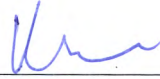


**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 2/9/2015**

<b>AGENDA ITEM:</b> Petition to the State Utilities & Transportation Commission – Railroad Crossing Improvements State Avenue 116 <sup>th</sup> Street NE to 136 <sup>th</sup> Street NE Corridor Improvements	
<b>PREPARED BY:</b> Patrick Gruenhagen, Project Manager	<b>DIRECTOR APPROVAL:</b> 
<b>DEPARTMENT:</b> Public Works - Engineering	
<b>ATTACHMENTS:</b> ⇒ Attachment 1: Aerial Photo – Proposed Crossing Improvements ⇒ Attachment 2: RCW 81.53.030, “Petition for Crossing – Hearing – Order” ⇒ Attachment 3: Petition to Construct or Reconstruct a Highway-Rail Grade Crossing	
<b>BUDGET CODE:</b> 30500030.563000 R1404	<b>AMOUNT:</b> \$0
<b>SUMMARY:</b>	

The City is now poised to move forward and advertise its *State Avenue 116th Street NE to 136th Street NE Corridor Improvement Project* for construction in a matter of weeks. Among other things, one key focus of the project will be to improve the at-grade rail crossing of State Avenue that is situated just to the north of 116<sup>th</sup> Street NE. Commonly referred to as the “Arlington Spur,” this crossing will be widened from three (3) lanes to five (5) lanes, consistent with the City’s own work to the north and south. (See Attachment 1)

In order for this work to proceed, two conditions must first be met. First, the City must enter into an agreement with BNSF Railway Company — an item that is being brought forward separately and concurrently for City Council consideration. Second, pursuant to RCW 81.53.030, enclosed herein as Attachment 2, the City must successfully “petition” the Washington State Utilities and Transportation Commission (“UTC”) to gain its approval for the crossing improvements.

Public Works staff have met and coordinated with UTC representatives in order to brief them on the City’s plans, and understand that the proposed crossing improvements are perceived to be acceptable, and in the public interest. Accordingly, staff recommends that Council authorize the Mayor to sign the enclosed petition (Attachment 3) so that it can be passed on to UTC for further processing and final approval.

<b>RECOMMENDED ACTION:</b> Staff recommends that Council authorize the Mayor to sign the attached Petition to Construct or Reconstruct A Highway-Rail Grade Crossing.
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# Attachment 1

## Proposed City of Marysville Improvements to State Avenue / "Arlington Spur" Grade Crossing

Railroad Milepost 0.17



State Avenue to be Widened  
Eastward from 3 lanes (existing) to  
5 lanes + sidewalk

Crossing Surface to be Extended  
Eastward to Accommodate Widening

Existing RR Cantilever  
to be Relocated

**RCW 81.53.030****Attachment 2****Petition for crossing — Hearing — Order.**

Whenever a railroad company desires to cross a highway or railroad at grade, it shall file a written petition with the commission setting forth the reasons why the crossing cannot be made either above or below grade. Whenever the legislative authority of a county, or the municipal authorities of a city, or the state officers authorized to lay out and construct state roads, or the state parks and recreation commission, desire to extend a highway across a railroad at grade, they shall file a written petition with the commission, setting forth the reasons why the crossing cannot be made either above or below grade. Upon receiving the petition, the commission shall immediately investigate it, giving at least ten days' notice to the railroad company and the county or city affected thereby, of the time and place of the investigation, to the end that all parties interested may be present and heard. If the highway involved is a state road or parkway, the secretary of transportation or the state parks and recreation commission shall be notified of the time and place of hearing. The evidence introduced shall be reduced to writing and be filed by the commission. If it finds that it is not practicable to cross the railroad or highway either above or below grade, the commission shall enter a written order in the cause, either granting or denying the right to construct a grade crossing at the point in question. The commission may provide in the order authorizing a grade crossing, or at any subsequent time, that the railroad company shall install and maintain proper signals, warnings, flaggers, interlocking devices, or other devices or means to secure the safety of the public and its employees. In respect to existing railroad grade crossings over highways the construction of which grade crossings was accomplished other than under a commission order authorizing it, the commission may in any event require the railroad company to install and maintain, at or near each crossing, on both sides of it, a sign known as the sawbuck crossing sign with the lettering "Railroad Crossing" inscribed thereon with a suitable inscription indicating the number of tracks. The sign shall be of standard design conforming to specifications furnished by the Washington state department of transportation.

[2013 c 23 § 303; 1984 c 7 § 373; 1961 c 14 §81.53.030 . Prior: 1959 c 283 § 1; 1955 c 310 § 3; prior: 1937 c 22 § 1, part; 1913 c 30 § 3, part; RRS § 10513, part. Formerly RCW 81.52.100.]

**Notes:**

**Severability -- 1984 c 7:** See note following RCW 47.01.141.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

	)	DOCKET NO. TR-
	)	
Marysville, Washington	)	PETITION TO CONSTRUCT OR
_____	)	RECONSTRUCT A HIGHWAY-RAIL
Petitioner,	)	GRADE CROSSING
	)	
vs.	)	
BNSF Railway Company	)	
_____	)	
Respondent	)	
	)	USDOT CROSSING NO.: 92-077P
	)	
.....	)	

Prior to submitting a Petition to **Construct** a highway-rail grade crossing and install an inter-tie between a Highway Signal and a Railroad Crossing Signal System to the Washington Utilities and Transportation Commission (UTC), State Environmental Protection Act (SEPA) requirements must be met. Washington Administrative Code (WAC) 197-11-865 (2) requires:

**All actions of the utilities and transportation commission under statutes administered as of December 12, 1975, are exempted, except the following:**

**(2) Authorization of the openings or closing of any highway/railroad grade crossing, or the direction of physical connection of the line of one railroad with that of another;**

Please attach sufficient documentation to demonstrate that the SEPA requirement has been fulfilled. For additional information on SEPA requirements contact the Department of Ecology.

The Petitioner asks the Washington Utilities and Transportation Commission to approve construction or reconstruction of a highway-rail grade crossing.

- Construction       Reconstruction

*Section 1 – Petitioner’s Information*

Jon Nehring, Mayor  
Petitioner

\_\_\_\_\_  
Signature

1049 State Avenue  
Street Address

Marysville, Washington 98270  
City, State and Zip Code

\_\_\_\_\_  
Mailing Address, if different than the street address

Patrick Gruenhagen  
Contact Person Name

360.363.8279 / pgruenhagen@marysvillewa.gov  
Contact Phone Number and E-mail Address

*Section 2 – Respondent’s Information*

\_\_\_\_\_  
Respondent

BNSF Railway Company  
Street Address

2454 Occidental Avenue South, Suite 2D  
City, State and Zip Code

Seattle, WA 98134  
Mailing Address, if different than the street address

Rick Wagner, Manager Public Projects  
Contact Person Name

206.625.6152  
Contact Phone Number and E-mail Address

*Section 3 – Proposed or Existing Crossing Location*

1. Existing highway/roadway State Avenue
2. Existing railroad BNSF "Arlington Spur" track
3. Location of proposed crossing:  
Located in the NE 1/4 of the NW 1/4 of Sec. 09, Twp. 30, Range 05 W.M.
4. GPS location, if known Latitude: 48.1054 Longitude: -122.1773
5. Railroad mile post (nearest tenth) 0.17
6. City Marysville County Snohomish

*Section 4 – Proposed or Existing Crossing Information*

1. Railroad company BNSF Railway Company
2. Type of railroad at crossing  Common Carrier  Logging  Industrial  
 Passenger  Excursion
3. Type of tracks at crossing  Main Line  Siding or Spur
4. Number of tracks at crossing 1
5. Average daily train traffic, freight 2  
Authorized freight train speed 10mph Operated freight train speed 10mph
6. Average daily train traffic, passenger 0  
Authorized passenger train speed 0mph Operated passenger train speed 0mph
7. Will the proposed crossing eliminate the need for one or more existing crossings?  
Yes      No X
8. If so, state the distance and direction from the proposed crossing.

9. Does the petitioner propose to close any existing crossings?  
Yes  No

**Section 5 – Temporary Crossing**

1. Is the crossing proposed to be temporary? Yes  No

2. If so, describe the purpose of the crossing and the estimated time it will be needed  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Will the petitioner remove the crossing at completion of the activity requiring the temporary crossing? Yes  No

Approximate date of removal \_\_\_\_\_

**Section 6 – Current Highway Traffic Information**

1. Name of roadway/highway State Avenue

2. Roadway classification Principal Arterial

3. Road authority City of Marysville

4. Average annual daily traffic (AADT) 18,000

5. Number of lanes 3

6. Roadway speed 35mph

7. Is the crossing part of an established truck route? Yes  No

8. If so, trucks are what percent of total daily traffic? 2%

9. Is the crossing part of an established school bus route? Yes  No

10. If so, how many school buses travel over the crossing each day? 50

11. Describe any changes to the information in 1 through 7, above, expected within ten years:  
Average daily traffic volumes are anticipated to grow at approximately 3%/year.

*Section 7 – Alternatives to the Proposal*

1. Does a safer location for a crossing exist within a reasonable distance of the proposed location?  
Yes \_\_\_\_ No X

2. If a safer location exists, explain why the crossing should not be located at that site.

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3. Are there any hillsides, embankments, buildings, trees, railroad loading platforms or other barriers in the vicinity which may obstruct a motorist's view of the crossing?  
Yes \_\_\_\_ No X

4. If a barrier exists, describe:

- ◆ Whether petitioner can relocate the crossing to avoid the obstruction and if not, why not.
- ◆ How the barrier can be removed.
- ◆ How the petitioner or another party can mitigate the hazard caused by the barrier.

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5. Is it feasible to construct an over-crossing or under-crossing at the proposed location as an alternative to an at-grade crossing?

Yes \_\_\_\_ No X

6. If an over-crossing or under-crossing is not feasible, explain why.

This project involves widening of an existing at-grade crossing with extremely limited, low-speed train traffic. (1 train per day, round trip) It does not involve construction of a new crossing.



7. Does the railway line, at any point in the vicinity of the proposed crossing, pass over a fill area or trestle or through a cut where it is feasible to construct an over-crossing or an under-crossing, even though it may be necessary to relocate a portion of the roadway to reach that point?

Yes  No

8. If such a location exists, state:

- ◆ The distance and direction from the proposed crossing.
- ◆ The approximate cost of construction.
- ◆ Any reasons that exist to prevent locating the crossing at this site.

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9. Is there an existing public or private crossing in the vicinity of the proposed crossing?

Yes  No

10. If a crossing exists, state:

- ◆ The distance and direction from the proposed crossing.
- ◆ Whether it is feasible to divert traffic from the proposed to the existing crossing.

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**Section 8 – Sight Distance**

1. Complete the following table, describing the sight distance for motorists when approaching the tracks from either direction.

a. Approaching the crossing from North, the current approach provides an unobstructed view as follows: (North, South, East, West)

Direction of sight (left or right)	Number of feet from proposed crossing	Provides an unobstructed view for how many feet
Right	300	> 1,000 feet
Right	200	> 1,000 feet
Right	100	> 1,000 feet
Right	50	> 1,000 feet
Right	25	> 1,000 feet
Left	300	> 1,000 feet
Left	200	> 1,000 feet
Left	100	> 1,000 feet
Left	50	> 1,000 feet
Left	25	> 1,000 feet

b. Approaching the crossing from South, the current approach provides an unobstructed view as follows: (Opposite direction-North, South, East, West)

Direction of sight (left or right)	Number of feet from proposed crossing	Provides an unobstructed view for how many feet
Right	300	> 1,000 feet
Right	200	> 1,000 feet
Right	100	> 1,000 feet
Right	50	> 1,000 feet
Right	25	> 1,000 feet
Left	300	> 1,000 feet
Left	200	> 1,000 feet
Left	100	> 1,000 feet
Left	50	> 1,000 feet
Left	25	> 1,000 feet

2. Will the new crossing provide a level approach measuring 25 feet from the center of the railway on both approaches to the crossing?

Yes  X  No    

3. If not, state in feet the length of level grade from the center of the railway on both approaches to the crossing. \_\_\_\_\_

4. Will the new crossing provide an approach grade of not more than five percent prior to the level grade?

Yes  X  No

5. If not, state the percentage of grade prior to the level grade and explain why the grade exceeds five percent.

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***Section 9 – Illustration of Proposed Crossing Configuration***

Attach a detailed diagram, drawing, map or other illustration showing the following:

- ◆ The vicinity of the proposed crossing.
- ◆ Layout of the railway and highway 500 feet adjacent to the crossing in all directions.
- ◆ Percent of grade.
- ◆ Obstructions of view as described in Section 7 or identified in Section 8.
- ◆ Traffic control layout showing the location of the existing and proposed signage.

***Section 10 – Sidewalks***

1. Provide the following information:

- a. Provide a description of the type of sidewalks proposed.
- b. Describe who will maintain the sidewalks.
- c. Attach a proposed diagram or design of the crossing including the sidewalks.

The proposed design calls for installation of a five foot wide concrete sidewalk along the east side of the roadway. The sidewalk will be constructed in accordance with current standards, consisting a four (4) inch thick section of concrete underlain by three (3) inches of compacted crushed surfacing top course.

As illustrated in the attached drawings, the sidewalk will be oriented so that it crosses the railroad tracks at a 90-degree angle – so as to improve the pedestrians’ view of approaching traffic from both directions. Coupled with installation of a dedicated pedestrian warning signal and roadway lighting, this design is viewed as a significant improvement over the existing configuration, which includes no sidewalk at all.

Per agreement with BNSF Railway, the City will be responsible for construction and future maintenance of the new sidewalk.

*Section 11 – Proposed Warning Signals or Devices*

1. Explain in detail the number and type of automatic signals or other warning devices planned at the proposed crossing, including a cost estimate for each. If requesting preemption include the type of train detection circuitry, sequencing and advanced preemption time, justification for the changes and its effects on current warning devices and warning times for drivers.

The design calls for the existing west-side cantilever signal (to serve as a warning device for southbound vehicular traffic) to remain in its present location. By contrast, the east-side cantilever signal is antiquated and will be replaced with a new installation (constant warning/unidirectional crossing control), as shown on the accompanying drawings. As was noted in the preceding section, a dedicated pedestrian warning signal will also be installed – at the location where the east sidewalk crosses the tracks. No preemption is included within the design.

2. Provide an estimate for maintaining the signals for 12 months. N/A (Railroad-maintained)

3. Is the petitioner prepared to pay to the respondent railroad company its share of installing the warning devices as provided by law?

Yes   X                        No

## *Section 12 – Additional Information*

Provide any additional information supporting the proposal, including information such as the public benefits that would be derived from constructing a new crossing as proposed or modifying an existing crossing. Provide project specific information.

This project stands as the second phase of improvements to Marysville’s State Avenue and the at-grade railroad crossing which is commonly referred to as the “Arlington Spur.” The first phase involved widening the roadway and rail crossing from two (2) to three (3) lanes, and was completed in 2006 pursuant to approval by the Utilities and Transportation Commission on February 14, 2001. (Docket No. TR-010100)

Having recently received a \$3 Million grant from the State Transportation Improvement Board (TIB) — its funding partner on the earlier project as well — the City is now poised to move forward with this follow-on phase of work. Specifically, the improvements will include widening of State Avenue (and the rail crossing) to the “ultimate” 5-lane configuration contemplated within the City’s long-range transportation plan.

With two through lanes in both the northbound and southbound directions and a two-way center turn lane, the new configuration represents a substantial improvement — providing added capacity, improving overall traffic operations, and reducing the potential for conflict between through and turning vehicle movements. Coupled with the installation of roadway lighting, extension of the existing pedestrian network, and upgrade of Railroad warning devices, the net result of the project will be a marked improvement in safety for the traveling public.

It should be noted that passage of vehicles through the two-way center turn lane at the crossing will be prohibited, and median islands will be in place to ensure that drivers adhere to this requirement. Moreover, pedestrian travel through the crossing will be made safer in light of the fact that the proposed design includes a *perpendicular* sidewalk crossing of the tracks (providing improved visibility), coupled with installation of a dedicated pedestrian warning device.

*Section 13 – Waiver of Hearing by Respondent*

**Waiver of Hearing**

The undersigned represents the Respondent in the petition to construct or reconstruct a highway-railroad grade crossing and inter-tie the highway signal with the railroad crossing signal system.

USDOT Crossing No.: \_\_\_\_\_ 92-077P \_\_\_\_\_

We have investigated the conditions at the proposed or existing crossing site. We are satisfied the conditions are the same as described by the Petitioner in this docket. We agree that a crossing be installed or reconstructed and the highway signals inter-tied with the railroad crossing signal system and consent to a decision by the commission without a hearing.

Dated at \_\_\_\_\_, Washington, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Printed name of Respondent

\_\_\_\_\_  
Signature of Respondent's Representative

\_\_\_\_\_  
Title

BNSF Railway Company \_\_\_\_\_

Name of Company

\_\_\_\_\_  
Phone number and e-mail address

\_\_\_\_\_  
Mailing address