



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** DECEMBER 7, 2021

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** STEVE DANLEY, ACTING CITY MANAGER

**PREPARED BY:** MEG McWADE, PUBLIC WORKS DIRECTOR  
DEREK WIESKE, ACTING CITY ENGINEER / PRINCIPAL CIVIL ENGINEER  
JEROME JOAQUIN, SENIOR ADMINISTRATIVE ANALYST

**SUBJECT:** RAILROAD GRADE SEPARATION PROJECTS –  
COOPERATIVE AGREEMENT WITH ORANGE COUNTY  
TRANSPORTATION AUTHORITY AMENDMENT NO. 9

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### **SUMMARY**

As required by Orange County Transportation Authority (OCTA), the approval of Amendment No. 9 to Cooperative Agreement No. C-9-0576, between OCTA and the City, will finalize the funding plans for both State College Boulevard and Raymond Avenue Railroad Grade Separation Projects.

### **RECOMMENDATION**

Approve Amendment No. 9 to Cooperative Agreement C-9-0576 between OCTA and the City and authorize City Manager to execute and administer this amendment in a form approved by the City Attorney.

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statement:

- Infrastructure and City Assets.

### **FISCAL IMPACT**

As required by OCTA, Amendment No. 9 (and last amendment) to the cooperative agreement with OCTA will memorialize the final funding amounts for both State College and Raymond Grade Separation projects, for a combined projects' total of \$224,799,000, primarily funded with Federal and State funds obtained through OCTA. The State College

Boulevard project totals \$99,380,000, in which the City's total share for the project equaled \$6,458,000, which came from Proposition 42, Redevelopment Bonds, Master Plan of Arterial Highways and Public Works Fees. The City has fully completed its funding amount obligation with no additional City funding commitments required. The Raymond Avenue project costs total \$125,419,000. State and local grant funds fully funded this project with no City funds expended and no General Fund monies expended on either of these projects.

OCTA's M2 funds will reimburse very nominal expenditures remaining for both projects. The final funding amount already accounted for these nominal expenditures.

Amendment No. 9 finalizes the funding spending plan and reconciles both projects' expenditures against their project budgets, resulting in a total decrease of \$1,149,000 in actual expenditures for both projects against their project budgets. The budget decrease for the State College Boulevard project totals \$251,000, while the Raymond Avenue project budget decrease totals \$898,000.

## DISCUSSION

The City served as the lead agency for the design and construction of both Raymond Avenue and State College Boulevard Railroad Grade Separation Projects, traffic safety and circulation improvements. The City and OCTA jointly implemented both projects. The City approved the original cooperative agreement on October 20, 2009, with both agencies subsequently approving several amendments. The proposed amendment considered in this action will be the ninth and final amendment.

Construction of both projects started in June of 2014 and was completed in the spring of 2018. The completion of these two projects resulted in lowering the street grade underneath the BNSF railroad tracks which provides uninterrupted flow of traffic and rail service reducing vehicle idling and air pollution. Additionally, eliminating the at-grade crossings significantly improved safety. Trains no longer interact with vehicles, pedestrians and bicyclists, therefore eliminating emergency vehicle delays, pedestrians walking across train tracks and potential train-vehicle and train-pedestrian collisions.

Another indirect benefit resulting from the State College Boulevard project was the rehabilitation of Acacia Avenue between Commonwealth Avenue and Orangethorpe Avenue, which served as a detour route during the construction phase. The project's original scope and estimate did not include rehabilitation of Acacia Avenue. However, due to extensive efforts by staff to include this component in the scope, this project also funded the Acacia Avenue rehabilitation. Rehabilitation of Acacia Avenue between Commonwealth Avenue and Orangethorpe Avenue cost approximately \$612,000. The City did not expend funds for this improvement. Other indirect benefits worth noting included the installation of new traffic signals and storm drains within the project vicinity.

Although both projects were completed in 2018, closing out these projects extended for three years, which is typical for projects of this magnitude. Finalizing and reconciling project expenditures and budget required a great deal of coordination and cooperation between OCTA, State Department of Finance, Caltrans and Public Works Department and Administrative Services Department staff. Amendment No. 9 will finalize the spending plan, balance both projects' expenditures and budget and decrease the total

budget for both projects by \$1,149,000 based on actual expenditures. The decrease of budget for the State College Boulevard project totals \$251,000, while the budget decrease for Raymond Avenue project totals \$898,000.

The following provides Amendment and Project Budget information:

| State College Boulevard Grade Separation<br>Includes Amendment 9   |                     |
|--|---------------------|
| <b>Project Budget:</b>   | <b>\$92,371,212</b> |
| • <i>Local (Prop 42, Master Plan of Arterial Highways (MPAH), Redevelopment Bonds, Public Work Fees)</i> | 6,458,000           |
| • <i>Federal</i>   | 38,048,000          |
| • <i>State (Trade Corridors Improvement Fund)</i>  | 32,800,000          |
| • <i>OCSD (Orange County Sanitation District)</i>  | 3,482,000           |
| • <i>BNSF Railway (Burlington Northern Santa Fe)</i>   | 1,147,000           |
| • <i>TSSSDRA (Transit System Safety, Security &amp; Disaster Response Account)</i>                       | 1,985,000           |
| • <i>OCTA M2 Regional</i>  | 8,451,212           |
| <b>OCTA's Direct Funding</b>   | <b>\$7,008,788</b>  |
| <b>TOTAL FINAL PROJECT COSTS</b>   | <b>\$99,380,000</b> |

| Raymond Avenue Grade Separation<br>Includes Amendment 9                                   |                      |
|---|----------------------|
| <b>Project Budget:</b>  | <b>\$90,979,000</b>  |
| • <i>State (Trade Corridors Improvement Fund)</i>   | 10,400,000           |
| • <i>TSSSDRA (Transit System Safety, Security &amp; Disaster Response Account)</i>        | 7,403,000            |
| • <i>PTMISEA (Public Transportation Modernization, &amp; Service Enhancement Account)</i> | 51,523,000           |
| • <i>MWD (Metropolitan Water District)</i>  | 1,648,000            |
| • <i>BNSF Railway (Burlington Northern Santa Fe)</i>                                      | 700,000              |
| • <i>Surplus Property</i>   | 5,216,000            |
| • <i>OCTA M2 Regional</i>   | 14,089,000           |
| <b>OCTA's Direct Funding</b>  | <b>\$34,440,000</b>  |
| <b>TOTAL FINAL PROJECT COSTS</b>  | <b>\$125,419,000</b> |

The City Attorney's Office has reviewed and approved to form Amendment 9 to the Cooperative Agreement C-9-0576.

Attachments:

- Attachment 1 – Amendment No. 9 of Cooperative Agreement No. C-9-0576.
- Attachment 2 – Amendment No. 9 Revised Funding Schedule