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Decision No. 14798

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

COUNTY OF LOS ANGELES and
CITY OF LONG BEACH,

Complainants,

vs

LOS ANGELES AND SALT LAKE RAILROAD,

Defendant.

Case No. 1113.

Edward T. Bishop for Los Angeles County.
George L. Hoodenpyl for City of Long Beach.
Fred E. Pettit, Jr. for Los Angeles and Salt
Lake Railroad Company.

GORDON, Commissioner.

O P I N I O N.

In this complaint the City of Long Beach and Los Angeles County state that the Los Angeles and Salt Lake Railroad Company maintains a bridge, partly within the City of Long Beach and partly within unincorporated territory in Los Angeles County, over Hill Street which is an important thoroughfare used especially by children going to and from school; that the bridge is so constructed that but 24 feet 6 inches of Hill Street is passable to the travelling public; that this portion of the highway is divided by a bent in the center of the roadway; and that the vertical clearance between the bridge and the highway is 9 feet 10½ inches. Complainants ask the Commission to require the Railroad Company to raise its roadbed in such a manner as to afford a vertical clearance of 14 feet and a horizontal clearance without obstruction of

40 feet. The Railroad Company denied the material allegations in the complaint and a public hearing was held upon the matter at Long Beach on September 17, 1917.

The track of the Los Angeles and Salt Lake Railroad Company crosses Hill Street at a point near its intersection with California Avenue on a pile trestle bridge, the clearances of which are substantially those set forth in the complaint. California Avenue is very little travelled, but Hill Street is, as alleged, an important highway in Long Beach and Los Angeles County and is heavily travelled by teams and school children. Because of the impaired vertical clearance, automobile trucks with high loads are forced to make a considerable detour to grade crossings, and because of the faulty horizontal clearances drivers of approaching automobiles have no opportunity to see each other. The situation is especially dangerous on account of the proximity of California Avenue, as the embankment of the Railroad Company shuts off the view along that street, while the narrowness of the highway makes it necessary for school children and other pedestrians to use the same bridge opening that is used by automobiles. Although no accidents have occurred at this point the testimony shows that many have been narrowly averted.

The Railroad Company takes the position that the condition is not dangerous enough to warrant any considerable expense in improving the situation, but it has suggested three methods whereby it could be improved. The first of these, which it is willing to carry out, is to make openings in the embankments on both sides of the travelled highway for pedestrians and to whitewash and light the bent in the center. The cost of this would be small and it would not, in my judgment,

afford a satisfactory solution. A permanent solution can be secured in two ways; first, by raising the grade of the track high enough to bring about the full vertical clearance, and replacing the existing timber structure with a concrete and steel bridge having openings for two sidewalks and a roadway, the cost of which has been estimated to be about \$32,000; and, second, by raising the track approximately one foot and depressing the street about 5 feet, which, with the present clearance, after making allowances for the depth of the bridge, would give the necessary clearance of 14 feet. This is estimated to cost about \$22,000., including an allowance to construct a drain about 2700 feet in length.

If the first of these permanent methods of construction were carried out the grade of the track at the streets adjacent to Hill Street would be raised distances varying from one foot to nine feet, making grade crossings impossible and not permitting the grades to be separated without depressing those streets.

I am satisfied that the complaint of the City and of the County is entirely justified and that the bridge should be reconstructed so standard clearances, both horizontal and vertical, can be afforded; and I believe that the second permanent scheme, that is, depressing the highway and raising the track, is the one which should be followed, providing California Avenue can be closed on both sides of Hill Street where it intersects this street, as the intersection would be in a depression of about five feet, which might create a more dangerous condition than that which now exists. There appears to be no reason why the City of Long Beach, which has jurisdiction over California Avenue, should not close it to enable the construction to be carried out, especially as by shortening the

approaches it will considerably lessen the cost of construction and the property damage, and will cause comparatively little, if any, inconvenience to the property owners in the neighborhood.

The cost of the project on the last plan I have discussed has been estimated to be about \$22,000, as I have said, which includes a level approach at the junction of California Avenue and Hill Street, together with approaches on California Avenue, property damage on California Avenue, and grades of approach on Hill Street of $2\frac{1}{2}$ per cent. By eliminating the approaches on California Avenue and using 3 per cent grades, which are not at all excessive for this highway, the expense of the project will be considerably lessened and the proportion to be borne by each party will not be burdensome. The bridge now used by the Railroad Company is a temporary wooden structure in connection with the improvements herein referred to which it should replace with a concrete and steel bridge at its own expense. The expense of the approaches, including the retaining walls, excavation and drainage, but not including the paving, should be divided one-half to the Railroad Company and one-quarter each to Los Angeles County and the City of Long Beach. The property damages which occur should be taken care of by the political sub-division in whose territory they occur; that is, the County and the City should each pay for the property damaged in their respective jurisdictions. The cost of raising the tracks one foot should be borne by the Railroad Company.

I recommend the following form of order:

O R D E R.

COUNTY OF LOS ANGELES AND CITY OF LONG BEACH, Los Angeles County, having complained to the Commission concern-

ing the condition of the bridge of the Los Angeles and Salt Lake Railroad Company over Hill Street, and having asked the Commission to order the construction of a new bridge at this point, with adequate clearances; and a public hearing having been held, and the Commission having found that the clearances on the present structure are inadequate and a source of danger and that a new bridge should be built;

IT IS HEREBY ORDERED, That the Los Angeles and Salt Lake Railroad Company be and the same hereby is ordered to construct a bridge over Hill Street, with a minimum vertical clearance of not less than 14 feet, minimum horizontal clearance over the roadway of not less than 30 feet, and minimum horizontal clearance over two sidewalks of not less than six feet. The Railroad Company shall, six weeks after the City of Long Beach shall have closed California Avenue at its intersection with Hill Street, submit plans of this structure to the Commission for its approval.

IT IS HEREBY FURTHER ORDERED, That the expense of this construction shall be borne as follows:

(1) The expense of constructing the bridge under the track, including the substructure and the superstructure, shall be borne entirely by the Los Angeles and Salt Lake Railroad Company.

(2) The expense of raising the track one foot shall be borne by the Los Angeles and Salt Lake Railroad Company.

(3) The expense of constructing the approaches, including the excavation, concrete retaining walls and the drainage system, but not including the pavement, shall be borne one-half ($\frac{1}{2}$) by Los Angeles and Salt Lake Railroad Company and one-quarter ($\frac{1}{4}$) each by the County of Los Angeles and the City of Long Beach.

(4) The expense of such property damage as may accrue shall be borne by the City of Long Beach for the property within its boundaries, and the remainder shall be borne by Los Angeles County.

(5) The Commission reserves the right to make such further orders relative to the construction, operation, maintenance, protection and operation of said bridge as to it may seem right and proper.

Dated at San Francisco, California, this 29th day of October, 1917.

Max Thelen
W. H. Howard
Alex Gordon
Edwin O. Edgerton

Commissioners.