

2.13 Grant Agreements and Resolutions for Consolidated Rail Infrastructure and Safety Improvements Grant Acceptance.

Recommendation:

(a) Accept and receive Consolidated Rail Infrastructure and Safety Improvements grant funds.

(b) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the grant agreements with the Federal Railroad Administration for the following:

(1) A federal contribution of 50% of the construction cost, not to exceed \$1,220,000, for the Bascom Avenue Queue Cutter Traffic Signal Project with a 50% local match; and

(2) A federal contribution of 75% of the project cost, not to exceed \$7,500,000, for the Monterey Road Grade Separations Project preliminary engineering and environmental with a 25% local match.

(c) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute an agreement with Santa Clara Valley Transportation Authority for the Bascom Avenue Queue Cutter Traffic Signal Project.

CEQA: Bascom Avenue Traffic Signal: Categorically Exempt, File No. ER23-009, CEQA Guideline Section 15301(c) Existing Facilities; Grade Separations Project: Statutorily Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies. Council Districts 2 and 6. (Transportation)



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Ristow

SUBJECT: SEE BELOW

DATE: April 15, 2024

Approved

Date

4/23/24

COUNCIL DISTRICT: 2, 6

**SUBJECT: GRANT AGREEMENTS AND RESOLUTIONS FOR CONSOLIDATED
RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS GRANT
ACCEPTANCE**

RECOMMENDATION

- (a) Accept and receive Consolidated Rail Infrastructure and Safety Improvements grant funds.
- (b) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the grant agreements with the Federal Railroad Administration for the following:
 - (1) A federal contribution of 50% of the construction cost, not to exceed \$1,220,000, for the Bascom Avenue Queue Cutter Traffic Signal Project with a 50% local match; and
 - (2) A federal contribution of 75% of the project cost, not to exceed \$7,500,000, for the Monterey Road Grade Separations Project preliminary engineering and environmental studies with a 25% local match.
- (c) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute an agreement with Santa Clara Valley Transportation Authority for the Bascom Avenue Queue Cutter Traffic Signal Project.

SUMMARY AND OUTCOME

On June 2, 2022, the Federal Railroad Administration announced over \$368 million in Consolidated Rail Infrastructure and Safety Improvements grant program funds were awarded to 46 projects, which included the Bascom Avenue Queue Cutter Traffic Signal Project and the Monterey Road Grade Separations Project (Grade Separations Project). The conditional award requires the City to execute the grant agreements to access federal funding.

BACKGROUND

In August 2021, the Federal Railroad Administration made nearly \$362 million in funding available through the Consolidated Rail Infrastructure and Safety Improvements grant program to fund projects that improve the safety, efficiency, and reliability of intercity passenger and

freight rail. The City of San José Department of Transportation submitted two applications to fund the construction of a queue cutter traffic signal on Bascom Avenue and fund the preliminary engineering and environmental studies to grade separate three rail crossings along Monterey Road at Skyway Drive, Branham Lane, and Chynoweth Avenue.

ANALYSIS

Bascom Avenue Queue Cutter Traffic Signal Project

The Consolidated Rail Infrastructure and Safety Improvements grant will fund the construction of a traffic signal at the Bascom Avenue Highway-Rail crossing on the Vasona railroad corridor. This will help reduce the risk of collision between vehicles on Bascom Avenue and trains on the Santa Clara Valley Transportation Authority (VTA)-owned Vasona corridor. Bascom Avenue serves approximately 44,000 vehicles daily and the Vasona corridor serves one freight train and 132 Light Rail trains daily.

The queue cutter traffic signal was identified to improve safety and prepare for the impacts to the roadway based on changes underway and planned for Bascom Avenue. These changes include a lane reduction on Bascom Avenue in both directions, a new traffic signal at Bascom Avenue and Pamilar Avenue about 400 feet from the rail crossing, and ongoing development along the corridor, including 600 residential units and 200,000 square feet of office space currently under construction at the northeast corner of the rail crossing. A traffic analysis performed by the City identified that, without the queue cutter traffic signal, these projects would generate vehicle queues that extend from Pamilar Avenue to the railroad tracks during peak hours.

The Consolidated Rail Infrastructure and Safety Improvements grant program also requires the City to comply with Title 49 United States Code § 22905(c)(1), requiring a written agreement with VTA, the railroad owner, stating the following:

- (1) City and VTA ensure the adequacy of infrastructure capacity to accommodate both existing and future freight and passenger operations.
- (2) VTA assures that collective bargaining agreements with its employees (including terms regulating the contracting of work) will remain in full force and effect according to their terms for work performed by the railroad on the railroad transportation corridor.
- (3) City assures that it and its agents will comply with liability requirements consistent with Title 49 United States Code § 28103.
- (4) City and VTA agree that VTA will not require, and the City will not compensate, VTA for use of the railroad rights-of-way used in the Bascom Avenue Queue Cutter Traffic Signal Project.

Monterey Road Grade Separations Project

The Consolidated Rail Infrastructure and Safety Improvements grant will fund the preliminary engineering and environmental studies necessary for a grade separation structure separating the three at-grade crossings at Skyway Drive, Branham Lane, and Chynoweth Avenue. All three crossings, on Union Pacific right-of-way, are adjacent to intersections with Monterey Road, a high-fatality corridor with over 33,000 vehicles daily and a history of fatality and injury crashes.

This project will generate preliminary engineering design and environmental clearance documents so that grade separation is ready for final design and construction as part of the California High-Speed Rail Project through the project area.

Climate Smart San José Analysis

The recommendation in this memorandum aligns with one or more Climate Smart San José energy, water, or mobility goals. These safety improvements will facilitate mobility choices other than single-occupancy, gas-powered vehicles and reduce vehicle miles traveled.

Table of Expenditures and Revenue by Fiscal Year

The following **table** outlines the estimated revenues and expenditures associated with the projects detailed in this memorandum, by fiscal year.

Grant Projects	2023-2024	2024-2025	2025-2026	2026-2027	Total
Bascom Avenue Queue Cutter Traffic Signal*	\$500,000	\$720,000	\$0	\$0	\$1,220,000
Monterey Road Grade Separation	\$0	\$5,825,000	\$4,175,000	\$0	\$10,000,000
Total	\$500,000	\$6,545,000	\$4,175,000	\$0	\$11,220,000
Revenue	\$0	\$2,750,000	\$5,470,000	\$500,000	\$8,720,000
Local Match	\$0	\$1,000,000	\$1,000,000	\$500,000	\$2,500,000
Total	\$0	\$3,750,000	\$6,470,000	\$1,000,000	\$11,220,000

*The local match and additional project costs are inclusive of the total \$1,220,000 and will be funded from the Quiet Zone appropriation from the Building and Structure Tax Fund as programmed in the 2025-2029 Proposed Capital Improvement Program.

EVALUATION AND FOLLOW-UP

Staff anticipates returning to City Council to report on Request for Proposal bids and award of contracts for construction of the Bascom Avenue Queue Cutter Traffic Signal Project and preliminary engineering and environmental studies for the Monterey Road Grade Separations Project. Progress on both projects will be reported to the Transportation and Environment Committee through annual reports on regional transportation funding, programs, and projects.

COST SUMMARY/IMPLICATIONS

The City was awarded up to \$8,720,000 in federal grant funds to complete the Bascom Avenue Queue Cutter Traffic Signal Project construction and the preliminary engineering and environmental studies for the Monterey Road Grade Separations Project. The total local match of \$2,569,000 is included in the grants reserve in the FY 2024-2028 Adopted Traffic Capital Improvement Program and the remaining \$1,151,000 is programmed in the Quiet Zone Appropriation. The Monterey Road Grade Separation Project budget has been programmed as part of the 2025-2029 Proposed Capital Budget. The operations and maintenance costs of the Bascom Avenue Queue Cutter Signal Project will be shared with the City of Campbell. After signal activation, Infrastructure Maintenance estimates needing approximately \$4,600 in ongoing funding for San José's share of this cost, which will be funded out of the General Fund budget. Because this is the City's first queue cutter traffic signal, the ongoing cost of operations and maintenance may be higher than estimated and may need to be adjusted in the future.

Projects	Grant		Local Match	
Bascom Avenue Traffic Signal	50%	\$1,220,000	50%	\$1,220,000
Monterey Road Grade Separations*	75%	\$7,500,000	25%	\$2,500,000
Total		\$8,720,000		\$3,720,000

*As stated above, this project has been programmed as part of the 2025-2029 Proposed Capital Improvement Program.

BUDGET REFERENCE

The table below identifies the fund and appropriations to fund the construction contract for the Bascom Avenue Queue Cutter Traffic Signal Project recommended as part of this memorandum.

Fund #	Appn #	Appn. Name	Total Appn	Budget Action	2023-2024 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
429	NEW	Bascom Avenue Traffic Signal	\$0	\$500,000	N/A	N/A
429	8308	Transportation Grants Reserve	\$4,900,000	(\$500,000)	963	06/20/2023, 30933

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, City Manager's Budget Office, and Planning, Building, and Code Enforcement Department.

HONORABLE MAYOR AND CITY COUNCIL

April 15, 2024

**Subject: Grant Agreements and Resolutions for Consolidated Rail Infrastructure and Safety Improvements
Grant Acceptance**

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PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the May 7, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Bascom Avenue Traffic Signal: Categorically Exempt, File No. ER23-009, CEQA Guideline Section 15301(c) Existing Facilities; Grade Separations Project: Statutorily Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

JOHN RISTOW

Director, Department of Transportation

For questions, please contact Zahir Gulzadah, Division Manager, at Zahir.Gulzadah@sanjoseca.gov or (408) 759-2129.