

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



ITEM
3.33
(ID # 6925)

MEETING DATE:
Tuesday, June 5, 2018

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Approval of Amendment No 1 to the Maintenance Agreement for Perris Valley
Line Grade Crossings between Southern California Regional Rail Authority and
the County of Riverside for Maintenance of Existing Railroad Grade Crossings.
Districts 1 and 2; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 1 to Maintenance Agreement for Perris Valley Line Grade Crossings between Southern California Regional Rail Authority (SCRRA) and the County of Riverside for Maintenance of Existing Railroad Grade Crossings in the County of Riverside; and
2. Authorize the Chairman of the Board of Supervisors to execute the same.

ACTION: Policy

Patricia Romo, Director of Transportation 5/8/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: June 5, 2018
xc: Transp.

Kecia Harper-Ihem
Clerk of the Board

By 
(Deputy)

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On April 26, 2016, the Board of Supervisors approved the maintenance agreement (Agenda item 3-27) between the County of Riverside Transportation Department (County) and Southern California Regional Rail Authority (SCRRA) to define the roles and responsibilities for needed maintenance at and near subject railroad grade crossings. The agreement specified that SCRRA will maintain at each crossing area, up to two feet beyond the rails of each track, all warning devices, swing gates, warning tactile strips, striping and any fencing and hand railing for pedestrians. Within unincorporated County locations, the Transportation Department is responsible for removal of vegetation within county crossing easements or public street rights of way near crossing areas, and maintenance of street improvements within crossing areas. The County also maintains the Poarch Road at-grade emergency crossing gates and their associated equipment, signage and appurtenances.

The County and SCRRA would like to amend the existing contract to include provisions for maintenance of automatic warning devices at grade crossings. The County will not be responsible for costs, as SCRRA will be responsible for accepting and setting aside California Public Utilities Commission funds for the maintenance of the railroad crossing warning signals and signal controls.

Impact on Residents and Businesses

Residents and businesses will benefit from enhanced maintenance of the crossings within the public street right of way.


Additional Fiscal Information

This amendment to the construction and maintenance agreement between SCRRA and the County results in no cost to the County.

ATTACHMENTS:

SCRRA Amendment No 1

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



Gregory V. Priamos, Director County Counsel 5/16/2018

AMENDMENT NO. 1
To
MAINTENANCE AGREEMENT
For
PVL GRADE CROSSINGS

Between

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY
(SCRRA)

And the

COUNTY OF RIVERSIDE

For

MAINTENANCE OF EXISTING
RAILROAD GRADE CROSSINGS

In

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

AMENDMENT NO 1 TO MAINTENANCE AGREEMENT FOR PVL GRADE CROSSINGS

This Amendment No 1 to the Maintenance Agreement for PVL Grade Crossings is made and entered into on this _____ day of _____, 2018, by and between the COUNTY of Riverside, a public agency duly organized and existing under the laws of the State of California, hereinafter referred to as the "COUNTY", and the SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY, a joint powers authority existing under the laws of the State of California, hereinafter referred to as "SCRRA". SCRRA and the COUNTY may be referred to singly as "PARTY" and collectively as "PARTIES."

RECITALS

WHEREAS, the PARTIES entered into a Maintenance Agreement for the PVL Grade Crossings effective June 27, 2016 ("AGREEMENT") to outline the maintenance responsibilities for the PVL Grade Crossings within the COUNTY.

WHEREAS, the PARTIES now desire to enter into Amendment No. 1 to this existing AGREEMENT to include provisions for sharing in the cost of the maintenance of automatic warning devices at grade crossing(s) pursuant to the California Public Utilities Commission ("CPUC") Code §1202.2 and SCRRA reimbursement of the COUNTY's shared cost of the maintenance of automatic warning devices at grade crossing(s) pursuant to CPUC Code §1231.1 of the California State Statues.

AGREEMENT

In consideration of the promises and mutual understandings of the PARTIES hereto, SCRRA and the COUNTY agree as follows:

ARTICLE 3-COUNTY AGREES

Add ITEM 3.7 as follows; insert the following:

3.7 To share equally with SCRRA the maintenance cost of each railroad crossing warning signals and signal controls in accordance with CPUC Code §1202.2 of the California state statutes, except that COUNTY'S liability thereof shall be limited to such funds as may be set aside for allocation through the CPUC, pursuant to CPUC Code §1231.1, and except as otherwise provided herein.

SCRRA shall submit annual invoices to the CPUC for COUNTY's share of the maintenance costs of the railroad crossing warning signals and signal controls. SCRRA will accept such funds as may be set aside for allocation through the CPUC, pursuant to CPUC Code §1231.1 as COUNTY's share of the maintenance costs of the railroad crossing warning signals and signal controls.

COUNTY'S liability thereof shall be limited to the annual allocation from the CPUC, pursuant to CPUC Code §1231.1 for the maintenance costs of the railroad crossing warning signals and signal controls.

If the CPUC does not have sufficient funds set aside for COUNTY's share of the maintenance costs of the railroad crossing warning signals and signal controls pursuant to CPUC Code §1231.1 to allocate to SCRRA for these crossings, COUNTY will not be responsible for its share of or portion thereof of the maintenance costs of the railroad crossing warning signals and signal controls pursuant to CPUC Code §1231.1 This amendment to the Construction and Maintenance Agreement between SCRRA and County of Riverside, dated June 27, 2016, results in no direct cost to COUNTY for the maintenance of the railroad crossing warning signals and signal controls.

**SOUTHERN CALIFORNIA
REGIONAL RAIL AUTHORITY**

By: Arthur T. Leahy
Arthur T. Leahy
Chief Executive Officer

Date: 04/19/2018

COUNTY OF RIVERSIDE

By: Chuck Washington
Chuck Washington
Chairman, Riverside County Board of
Supervisors

Date: JUN 05 2018

APPROVED AS TO FORM:

By: Don O. Del Rio
Don O. Del Rio
General Counsel

Date: 4/19/18

APPROVED AS TO FORM:

By: Gregory P. Priamos
for Gregory P. Priamos
County Counsel

Date: 5/10/18

ATTEST:

Keelia Harper-Ihem Dated: JUN 05 2018
Keelia Harper-Ihem
Clerk of the Board (Seal).