

ORIGINAL

Decision No. 45384

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
CITY OF VALLEJO by Alfred L. Wanger, )  
City Manager of the City of Vallejo, )  
for order authorizing change of ex- )  
isting grade separation of Georgia )  
Street over the Southern Pacific )  
Company railroad to a grade crossing, )  
and also to raise the grade crossing )  
of Maine Street and said railroad )  
one foot. )

Application No. 31841

Rolland L. Pope, City Attorney, for applicant.  
R. S. Myers, for Southern Pacific Company, protestant.  
Dugald Gillies, for Vallejo Chamber of Commerce,  
interested party.

O P I N I O N

The City of Vallejo seeks an order authorizing it to remove the overpass at the grade separation of Georgia Street and the tracks of the Southern Pacific Company (Crossing No. AAB-31.44-A), in the City of Vallejo, and, in place thereof, construct a crossing at grade.

A public hearing was held on January 17, 1951, before Commissioner Potter and Examiner Silverhart at Vallejo and the matter submitted for decision.

Georgia Street runs easterly and westerly and the tracks course generally in a northerly and southerly direction. The present crossing at Georgia Street is a concrete, spandrel arch, forty foot span overpass. The roadway and sidewalks are carried over the arch on an earth fill held in place by retaining walls. The single two-lane roadway is twenty-two feet four inches wide and is separated from the three feet six inch wide sidewalks on either

side thereof by a concrete wall approximately three feet high and ten inches thick. The grade rates of the roadway on the overpass approximate 9.5 per cent, with short vertical curves at center and ends of the structure which has an overall length of 300 feet.

Applicant proposes to remove the overpass structure and build a grade crossing protected by automatic crossing gates with flashing light signals and other standard auxiliary protective signs and pavement striping and lettering. The railroad track will be raised approximately four feet at the center line of Georgia Street and approximately one foot at the center line of Maine Street. In order to meet the new railroad grade, Georgia Street will be lowered between Monterey Street, one block west of the crossing and Amador Street, one block east thereof and Main Street, two blocks south, will be raised. Georgia Street is to be completely reconstructed for its full width of 80 feet from the west line of Monterey Street to the center line of Amador Street, a distance of 1,000 feet, so as to include a six-lane roadway, with two traffic lanes and a parking lane in each direction, separated by a center raised strip. The grade rate from Monterey Street toward the railroad crossing will be minus five per cent, joining a vertical curve which meets the track at grade and ascending on a plus 1.15 per cent grade to meet the existing grade at the western line of Amador Street.

Mayor Demmon, City Manager Wanger, City Engineer Kilkenny, Chief of Police Stiltz, all of Vallejo, Lt. Commander Niebuhr of Mare Island Navy Yard, Chairman Coleman of the Georgia Street Bridge Committee of the Vallejo Downtown Association and Dugald Gillies, Executive Vice President of the Vallejo Chamber of Commerce, testified in support of the application.

The city engineer testified there are now four crossings north of the Georgia Street crossing and five south thereof, viz.:

Crossing No.	AAB-31.6	-	Florida Street	-	1/5 mile north
"	"	"	31.7	-	Springs Road - 3/10 mile north
"	"	"	31.8	-	Louisiana Street - 2/5 mile north
"	"	"	32.0	-	Tennessee Street - 3/5 mile north
"	"	"	31.2	-	Maine Street - 1/5 mile south
"	"	"	31.1	-	Solano Avenue - 3/10 mile south
"	"	"	30.9	-	Fifth Street - 1/2 mile south
"	"	"	30.6	-	Sonoma Boulevard - 4/5 mile south
"	"	"	30.36	-	Chestnut Street - 9/10 mile south

The witness estimated the cost of the proposed grade crossing as follows:

1.	Demolition of existing overpass	\$	7,000
2.	Storm sewer construction		12,000
3.	Renewal of rails		355
4.	Raise railway track		33,730
5.	Georgia Street improvements		23,430
6.	Maine Street improvements		5,000
7.	Automatic crossing gates with flashing lights		13,115
8.	Surveys and plans, engineering		8,843
9.	Contingencies		3,527
	Total	\$	107,000

and stated such estimate should be increased by 10 per cent because of increase in costs since the compilation thereof. The witness computed the approximate cost of a new adequate overpass as follows:

1.	Demolition and removal of existing structure	\$	7,000
2.	Site clearance		12,000
3.	Construction of new overpass, curbs, gutters, sidewalks and paving		234,000
4.	Rearranging underground utilities, new service connections		30,000
5.	Electrical installations on overpass, including underground conduit		23,000
6.	Engineering, procurement and contractor's field overhead		34,000
7.	Land acquisition, moving and remodeling		51,000
8.	Contingency		39,000
		\$	430,000

which total is also subject to an increase of ten per cent.

The city manager testified that the Georgia Street overpass constitutes a hazard to and impedes movement of vehicular traffic; that its narrow lanes contribute to accidents; that drivers of fire and police vehicles attempt to avoid its use, being fearful of accidents and loss of time; that Georgia Street is the most direct artery from the rapidly growing area lying east of U. S. Highway 40 to the business section and Mare Island; that the grade crossing as proposed herein would provide a safer, quicker route to such points. According to the witness it would be economically unsound to widen the present structure. He stated that the limited number of trains did not warrant spending a half million dollars for a new overpass; that a grade crossing was more feasible, would reduce the existing safety hazard and make property along Georgia Street near the crossing more accessible.

The testimony of the chief of police disclosed that during the period 1940 to January 17, 1951, 53 accidents <sup>(1)</sup> took place at the Georgia Street Overpass, in which 41 persons were injured, three fatally, and damage to property occurred 30 times. The evidence shows that over a three year period there were 24 accidents and 28 persons injured at the Georgia Street Overpass as compared to ten accidents <sup>(2)</sup> and three persons injured at all nine grade crossings hereinabove named. The chief stated that police vehicles, in answering calls east of the railroad tracks, generally utilize a route other than Georgia Street because of the narrow lanes, sharp curves of and obstructed view at the overpass. The witness asserted

- 
- (1) The railroad trains were not involved in any of such accidents.
- (2) Railroad trains were involved in three of such accidents in which one person was injured. There were no fatalities.

that a grade crossing in place of the overpass would afford greater safety to persons and vehicles using the highway and permit a free flow of traffic.

Representatives of the Vallejo Down Town Association and the Vallejo Chamber of Commerce declared that removal of the overpass would facilitate access to the central business district of Vallejo and allow the increased traffic from the eastern area to move safely over Georgia Street.

Southern Pacific Company protested the granting of the application. The assistant superintendent of its Western Division testified that it operates four trains daily through Georgia Street at 20 to 25 miles per hour; that it wouldn't be benefited by the grade crossing proposed in place of the overpass, that such grade crossing would subject it to increased hazards and costs; that his company desires to eliminate as many grade crossings as possible.

Southern Pacific Company's assistant division engineer testified that the city's plans for the construction of the crossing are workable and feasible. The witness asserted however, that such crossing would be of no advantage to the railroad but a detriment in that it would be required to expend annually the approximate sums of \$275 and \$500 for maintaining crossing gates and the crossing, respectively. He stated the Georgia Street overpass was built in 1908 at a cost of \$7,500, the entire amount of which was borne by Southern Pacific Company. However, the record shows that the city has maintained the overpass since 1908 and made repairs and additions thereto at its expense.

We have heretofore stated it is the policy of the Commission to avoid grade crossings of streets and public highways with railroads wherever it is practicable and possible to do so at

a reasonable expense (2 CRC 452, 528). We may, however, permit a departure therefrom, when public need so dictates. The record shows that Georgia Street is a main street and heavily travelled; that the flow of traffic to and from the eastern area of Vallejo and Mare Island Navy Yard is impeded and retarded by the existing overpass; that the volume of such traffic is rapidly increasing due to accelerated activity at the Mare Island Navy Yard and Benicia Arsenal; that the overpass is conducive to accidents involving vehicles traversing Georgia Street; that the emergency vehicles of the City of Vallejo are hampered in discharging their duties because of the overpass; that the overpass is obsolete, inadequate and in a state of disrepair; that the expense of altering the present overpass or constructing a new grade separation is out of proportion to the benefits that may be derived therefrom and to the cost of the proposed grade crossing.

We conclude therefore, in light of the facts herein, that the public interest will be better served by permitting the applicant to demolish the existing overpass structure at Georgia Street and in place thereof, construct a crossing at grade.

The testimony shows that while the City of Vallejo is ready and able to pay all the construction costs involved herein, it expressed the desire that the railroad make some contribution thereto. While the railroad contends that the existing overpass provides complete protection so far as the movement of trains is concerned and that they would receive no benefit from the new crossing, it is a matter of record that the existing overpass which might have provided adequate protection for the crossing in the past has now become a hazard and is an obstacle to the flow of vehicular traffic on Georgia Street and should be removed. The removal of the existing overpass does not

exempt the railroad from its responsibility in protecting the crossing and it should share the expenditure required for installation of adequate protective devices. We, therefore, conclude that a proper allocation of the costs requires that applicant assume the entire expense of reconstruction of the crossing provided for in the plans and drawings attached to the application, except that the railroad shall bear one-half the costs of installing the protective devices therein described. The cost of maintaining the grade crossing between lines two feet outside of the outside rails and the protective devices shall be borne by the railroad.

O R D E R

A public hearing having been held and basing this order on the evidence therein adduced, and upon the findings and conclusions set forth in the foregoing opinion,

IT IS ORDERED:

(1) That the City of Vallejo, in the County of Solano, is authorized to construct Georgia Street, at grade, across the tracks of the Southern Pacific Company, at the location more particularly described in the application, and as shown on the maps, plans and drawings attached thereto, and to demolish and remove the overpass structure presently there situated.

(2) The authority hereinabove granted is subject to the following conditions:

- a. The above crossing shall be identified as Crossing No. AAB-31.44.
- b. The entire expense of constructing the crossing, except to the extent hereinafter set forth, shall be borne by applicant. The cost of maintenance of those portions of said crossing outside of lines two feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of said crossing between lines two feet

outside of the outside rails shall be borne by the Southern Pacific Company.

c. Said crossing shall be constructed equal or superior to type shown as Standard No. 2-A or No. 2-B in General Order No. 72 and shall be protected by two automatic crossing gates incorporated as a supplement to two Standard No. 8 flashing light signals of the type shown in General Order No. 75-B. The entire cost of acquiring and installing such protection shall be borne 50 per cent by the applicant and 50 per cent by the Southern Pacific Company.

d. The cost of maintaining said gates and lights shall be borne by the Southern Pacific Company.

(3) Applicant shall within thirty (30) days thereafter, notify the Commission, in writing, of the completion of the installations of said crossing, and of its compliance with the conditions hereof.

(4) The authorization herein granted shall lapse if not exercised within one year from the date hereof, unless further time is granted by subsequent order.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 20th day of February, 1951.

R. E. Johnson  
Justice W. C. Green  
Harold A. Kula  
John E. M. Hill

COMMISSIONERS