

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ATTACHMENT A

**Near and Long Term CPUC Recommended and
Additional Related Improvements**

And

Community Requested Improvements

Exhibit A

NEAR AND LONG TERM CPUC RECOMMENDED AND ADDITIONAL RELATED IMPROVEMENTS*

		COST	IMPLEMENTING AGENCY	
			CITY	OTHERS
Near Term CPUC Recommended Improvements:				
1 East 7th Street				
1	Remove Tree		X	
1a	Trim Tree	\$ 1,000.00	X	
2	Install limit line & stop sign	\$ 600.00	X	
3	Install additional street lamp	\$ 1,000.00	X	
4	Remove or pave over track	\$ 7,500.00		X
5	Relocate stop limit line at T-intersection	\$ 600.00	X	
6	Relocate stop limit line near Fruitvale Av	\$ 600.00	X	
7	Install red curb	\$ 500.00	X	
8	Install KEEP CLEAR markings	\$ 2,000.00	X	
9	Install W 10-1 advance marking sign	\$ 500.00		X
10	Install W 10-3 advance marking sign	\$ 500.00		X
11	Install DO NOT STOP ON TRACKS sign	\$ 500.00	X	
12	Install STOP sign and Crossbuck	\$ 1,000.00		X
13	Stop northbound train	\$ -		X
14	Maintain vegetation in UPRR RW			X
15	Remove billboards (UPRR Property)	\$ 2,000.00		X
2 Lancaster St at Glascock St				
1	Install KEEP CLEAR markings	\$ 2,000.00	X	
2	Modify hatch marking	\$ 2,000.00	X	
3	Install Crossbuck sign (R15-1)	\$ 500.00		X
4	Remove tree		X	
4a	Curb Gutter Sidewalks 45 ft	\$ 9,000.00	X	
5	Maintain trees along Lancaster St		X	
6	Enforce parking prohibitions	\$ -	X	
7	SB/WB trains stop @ Glascock	\$ -		X
8	Install K-rail		-	X
9	Install Crossbuck	\$ 500.00		X
10	Remove south spur track	\$ 43,750.00		X
11	Maintain Crossbuck signs			X
3 Derby Ave at Glasscock St				
1	Install & maintain RXR pavement markings	\$ 1,000.00	X	
2	Install W10-1 sign	\$ 500.00		X

Exhibit A

NEAR AND LONG TERM CPUC RECOMMENDED AND ADDITIONAL RELATED IMPROVEMENTS*

		COST	IMPLEMENTING AGENCY	
			CITY	OTHERS
4 Estero Way				
1	Assign DOT#			X
2	Post DOT# on Crossbuck			X
5 Peterson Street				
1	Install & maintain W10-1 sign	\$ 1,500.00		X
2	Install & maintain STOP sign	\$ 500.00	X	
3	Remove or trim vegetation (8ea)			
4	Remove tree		X	
5	No parking sign	\$ 500.00	X	
6 29th Ave (NB) and 23rd Ave (SB)				
1a	Install street lamps (west of 23rd Av)	\$ 10,000.00	X	
1b	Install street lamps (Between 23rd & 29th Av)	\$ 15,000.00	X	
2	Install hatch markings & red curb	\$ 2,000.00	X	
3	Install KEEP CLEAR markings	\$ 2,000.00	X	
4A	Raise traffic painted traffic island	\$ 6,000.00	X	
5A	LED pre-emption sign 23rd Avenue	\$ 6,000.00	X	
6A	Install R61 sign	\$ 600.00	X	
7A	No Ped crossing signs	\$ 1,200.00	X	
8A	Refresh pavement markings Kennedy	\$ 1,000.00	X	
9A	No Left Turn sign	\$ 600.00	X	
10	Stop train before crossing 23rd/29th Ave.			X
11	Reconfigure Park St Triangle	see Exhibit B	X	
12	Install train activated amber flashers	\$ 125,000.00		X
13	Relocate bus stop	\$ 25,000.00	X	
14	Provide railroad preemption of the traffic signals	\$ 20,000.00		X
15	Install railroad crossing pre-signal	\$ 340,000.00		X
16	Install flashing light signals on OH cantilevers	\$ 50,000.00		X
8 Dennison Street				
1	Repaint & Maintain STOP limit line	\$ 600.00	X	
2	Install hatch &/or KEEP CLEAR markings		X	
3	Trim trees	\$ 2,000.00	X	
4	Remove Tracks Connecting to Hanlon Lead	\$ 106,250.00		X
5	Stop E/B train prior to crossing			X
Subtotal		\$ 793,300.00	\$ 92,800.00	\$ 699,500.00
Contingency @ 25%		\$ 198,325.00	\$ 23,200.00	\$ 174,875.00
TOTAL-NEAR TERM IMPROVEMENTS		\$ 991,625.00	\$ 116,000.00	\$ 874,375.00

Exhibit A

NEAR AND LONG TERM CPUC RECOMMENDED AND ADDITIONAL RELATED IMPROVEMENTS*

		COST	IMPLEMENTING AGENCY	
			CITY	OTHERS
Long Term CPUC Recommended Improvements:				
1 East 7th Street				
1	Remove driveway		X	-
2	Remove tank		X	-
3	Track realignment		-	X
4	Install automatic warning devices		-	X
3 Derby Ave at Glasscock St				
1	Install curb, gutter & sidewalk	\$ 10,000.00	X	
2	Enforce parking prohibitions	\$ -	X	
5 Peterson Street				
1	Install red curb	\$ 1,000.00	X	
	Subtotal	\$ 11,000.00		
	Contingency @ 25%	\$ 2,750.00		
	TOTAL-LONG TERM IMPROVEMENTS	\$ 13,750.00	\$ 13,750.00	\$ -

GRAND TOTAL	\$ 1,005,375.00	\$ 129,750.00	\$ 874,375.00
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* This itemized list prepared by the City of Oakland and Caltrans represents all of the recommended improvements in the CPUC Meeting Notes (distributed Aug. 9, 2008) and further related improvements recommended by the City of Oakland's independent traffic study. The City has determined that this list represents all of the itemized improvements necessary for concurrence with Caltrans' application to the CPUC for modification of the Hanlon Lead Track, except those items indicated by strike out font, which the City deems to be unnecessary.

EXHIBIT B

COMMUNITY REQUESTED IMPROVEMENTS

		Unit	Qty	Amount	Description of Work
A SIDEWALKS AND SHOULDER WORK					
1	Lancaster St/Chapman	FT	520	\$ 320,000.00	WORK INCLUDES SIDEWALKS 8' TO 10' WITH PLANTER AREAS THROUGHOUT, CURB AND GUTTER, NEW DRAINAGE, AND SECTIONS OF ROADWAY REPAIR
2	Glasscock St	FT	560	\$ 112,000.00	WORK INCLUDES SIDEWALKS 8' TO 9' WITH PLANTER AREAS THROUGHOUT, CURB AND GUTTER, MAY REQUIRE A NEW INLET AND CONNECTION
3	Peterson St	FT	40	\$ 8,000.00	WORK INCLUDES 8' SIDEWALK CURB AND GUTTER AT APPROACH TO INTERSECTION
4	Derby Ave	FT	220	\$ 44,000.00	WORK INCLUDES SIDEWALKS 8' TO 9' WITH PLANTER AREAS THROUGHOUT, CURB AND GUTTER, MAY REQUIRE A NEW INLET AND CONNECTION
5	Fruitvale Avenue	FT	1100	\$ 258,000.00	WORK INCLUDES SIDEWALKS 8', CURB AND GUTTER, REPLACEMENT OF EXISTING DRAINAGE INLETS, MINOR GRADING AND ROADWAY WORK NEAR ALAMEDA AVENUE AND ONE INLET.
6	East 7th Street	FT	160	\$ 32,000.00	WORK INCLUDES SIDEWALKS 8' TO 10', CURB AND GUTTER, MINOR GRADING AND ROADWAY REPAIR AROUND RAILROAD TRACKS.
B REPLACE FENCE ALONG FRUITVALE LEAD					
1	Replace fence 300 ft.	LS	1	\$ 15,000.00	
2	Repair adjoining property fences	LS	1	\$ 5,000.00	
C PARK STREET TRIANGLE					
1	Project Development	LS	1	\$ 250,000.00	Park Street Triangle Study
		SUB TOTAL		\$ 1,044,000.00	
Contingency		25%		\$ 198,500.00	(DOES NOT INCLUDE PARK STREET TRIANGLE STUDY - \$250K)
Total Community Requested Improvement				\$ 1,242,500.00	



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_____ This report was previously distributed. A copy is available in the Office of the City Clerk (1st floor) for review.

_____ Attachments for this item are too voluminous to be included in the packet and placed on the web. The attachments are available in the Office of the City Clerk on the (1st floor) for review.

_____ No written material was submitted.

_____ Agenda item number(s) not used.

_____ This item was printed separately and is included elsewhere in the agenda packet.

 x Other: No legislation submitted.

LATONDA SIMMONS
City Clerk and
Clerk of the City Council

Item 7

Date JAN 27 2008

**COMMUNITY & ECONOMIC
DEVELOPMENT CMTE**