

(R-87-363)

RESOLUTION NUMBER R- **266433**

ADOPTED ON AUG 18 1986

WHEREAS, The City of San Diego recognizes that adequately maintained railroad crossings reduce an agency's liability exposure; and

WHEREAS, railroad representatives will often ignore a city's request to meet and discuss the railroads' obligation to repair crossings to a condition that acceptably handles daily traffic flow demands; and

WHEREAS, The City of San Diego actively supported AB 3627 (Bradley) in 1986 which set out a procedure to insure that a railroad corporation seriously discuss the repair of a crossing which was determined to be below standard; and

WHEREAS, AB 3627 was defeated in the Assembly Ways and Means Committee because of intensive railroad opposition; and

WHEREAS, The City of San Diego still desires a mechanism in law to assist us in our efforts to cause poorly maintained railroad crossings to be improved; and

WHEREAS, introduction of a measure like AB 3627 is appropriate when coupled with a change to the Improvement Act of 1911 (Public Contract Code section 20861 through 20875) which deals with the repair of roadbeds and crossings; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City requests that the League of California Cities sponsor the following:

1. A measure like AB 3627 of 1986; and
2. Legislation to amend Public Contract Code sections 20861 through 20875, the Improvement Act of 1911, because these bills will facilitate public agency efforts to cause railroad corporations to improve poorly maintained railroad crossings.

APPROVED: JOHN W. WITT, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:mem
08/26/86
Or.Dept:Clerk
R-87-363
Form=r.none

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AUG 18 1986

Passed and adopted by the Council of The City of San Diego on....., by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Barbara Baxter*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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1986 AUG 27 AM 9:53

SAN DIEGO, CALIF.

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