

Decision No. 59196**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Commission investigation into the
 safety, maintenance, operations,
 use and protection of certain
 street crossings at grade with the
 lines of the Southern Pacific
 Company in the City of Woodland,
 State of California.

Case No. 6198

Randolph Karr and Harold S. Lentz, for Southern Pacific Company; George D. Moe, for the State of California, Department of Public Works; Carl E. Rodegerdts, for the City of Woodland, respondents.

W. E. Sorensen, for Standard Oil Company of California; Edwin L. Rudolph, for Woodland Moving and Storage; Fern Ewart, for Parent-Teachers' Association; Horace S. Nobmann, for Poultry Producers of Central California; L. H. Wentworth, for Chamber of Commerce; Kenneth E. Brown, for Woodland Warehouses; Gino J. Celoni, Theodore R. Jacques, Frank Lauricella, Raymond J. Bell, Henry Crutcher, and William M. Purvis, for themselves, protestants.

Graham R. Mitchell, for the Brotherhood of Locomotive Engineers, interested party.

J. Calvin Simpson, for the Commission staff.

O P I N I O N

This is an investigation on the Commission's own motion into the safety, maintenance, operation, use and protection of the ten grade crossings of streets and tracks of the Southern Pacific Company in the City of Woodland, filed November 3, 1958, for the following purposes:

1. To determine whether or not the public safety and health require the abolishment of said crossings or any of them.

2. To determine whether or not the public safety and health require the reconstruction, relocation, or alteration of said crossings or any of them, or require the installation and maintenance of additional protective devices thereat, or require alteration of existing protective devices.
3. To prescribe the terms on which any such crossing abolishment, reconstruction, relocation, alteration, installation, or maintenance of protection shall be done, and to make such apportionment of cost among the parties hereto, or any of them, as appears just and equitable.
4. To determine whether or not the public safety and health require the discontinuance, alteration or change in the operating practices of respondent railroad at or about said crossings.
5. To enter any other order that may be appropriate in the lawful exercise of the Commission's jurisdiction.

Public hearings were held in Woodland before Examiner Rowe on February 25 and 26, 1959, and on April 28 and 29, 1959. Evidence both oral and documentary was adduced and on April 29, 1959, the matter was submitted for decision. Before the receipt of any evidence, counsel for respondent Southern Pacific Company moved to stay all proceedings unless the County of Yolo be made a respondent, asserting that under Section 1202 the County would be a proper party. Determination of this motion was ordered submitted by the Examiner, who then directed the parties to proceed with the introduction of evidence.

The Commission staff introduced a comprehensive study of each of the crossings involved and this exhibit also included detailed recommendations as to said grade crossings. A witness, who is presently a locomotive engineer on one of the passenger trains passing through the City, testified that each of the crossings constitutes a traffic hazard and should be either closed or protected by automatic signals.

The City Council of the City of Woodland presented in evidence a resolution declaring that the general public welfare required

that all of the present grade crossings be kept open. The Woodland Area Council of Parent-Teacher Associations urged that all crossings be kept open and that Southern Pacific Company be required to install crossing signals at all said grade crossings. The Woodland District Chamber of Commerce presented a resolution which urged that Elliot Street be closed and signals commensurate with the use and hazards be installed on all crossings not closed. The resolution also suggested a uniform speed limit of 25 miles per hour for railroad trains in the city, but presented no further evidence on this point. Representatives of several industries and warehouses in the neighborhood of Pendegast Street and Oak Avenue testified that the closing of these two crossings would tend to inconvenience them in their respective businesses.

Respondent railroad contended and sought to show by expert testimony that Pendegast, Oak, Elliot, and Clover grade crossings should be closed, and that the protection to be ordered should be paid for by the City and Railroad on a basis of not over 10 per cent allocated to the railroad company. The expert witness for the State Department of Public Works was not opposed to the staff recommendation except with regard to the erection of additional "No Left Turn" or "No Right Turn" signs, which he felt would not be helpful, but on the contrary, would tend to confuse operators of motor vehicles.

The staff, in its exhibit, recommended that additional automatic protection be installed at Gum Avenue, Cross Street, and North Street; that each of the crossings, except Main Street, not to be closed be widened; and that timing-out devices be installed to better control traffic at Main Street, which crossing is a part of a State Highway. The staff witness recommended that reflectorized Advance Warning Signs of the type required by Section 469 of

the California Vehicle Code be installed at Gum Avenue, Cross Street and Beamer Street. Additional minor betterments on these grade crossings were also suggested. The staff in its exhibit recommended that the grade crossings at Pendegast, Oak and Elliot be closed. The staff witness admitted, upon being questioned, that Clover Street is also a grade crossing appropriate for closing. The visibility in some respects is more restricted as to Clover than the adjacent Elliot Street crossing. Neither of these two streets has any great volume of street traffic. Also, with all other grade crossings in the city, either closed or protected, it appears unwise not to close this crossing also.

The Commission is of the opinion and finds that Elliot Street and Clover Street now constitute severe traffic hazards and that public safety requires that they should be closed. The present and probable future use of these crossings by vehicular traffic is inadequate to justify the expenditure of the large sums of money which would be required to erect and maintain automatic protective signals. Consequently they will be ordered closed.

The evidence shows that Oak Street and Pendegast are important streets for local circulation and the Commission therefore will not order their closing.

The Commission further finds that public safety, convenience and necessity require that the remaining grade crossings in Woodland should be protected by the automatic signals and other devices and improvements recommended by the staff; except that the "No Right Turn" and "No Left Turn" signals recommended for the Main Street and East Street intersection do not appear to be necessary, in view of the contrary opinion of the expert witness from the Department of Public Works.

The Commission is further of the opinion and finds that the cost of protecting Gum Avenue, Pendegast Street, Cross Street, Oak

Avenue, and North Street should be borne 50 per cent by the railroad company and 50 per cent by the City of Woodland; that the cost of widening and paving should be borne in the usual manner as provided in the following order. The cost of constructing and installing the improvements to crossing protection controls at and for the protection of the Main Street crossing should be borne 50 per cent by the railroad company and 50 per cent by the California Department of Public Works. The reflectorized Advance Warning Signs are required to be erected by the political subdivision by Section 469 of the California Vehicle Code and hence all such costs should properly be assessed against the City of Woodland.

O R D E R

Public hearings having been held and based upon the above findings,

IT IS ORDERED:

1. That the motion of Southern Pacific Company to stay proceedings is denied.

2. That the following grade crossings over the Southern Pacific Company main line tracks in the City of Woodland shall be closed to all vehicular and pedestrian traffic, upon completion of the automatic signal installations ordered, in paragraph 3 below, by the construction of proper barriers at the sole cost of said company:

Elliot Street,	Crossing No. AE-85.3
Clover Street,	Crossing No. AE-85.4

3. That Southern Pacific Company shall within 120 days after the effective date of this order install two Standard No. 8 flashing light signals as defined in General Order No. 75-B at the following grade crossings in said city:

Gum Avenue,	Crossing No. AE-84.4
Pendegast Street,	Crossing No. AE-84.5
Cross Street,	Crossing No. AE-84.7
Oak Avenue,	Crossing No. AE-84.8
North Street,	Crossing No. AE-85.2

The cost of installation of the crossing signals shall be paid for 50 per cent by the Southern Pacific Company and 50 per cent by the City of Woodland. ✓

4. That Southern Pacific Company shall, at its sole cost, within 120 days after the effective date of this order install protective signs and devices or perform other work at the following crossings as set forth below:

- Gum Avenue (AE-84.4) - Widen the roadway to 32 feet between lines two feet outside of rails by preparing tracks to receive pavement.
- Cross Street (AE-84.7) - Widen the roadway to 36 feet between lines two feet outside of rails by preparing tracks to receive pavement.
- Main Street (AE-85.0) - Reflectorize the Standard No. 1 Sign in the North East Quadrant.
- Court Street (AE-85.1) - Reflectorize the Standard No. 1 Signs.
- North Street (AE-85.2) - Raise spur on West and resurface existing pavement between lines two feet outside of rails and widen the roadway to 36 feet between lines two feet outside of rails by preparing tracks to receive pavement.
- Beamer Street (AE-85.5) - Widen roadway to 36 feet between lines two feet outside of rails by preparing tracks to receive pavement.

All additional paving of the crossings to conform to aforementioned pavement widths shall be performed at the sole cost of the City of Woodland.

5. That the Southern Pacific Company shall within 120 days after the effective date of this order install timing-out circuits at Main Street, Crossing No. AE-85.0, in order to prevent the over actuation of the crossing signals at this crossing. The cost of such timing-out circuits shall be paid for 50 per cent by the Southern Pacific Company and 50 per cent by the California Department of Public Works, Division of Highways.

6. That the City of Woodland, at its sole cost, shall make the following improvements:

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| Gum Avenue
(AE-84.4) | - Install reflectorized Advance Warning Signs as required by Section 469 of the California Vehicle Code. Paint "RXR" and double white stripes on approaches to crossing. |
| Pendegast Street
(AE-84.5) | - Paint "RXR" and double white stripes on approaches to crossing. ✓ |
| Cross Street
(AE-84.7) | - Install reflectorized Advance Warning Signs as required by Section 469 of the California Vehicle Code. Paint "RXR" and double white stripes on approaches to crossing. |
| Oak Avenue
(AE-84.8) | - Paint "RXR" and double white stripes on approaches to crossing. ✓ |
| Court Street
(AE-85.1) | - Paint "RXR" and double white stripes on approaches to crossing. |
| North Street
(AE-85.2) | - Paint "RXR" and double white stripes on approaches to crossing. |
| Beamer Street
(AE-85.5) | - Install reflectorized Advance Warning Signs on West Side of crossing as required by Section 469 of the California Vehicle Code. |


7. That the Southern Pacific Company may, after completion of the installation of automatic signals at the Gum Avenue, Pendegast Street, Cross Street, Oak Avenue, and North Street crossings, the improvement to crossing protection controls at Main Street crossing, and the closing of Elliot and Clover crossings, operate its trains and locomotives on the main line at speeds not to exceed 40 miles per hour between Mile Post 84.4 and Mile Post 85.5.

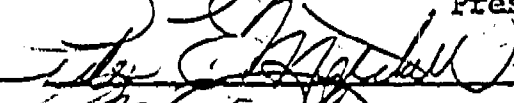
8. That within thirty days after the above required construction has been completed by it, at each crossing, Southern Pacific Company shall give written notice of compliance with the terms of this decision.


9. That the investigation in Case No. 6198 is discontinued.

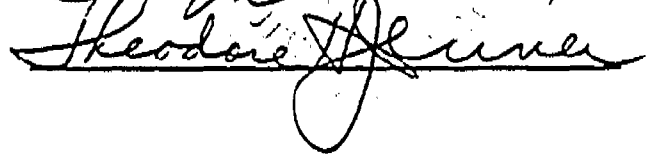
The effective date of this decision shall be twenty days after the date hereof.

Dated at San Francisco, California, this 27th day of October, 1959.



President






Commissioners