

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

806A



**FROM:** TLMA - Transportation Department

**SUBMITTAL DATE:**  
March 22, 2011

**SUBJECT:** Amendment No.1 to the Railroad License Agreement between Riverside County Transportation Commission (RCTC) and the County of Riverside for railroad grade crossing improvements at Sherman Road, just south of State Highway 74, in the City of Menifee.

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the attached Amendment No. 1 to the Railroad License Agreement between Riverside County Transportation Commission and the County of Riverside, and;
2. Authorize the Chairman of the Board to execute the Amendment on behalf of the County of Riverside.

**BACKGROUND:** The Railroad License Agreement was approved by the Board of Supervisors

\_\_\_\_\_  
Juan C. Perez  
Director of Transportation

Patricia Romo  
Deputy Director of Transportation

DT:dt  
(Continued On Attached Page)

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/2011

<b>SOURCE OF FUNDS:</b> West County DIF Signal Mitigation Fund (100%)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE  
BY:   
Tina Grande

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
BY: SYNTIA M. GUNZEL 3-4-11  
DATE: SYNTIA M. GUNZEL  
Managerial Consultance

Dept't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

**Prev. Agn. Ref.** 8/9/05, Item 3.48 | **District:** 5 | **Agenda Number:**

**3.30**

The Honorable Board of Supervisors

RE: Amendment No.1 to the Railroad License Agreement between Riverside County Transportation Commission (RCTC) and the County of Riverside for railroad grade crossing improvements at Sherman Road, just south of State Highway 74, in the City of Menifee.

March 22, 2011

Page 2 of 2

on August 9, 2005 for improving the railroad grade crossing at Sherman Road. Since then, the scope of the improvements has expanded in order to meet Caltrans and Railroad's requirements. The proposed amendment will make the Railroad License Agreement current by replacing Exhibit B of the Railroad License Agreement with a new Exhibit B to reflect the current design plans.

The railroad grade crossing improvement at Sherman Road will be constructed as part of the Economic Development Agency (EDA) Romoland Beautification project. This project is being constructed in four separate phases as follows:

Phase I – Full construction of Trumble Rd from Highway 74 to Mapes Rd (completed)

Phase IB – Highway 74 at I-215 Interchange Landscaping (completed)

Phase II – Highway 74 curb, gutter, sidewalk, street trees and bus turnouts from Trumble Rd to Antelope Rd, Traffic Signal at Sherman Rd, and Sherman Rd crossing improvements.

Phase III – Highway 74 curb, gutter, sidewalk, street trees and bus turnouts from Antelope Rd to Palomar Rd and traffic signal at Palomar Rd (this phase is within the City of Menifee)

Phase II and III are being constructed concurrently and construction was started in November 2010.

This Railroad License Agreement will allow the contractor to construct the improvements at the Sherman Road grade crossing and complete Phase II of the beautification project.

The proposed railroad grade crossing improvements include widening the existing 56-ft wide Sherman Road grade crossing to 112-ft, providing additional travel lanes and raised median on Sherman Road, new crossing gates, and warning lights on the curbed shoulders and median to improve traffic capacity and safety. The railroad grade crossing gates and warning lights will be synchronized with a new traffic signal at Sherman Road and SH-74, as part of the Economic Development Agency (EDA) Phase II Romoland Beautification construction project, allowing motorists to clear the railroad tracks safely and efficiently when trains approach the crossing.

Project No. A5-0220

**AMENDMENT NO. 1 TO  
RIVERSIDE COUNTY TRANSPORTATION COMMISSION  
RAILROAD LICENSE AGREEMENT**

**1. PARTIES AND DATE**

This Amendment No. 1 to the Railroad License Agreement is made and entered into this \_\_\_ day of \_\_\_\_\_, 2010 by and between the RIVERSIDE COUNTY TRANSPORTATION COMMISSION ("Licensor") and the RIVERSIDE COUNTY TRANSPORTATION DEPARTMENT ("Licensee").

**2. RECITALS**

2.1 The Licensor and the Licensee entered into that certain Railroad License Agreement (Agreement No. 04-51-949) dated August 9, 2005 for the purpose of Licensor granting Licensee a revocable, non-exclusive license in Licensor's right of way and over Licensor's railroad track to construct Street Improvements, as defined in such Railroad License Agreement (Agreement No. 04-51-949) ("Master Agreement").

2.2 The Licensor has determined that the Street Improvements performed by the Licensee under the Master Agreement differ from what was originally anticipated in the Master Agreement as set forth in Exhibit "B" to the Master Agreement.

2.3 The Licensor and the Licensee now desire to amend the Master Agreement by deleting, in its entirety, Exhibit "B" to the Master Agreement and replacing it with a new Exhibit "B" so that the Street Improvements actually performed are in conformance with the design plans set forth in the Master Agreement.

**3. TERMS**

3.1 Exhibit "B" to the Master Agreement shall be deleted in its entirety and replaced with Exhibit "B" attached to this Amendment No. 1 and incorporated herein by reference. The Street Improvements shall be performed in accordance with the design plans set forth in Exhibit "B".

3.2 Except as amended by this Amendment No. 1, all provisions of the Master Agreement, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the parties under this Amendment No. 1.

**[Signatures on the following page]**

**SIGNATURE PAGE TO**  
**AMENDMENT NO. 1 TO**  
**RIVERSIDE COUNTY TRANSPORTATION COMMISSION**  
**RAILROAD LICENSE AGREEMENT**


IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 on the date first herein above written.

**RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION**

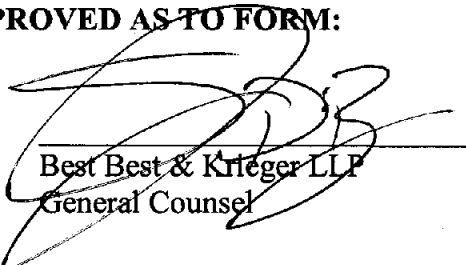
**COUNTY OF RIVERSIDE**

By: \_\_\_\_\_  
Anne Mayer, Executive Director

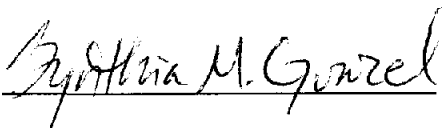
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Chairman, Board of Supervisors

By:  \_\_\_\_\_  
Name: Patricia Romo  
Deputy Director of Transportation  
Director of Transportation

**APPROVED AS TO FORM:**

By:  \_\_\_\_\_  
Best Best & Krieger LLP  
General Counsel

**APPROVED AS TO FORM:**

By:  \_\_\_\_\_  
Name: **SYNTHIA M. GUNZEL**, Deputy  
County Counsel

ATTEST:

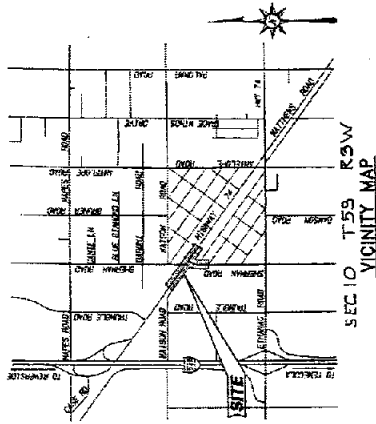
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Clerk of the Board

**Exhibit "B"**

**Design Plans**

**[See attached behind this cover page]**

# COUNTY OF RIVERSIDE TRAFFIC SIGNAL AND SIGNING & STRIPING PLANS FOR HIGHWAY 74 IMPROVEMENTS BETWEEN TRUMBULE ROAD AND ANTELOPE ROAD



### GENERAL NOTES:

- ALL WORK TO BE PERFORMED AND ALL WORK TO BE DONE SHALL CONFORM TO THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES (CALTRANS) AND THE CALIFORNIA STANDARD SPECIFICATIONS FOR TRAFFIC SIGNALS AND SIGNING (CALTRANS).
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTIFY ALL AFFECTED AGENCIES AND AGENCY COMPANIES A MINIMUM OF 48 HOURS PRIOR TO START OF CONSTRUCTION.
- WHERE WORK IS CARRIED BY THE CONTRACTOR'S EMPLOYEES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTIFY ALL AFFECTED AGENCIES AND AGENCY COMPANIES A MINIMUM OF 48 HOURS PRIOR TO START OF CONSTRUCTION.
- ALL WORKING SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES (CALTRANS) AND THE CALIFORNIA STANDARD SPECIFICATIONS FOR TRAFFIC SIGNALS AND SIGNING (CALTRANS).
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### TRAFFIC SIGNAL NOTES:

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER FIELD LOCATIONS OF ALL SIGNALS AND EQUIPMENT PRIOR TO INSTALLATION.
- ALL SIGNALS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR TRAFFIC SIGNALS AND SIGNING (CALTRANS).
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### SIGNING AND STRIPING GENERAL NOTES:

- ALL TRAFFIC SIGNALS, SIGNAGE, MARKERS AND SIGNAGE SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.
- ALL STRIPING AND MARKING SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES (CALTRANS) AND THE CALIFORNIA STANDARD SPECIFICATIONS FOR TRAFFIC SIGNALS AND SIGNING (CALTRANS).
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### CONSTRUCTION NOTES

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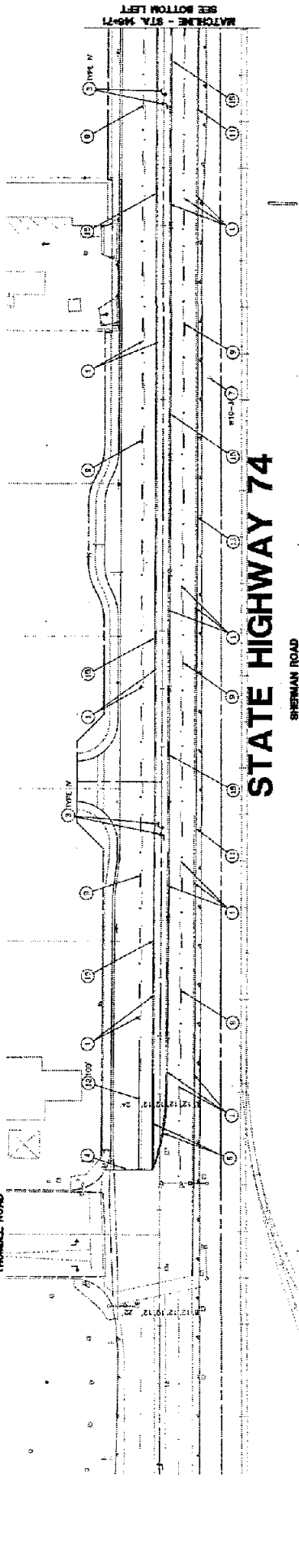


### INDEX OF SHEETS

SHT NO.(S)	DESCRIPTION
1	TRAFFIC SIGNAL AND SIGNING & STRIPING PLANS
2	TRAFFIC SIGNAL AND SIGNING & STRIPING PLANS
3	TRAFFIC SIGNAL AND SIGNING & STRIPING PLANS

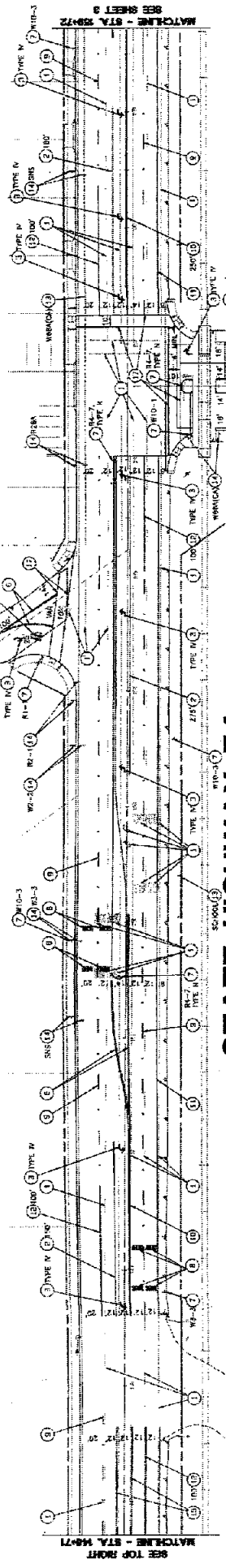
	<b>SEAL-COUNTY</b> COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT APPROVED BY: <i>Alan F. ...</i> DATE: 5-25-10 R.C.E. NO. 45702 E.P. 12-31-10 UNEXPIRED		<b>SEAL-ENGINEER</b> CIVIL ENGINEERS COUNTY OF RIVERSIDE 1735 HIGHWAY 97 RIVERSIDE, CA 92506 PHONE: (951) 708-1828 FAX: (951) 708-1828 R.C.E. NO. 082078 EXPIRES DATE: 8-31-11	<b>BENCHMARK</b> SEE STREET IMPROVEMENT PLANS TITLE SHEET	US 1715 COUNTY OF RIVERSIDE TRAFFIC SIGNAL AND SIGNING PLANS TITLE SHEET SHEET NO. <b>1</b> OF 4 SHEETS
SCALE: 1" = 40'-0" AS SHOWN N/A COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT DATE: 5-25-10					

TRAMBLE ROAD



# STATE HIGHWAY 74

SHERMAN ROAD



# STATE HIGHWAY 74

- CONSTRUCTION NOTES**
1. SHOWN AND NOTED CONSTRUCTION SHALL BE AS SHOWN.
  2. APPLY INTERPOLATED CURVE DATA FOR CURVING STAMPS PER PLAN NO. 1000, REV. 12.
  3. APPLY INTERPOLATED CURVE DATA FOR CURVING STAMPS PER PLAN NO. 1000, REV. 12.
  4. APPLY INTERPOLATED CURVE DATA FOR CURVING STAMPS PER PLAN NO. 1000, REV. 12.
  5. APPLY INTERPOLATED CURVE DATA FOR CURVING STAMPS PER PLAN NO. 1000, REV. 12.
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19. APPLY INTERPOLATED CURVE DATA FOR CURVING STAMPS PER PLAN NO. 1000, REV. 12.
20. APPLY INTERPOLATED CURVE DATA FOR CURVING STAMPS PER PLAN NO. 1000, REV. 12.



**NOTE:** COUNTY ENGINEER'S REVIEW OF THIS PLAN IS LIMITED TO THE TECHNICAL ASPECTS OF THE DESIGN AND CONSTRUCTION OF THE ROADWAY. THE ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF THE COUNTY.

APPROVAL	DATE	COUNTY
ENGINEER		
REVISIONS		

SEAL-COUNTY

TRANSPORTATION DEPARTMENT

APPROVED BY: *John F. [Signature]* DATE: 5-25-10

SCALE: 1" = 40'

DATE: 5-25-10

SEAL-ENGINEER

WEBB ASSOCIATES

CIVIL ENGINEERS

3078 PASCAL ST.

ANIMESVILLE, GA 30511

PREPARED BY: *[Signature]* DATE: 5-25-10

BENCHMARK: SEE STREET IMPROVEMENT PLANS

SCALE: 1" = 40'

R.C.E. NO. 055202

EXP. DATE 6-30-11

CUSTOMS PERMIT No. 09-08-04-05-0773

COUNTY OF RIVERSIDE

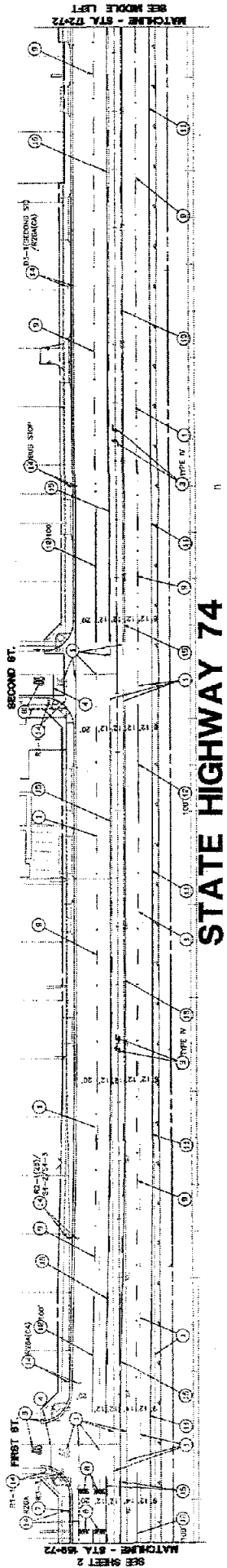
SHERMAN ROAD AND STAMPA PLAN

STATE HIGHWAY 74

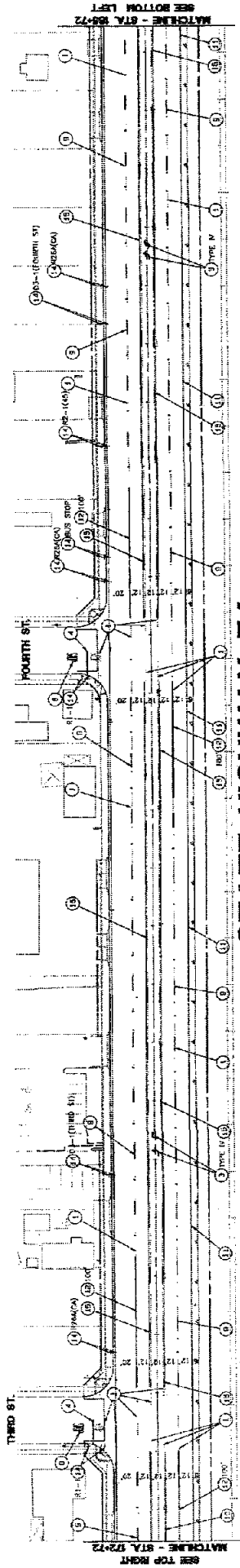
TRAMBLE ROAD TO SHERMAN ROAD

SHEET NO. 2

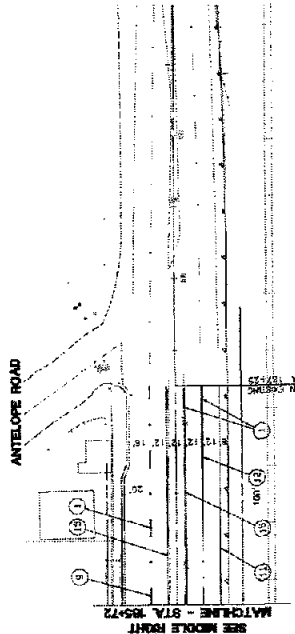
OF 2 SHEETS



# STATE HIGHWAY 74



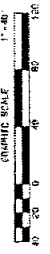
# STATE HIGHWAY 74



- CONSTRUCTION NOTES**
1. SURVEY AND PLANS CORRECTING ERRORS AND/OR AMENDMENTS AS SHOWN.
  2. APPLY DIMENSIONS TO SOLID WHITE LINE FOR CALTRANS STD PLAN NO. 242C.
  3. RECALL SIGN (SHOWING SIZE OR AS INDICATED) FOR THE 2008 CALIFORNIA M.U.D.C.
  4. APPLY DIMENSIONS TO SOLID WHITE LINE FOR CALTRANS STANDARD PLAN NO. 421C.
  5. APPLY DIMENSIONS TO WHITE LINE LINE TYPE FOR CALTRANS STD PLAN NO. 242C, ITEM 12.
  6. APPLY DIMENSIONS TO 1/4" DOUBLE YELLOW STRIP FOR CALTRANS STD PLAN NO. 420A, ITEM 12.
  7. APPLY DIMENSIONS TO 1/4" SOLID WHITE STRIP FOR CALTRANS STD PLAN NO. 420A, ITEM 12B.
  8. APPLY DIMENSIONS TO 1/4" SOLID WHITE LINE STRIP AT INTERSECTION APPROACH AS SHOWN.
  9. REMOVE EXISTING ROADWAY SIGN AND/OR POST AS SHOWN.
  10. APPLY DIMENSIONS TO 1/4" SOLID WHITE LINE FOR CALTRANS STANDARD PLAN NO. 420A, ITEM 12.

**DIG ALERT**  
 NO WORKING SHALL BE PERMITTED UNTIL THE SIGN HAS BEEN POSTED.  
 A SIGN SHALL BE POSTED AT THE POINT OF BEGINNING OF THE WORK.  
 THE SIGN SHALL BE MAINTAINED THROUGHOUT THE WORK.  
 THE SIGN SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE WORK.

# STATE HIGHWAY 74



COUNTY OF RIVERSIDE COUNTY ENGINEERS 3700 ACADY ST. RIVERSIDE, CA 92503 TEL: (951) 953-1070 FAX: (951) 788-1599		SHEET NO. <b>3</b> OF 3 SHEETS	
SEAL-COUNTY 		SEAL-ENGINEER 	
TRANSPORTATION DEPARTMENT PROJECT NO. 5-25-10 DATE: 12-31-10 REVIEWED: [Signature] DATE: 12-31-10		BENCHMARK: SEE STREET INTERSECTION PLANS	
COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT PROJECT NO. 5-25-10 DATE: 12-31-10 REVIEWED: [Signature] DATE: 12-31-10		SCALE: 1" = 40' V: N/A	
PROJECT NO. 5-25-10 DATE: 12-31-10		FOR: RALEDA NO. 01-0292 FILE NO.	
CALTRANS PERMIT NO. 08-06-R-02-0776			

SEE TOP RIGHT  
 MATCHLINE - STA. 19-72  
 SEE BOTTOM LEFT  
 MATCHLINE - STA. 19-72  
 SEE MIDDLE LEFT  
 MATCHLINE - STA. 19-72  
 SEE MIDDLE RIGHT  
 MATCHLINE - STA. 19-72



