



**SAN DIEGO & ARIZONA  
EASTERN RAILWAY  
COMPANY**

A NEVADA NONPROFIT  
CORPORATION

1255 IMPERIAL AVENUE,  
SUITE 1000  
SAN DIEGO, CA  
92101-7490  
(619) 231-1466

BOARD OF DIRECTORS  
PAUL JABLONSKI, CHAIRPERSON  
MATT DOMEN  
BLAKE JONES

OFFICERS  
PAUL JABLONSKI, PRESIDENT  
MATT DOMEN, SECRETARY  
ERIN DUNN, TREASURER

LEGAL COUNSEL  
KAREN LANDERS

# AGENDA

San Diego and Arizona Eastern (SD&AE)  
Railway Company  
Board of Directors Meeting

01-23-15A09:25 RCVD

January 27, 2015

9:00 a.m.

Executive Committee Room  
James R. Mills Building  
1255 Imperial Avenue, 10th Floor

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please call the Clerk of the Board at least five working days prior to the meeting to ensure availability. Assistive Listening Devices (ALDs) are available from the Clerk of the Board prior to the meeting and are to be returned at the end of the meeting.

## ACTION RECOMMENDED

1. Approval of the Minutes of October 21, 2014  
Action would approve the SD&AE Railway Company Minutes of October 21, 2014. Approve
2. Statement of Railway Finances (Erin Dunn)  
Action would receive a report for information. Receive
3. Report on San Diego and Imperial Valley (SD&IV) Railroad Operations (Matt Domen)  
Action would receive a report for information. Receive
4. Report on Pacific Southwest Railway Museum (Diana Hyatt)  
Action would receive a report for information. Receive
5. Report on the Desert Line (Chas McHaffie)  
Action would receive a report for information. Receive
6. Real Property Matters (Tim Allison)
  - a. Summary of SD&AE Documents Issued Since October 21, 2014  
Action would receive a report for information. Receive
  - b. F Street Underpass Crossing Interstate 5 in Chula Vista  
Action would receive a report for information.
7. Board Member Communications
8. Public Comments
9. Next Meeting Date: Tuesday, April 14, 2015
10. Adjournment

# MINUTES

## BOARD OF DIRECTORS MEETING OF THE SAN DIEGO & ARIZONA EASTERN RAILWAY COMPANY

October 21, 2014

A meeting of the Board of Directors of the San Diego & Arizona Eastern (SD&AE) Railway Company, a Nevada corporation, was held at 1255 Imperial Avenue, Suite 1000, San Diego, California 92101, on October 21, 2014, at 9:00 a.m.

The following persons, constituting the Board of Directors, were present: Blake C. Jones, Matt Domen, and Wayne Terry. Also in attendance were members from:

San Diego Metropolitan Transit System:  
Pacific Southwest Railway Museum:  
Pacific Imperial Railroad, Inc.:  
Carrizo Gorge Railway:  
Admicarga:  
Trains Magazine:

Tim Allison, Karen Landers, Erin Dunn  
Diana Hyatt, Michael Edwards  
Don Stoecklein  
Charles McHaffie  
Lizzeth Sabido  
Don Jones

### 1. Approval of Minutes

Mr. Terry moved to approve the Minutes of the July 15, 2014, SD&AE Railway Board of Directors meeting. Mr. Domen seconded the motion, and it was unanimously approved.

### 2. Statement of Railway Finances

Erin Dunn reviewed the financial statement for the third quarter of 2014 (attached to the agenda item). She explained that SD&AE is over budget due to the Desert Line Lease not being included in the original budget. Ms. Dunn reported that the one negative variance is right of entry permits from the Port of San Diego that were reported as 2014 revenue. As there have been issues in collecting the revenue from the Port of San Diego, the \$14,000 had to be written off in 2014. If the money is collected in 2015, it will be recorded as revenue in 2015.

Compared to last year, there is a negative variance in the budget due to the right of entry permits. Ms. Dunn reported that expenses are favorable with only slightly higher personnel costs.

#### Action Taken

Mr. Terry moved to receive the report for information. Mr. Domen seconded the motion, and it was unanimously approved.

### 3. Report on San Diego & Imperial Valley Railroad (SD&IV) Operations

Matt Domen reviewed the report of activities for the third quarter of 2014 (attached to the agenda item).

Mr. Terry inquired, in regards to the San Diego Trolley Blue Line to San Ysidro, about the signaling system, and asked Mr. Domen if they were able to move over the roads without issue.

Mr. Domen confirmed this. Mr. Terry further inquired about the frequency at which the SD&IV trains were operating on the San Diego Trolley Orange Line. Mr. Domen reported that they are running one train on Sunday nights, adding that the shorter Trolley operation allows SD&IV to make a round trip.

Action Taken

Mr. Terry moved to receive the report for information. Mr. Jones seconded the motion, and it was unanimously approved.

4. Report on Pacific Southwest Railway Museum Operations

Diana Hyatt reviewed the third quarter of 2014 report (attached to the agenda item).

Karen Landers asked Ms. Hyatt for clarification on payment MTS received from the CPUC as reimbursement for grade crossing maintenance; \$1600 is allocable to PSRM for maintenance they have performed. Ms. Landers advised that MTS will be sending the monies to PSRM.

Matt Domen asked about a trouble call he received from California Highway Patrol. Mr. Domen would like a list of emergency contact numbers to refer to in case there were further issues.

Mr. Terry asked Ms. Hyatt how the PSRM inventory was doing after some thefts on their property. Ms. Hyatt reported that they were running low on supplies due to inventory in Jacumba disappearing. Ms. Hyatt mentioned talking with Mike Fitzgerald, from MTS, about acquiring old signals from MTS. Ms. Landers reported that as long as MTS is not requiring them for service, transferring them to PSRM, for use on the Desert Line, would be acceptable.

Action Taken

Mr. Domen moved to receive the report for information. Mr. Jones seconded the motion, and it was unanimously approved.

5. Report on the Desert Line

Chas McHaffie reviewed the third quarter of 2014 report (attached to the agenda item).

Action Taken

Mr. Terry moved to receive the report for information. Mr. Domen seconded the motion, and it was unanimously approved.

6. Real Property Matters

A. Summary of SD&AE Documents Issued since July 15, 2014

Since the July 15, 2014, SD&AE Railway Company Board of Directors meeting, the documents described below have been processed by staff.

- S200-13-593.2: Right of Entry Permit Amendment to Ramona Paving & Construction Corp. to construct street improvements at Cesar Chavez Parkway in San Diego.

- S200-14-591: License to Cox Communications for an underground fiber optic crossing on the Coronado Branch north of the Salt Works in Chula Vista.
- S200-14-595: Right of Entry Permit to the State of California Parks and Recreation for invasive species monitoring and eradication near Jacumba on the Desert Line.
- S200-14-598: Right of Entry Permit to Navy Region Southwest Morale, Welfare and Recreation Department for its 28<sup>th</sup> Annual Bay Bridge Run / Walk event.
- S200-15-600: Right of Entry Permit to the San Diego County Bicycle Coalition for the 7<sup>th</sup> annual Bike the Bay Bike ride along various locations on the Blue Line and the Coronado Branch.
- S200-15-601: Right of Entry Permit to SDG&E for various electrical service upgrades along the Blue Line for the South Line Freight Improvement Project.
- S200-15-602: Right of Entry Permit to The Fishel Company to construct underground fiber for the San Ysidro Yard Improvement Project impacts to US Sprint.
- S200-15-603: Right of Entry Permit to The Fishel Company to construct underground fiber for the San Ysidro Yard Improvement Project impacts to Level 3.
- S200-15-604: Right of Entry Permit to SDG&E for various electrical service upgrades for the San Ysidro Yard Improvement Project.
- S200-15-605: Right of Entry Permit to Copp Contracting, Inc. to perform street paving at J Street and Palomar Street in Chula Vista.
- S200-15-606: Right of Entry Permit to Anza-Borrego Desert Natural History Association for several hikes on the Desert Line in the vicinity of the Carrizo Gorge.

#### Action Taken

Mr. Terry moved to receive the report for information. Mr. Jones seconded the motion, and it was unanimously approved.

#### B. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8

PROPERTY: APNs 555-090-13 and unnumbered parcel 555-01, SAN DIEGO, CA

Adjourned into closed 9:17 a.m. – Re-adjourned 9:23 a.m.

Karen Landers reported that the Board received a report from rail property negotiators and gave instructions.

7. Karen Landers explained that SD&AE holds quarterly meetings in January, April, July, and October and asked members to review the proposed dates for the 2015 meeting schedule. All Board members were in agreement of the proposed dates as listed:

Tuesday, January 27, 2015	9:00 a.m.	(Fourth Quarter 2014 Reports)
Tuesday, April 14, 2015	9:00 a.m.	(First Quarter 2015 Reports)
Tuesday, July 14, 2015	9:00 a.m.	(Second Quarter 2015 Reports)
Tuesday, October 13, 2015	9:00 a.m.	(Third Quarter 2015 Reports)

Upon approval of the above meeting dates, additional information regarding materials due dates and mail-outs are as follows:

Materials Due to Clerk

Friday, January 16, 2015  
Friday, April 3, 2015  
Thursday, July 2, 2015  
Friday, October 2, 2015

Materials Mailed

Wednesday, January 21, 2015  
Wednesday, April 8, 2015  
Wednesday, July 8, 2015  
Wednesday, October 7, 2015

Action Taken

Mr. Terry moved to receive the report for information. Mr. Jones seconded the motion, and it was unanimously approved.

8. Public Comments

None.

9. Next Meeting Date

The next meeting of the SD&AE Railway Company Board of Directors is on January 27, 2015.

10. Adjournment

The meeting was adjourned at 9:24 AM.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
General Counsel

# San Diego and Arizona Eastern Railway Company

January 14, 2014

## Sign-in Sheet (VOLUNTARY)

Name	Company
1. ED KRAVITZ	SAN DIEGO MIDWESTERN RAILWAY PARTNERS LLC.
2. Diana Hyatt	Pacific Southwest Railway Museum
3. R. Mitchel Beauchamp	Ferrocarrilas Peninsulares del Noroeste, S.A. de C.V.
4. Geoffrey T. Schenerman	FPN-USA Inc.
5. Matt Doherty	SPR ✓
6. Blake C. Jones	SDTC
7. Char McHoxie	CZNY-ARR
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23.	

Date: 1/27/15



## REQUEST TO SPEAK

Agenda Item No. 8

Order Request Received ☐

**PLEASE SUBMIT THIS COMPLETED FORM (AND ANY WRITTEN STATEMENTS) TO THE CLERK OF THE COMMITTEE PRIOR TO DISCUSSION OF YOUR ITEM<sup>1</sup>.**

1. INSTRUCTIONS

This Request to Speak form must be filled out and submitted in advance of the discussion of your item to the Clerk of the Committee (please attach your written statement to this form). Communications on hearings and agenda items are generally limited to three (3) minutes per person unless the Committee authorizes additional time. However, the Chairperson may limit comment to one or two minutes each if there are multiple requests to speak on a particular item. General public comments on items not on the agenda are limited to three (3) minutes. Please be brief and to the point. No yielding of time is allowed. Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

*Please Print*

NAME	Reena Deutsch
Address	
Telephone	
Organization represented (if any)	
Subject of your remarks	
Regarding Agenda Item No.	
Your comments are presenting a position of:	<input type="checkbox"/> <b>SUPPORT</b> <input type="checkbox"/> <b>OPPOSITION</b>

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At public hearings of the Committee, persons wishing to speak shall be permitted to address the Committee on any issue relevant to the subject of the hearing.

3. DISCUSSION OF AGENDA ITEMS

The Chairman may permit any member of the public to address the Committee on any issue relevant to a particular agenda item.

4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Public comment on matters not on the agenda will be limited to five (5) speakers with three (3) minutes each under the Public Comment agenda item. Additional speakers will be heard at the end of the Committee's agenda.

*Request to Speak Form.doc*

<sup>1</sup> REMEMBER: Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.



Date: 1-27-15

## REQUEST TO SPEAK

Agenda Item No. 6B  
Public Comments + 6B

Order Request Received ☐

**PLEASE SUBMIT THIS COMPLETED FORM (AND ANY WRITTEN STATEMENTS) TO THE CLERK OF THE COMMITTEE PRIOR TO DISCUSSION OF YOUR ITEM<sup>1</sup>.**

1. INSTRUCTIONS

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*Please Print*

NAME	EP KRAVITZ
Address	11 BENDER DRIVE / PALM FOREST, IL - 60466
Telephone	619-890-8894
Organization represented (if any)	SAN DIEGO + MIDWESTERN RAILWAY PARTNERS LLC
Subject of your remarks <sup>(2)</sup>	CORONADO BRIDGE / LEASE / PURCHASE ASSISTANCE WITH THE TO BEACH STUDENT ENVIRONMENTAL
Regarding Agenda Item No. <sup>(+6b)</sup>	FXE X-T-S OVERPASS - MITIGATION
Your comments are presenting a position of:	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At public hearings of the Committee, persons wishing to speak shall be permitted to address the Committee on any issue relevant to the subject of the hearing.

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4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Public comment on matters not on the agenda will be limited to five (5) speakers with three (3) minutes each under the Public Comment agenda item. Additional speakers will be heard at the end of the Committee's agenda.

<sup>1</sup> REMEMBER: Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

# Agenda

Item No. 2

San Diego and Arizona Eastern (SD&AE)  
Railway Company  
Board of Directors Meeting

January 27, 2015

SUBJECT: STATEMENT OF RAILWAY FINANCES

## RECOMMENDATION:

That the SD&AE Railway Company Board of Directors receive a financial report for the quarter ending December 31, 2014.

### Budget Impact

None.

## DISCUSSION:

Attached are the financial results for the second quarter of Fiscal Year (FY) 2015, which includes the periods ended December 31, 2014 and 2013.

The current year-to-date revenues are \$496,000 favorable to budget primarily due to the Desert Line Lease revenue not included in the budget.

Expenses are \$38,000 unfavorable to budget primarily due to the unfavorable variance in Personnel Costs and Outside Services, including approximately \$25,000 in legal fees for Mexico City legal counsel advising on Desert Line issues. Expenses have increased by \$11,000 over the same period last year primarily due to the increase in Outside Services.

The Net Income for the first two quarters of FY15 was \$459,889 compared to net income of \$469,563 for the same period in FY14.

Attachments: SD&AE Operating Statement 2<sup>nd</sup> Quarter FY 2015

SD&AE Operating Statement FY2015-14

	FY 2015			FY 2014		
	Q1 Actual	Q2 Actual	YTD	Budget	Variance	Q1 - Q2
<b>Revenue</b>						
Right of Entry Permits						
Lease Income	\$ (11,800)	20,506	8,906	\$ 15,000	\$ (6,094)	\$ 12,550
Desert Line Lease Revenue	18,881	17,623	36,504	34,998	\$ 1,506	\$ 31,721
SD&IV 1% Freight Fee	250,000	250,000	500,000	-	\$ 500,000	500,000
	9,000	9,000	18,000	17,502	\$ 498	17,704
<b>Total Revenue</b>	266,281	297,129	563,410	67,500	495,910	561,975
<b>Expense</b>						
Personnel Costs	32,925	28,889	61,814	46,742	(15,072)	66,923
Outside Services	8,050	25,998	34,048	10,084	(23,964)	18,044
Risk Management	3,480	3,895	7,375	8,502	1,127	7,086
Misc. Operating Expenses	284	-	284	252	(32)	359
<b>Total Expense</b>	44,739	58,782	103,521	65,580	(37,941)	92,412
<b>Net Income/(Loss)</b>	\$ 221,542	\$ 238,347	\$ 459,889	\$ 1,920	\$ 457,969	\$ 469,563
						\$ 12,544

<b>Reserve Balance 2014</b>	<b>\$ 1,576,036</b>
Allocated Interest Earnings - Estimated	2,500
Operating Profit/(Loss)	459,889
<b>Reserve Balance 2015 - Estimated</b>	<b>\$ 2,038,425</b>

## Agenda Item No. 3

San Diego and Arizona Eastern (SD&AE)  
Railway Company  
Board of Directors Meeting

January 27, 2015

**SUBJECT:**

REPORT ON SAN DIEGO AND IMPERIAL VALLEY (SD&IV) RAILROAD OPERATIONS

**RECOMMENDATION:**

That the SD&AE Board of Directors receive a report for information.

Budget Impact

None.

**DISCUSSION:**

An oral report will be given during the meeting.

Attachment: Periodic Report for the 4th Quarter of 2014



SD&AE Board  
C/O MTS  
1255 Imperial Avenue, Suite 1000  
San Diego, California 92101

Jan 15, 2015

## Periodic Report

In accordance with Section 20 of the Agreement for Operational Freight Service and Control through Management of the San Diego and Arizona Eastern Railway Company activities of interest for the 4th Quarter of 2014 are listed as follows:

### 1. Labor

At the end of Dec 31, 2014 the San Diego & Imperial Railroad had 9 employees:

- 1 General Manager
- 1 Trainmaster
- 1 Manager - Marketing & Sales
- 1 Office Manager
- 1 Mechanical Manager
- 1 Maintenance of Way Employee
- 3 Train Service Employees

## 2. Marketing

Volume in the 4th Quarter declined 36% as compared to 2013. Bridge traffic had a 44% decrease, primarily driven by a decrease in LPG going into Mexico. Traffic terminating or originating on the SDIY was up 12% versus last year.

## 3. Reportable Injuries/Environmental

Days through year to date, December 31, 2014, there were no FRA Reportable injuries or Environmental incidents on the SDIV Railroad.

Days FRA Reportable Injury Free: 6480

## 4. Summary of Freight

	2014	2013	2012
Total rail carloads that moved by SDIY Rail Service in the quarter.	826	1301	1421
Total railroad carloads Terminating/Originating Mexico in the quarter.	622	1119	1238
Total railroad carloads Terminating/Originating El Cajon, San Diego, National City, San Ysidro, California in the quarter.	204	182	183
Total customers directly served by SDIY in the quarter	11	11	9
Regional Truck trips that SDIY Railroad Service replaced in the quarter	2478	3903	4263

Respectfully,

Matt Domen

General Manager

## Agenda Item No. 4

San Diego and Arizona Eastern (SD&AE)  
Railway Company  
Board of Directors Meeting

January 27, 2015

**SUBJECT:**

REPORT ON PACIFIC SOUTHWEST RAILWAY MUSEUM

**RECOMMENDATION:**

That the SD&AE Board of Directors receive a report for information.

Budget Impact

None.

**DISCUSSION:**

A report will be presented during the meeting.

Attachment: Letter to Mr. Don Stoecklein



# **Pacific Southwest Railway Museum**

**La Mesa Depot 4695 Nebo Drive La Mesa, CA 91941 619-465-7776**

January 16, 2015

SD&AE Board  
c/o Metropolitan Transit System  
1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101

Re: Fourth Quarter 2014

Dear SD&AE Board:

During the fourth quarter of 2014, utilizing all volunteer crews, the Pacific Southwest Railway Museum ran 50 passenger trains carrying 6,765 passengers with no FRA reportable accidents or injuries. Total income from SD&AE property for fourth quarter, 2014 was \$ 196,218; our check for \$3,924 will follow under separate cover. By comparison, PSRM carried 6535 passengers during the fourth quarter of 2013.

Passenger ridership by comparison to the same quarter in previous years:

6,535	Passengers during the fourth quarter of 2013
6,889	Passengers during the fourth quarter of 2012
6,109	Passengers during the fourth quarter of 2011
4,384	Passengers during the fourth quarter of 2010
3,268	Passengers during the fourth quarter of 2009
4,554	Passengers during the fourth quarter of 2008

There was a slight increase in ridership of 230 passengers from fourth quarter 2013 to fourth quarter 2014 due to an increase of two trains during this time period and a slight increase in available seats on each of the twelve North Pole trains.

Maintenance of Way work continues along the right of way including monthly signal and weekly track inspections. The MOW department has organized several work parties during the quarter changing ties, installing gauge rods and other maintenance efforts.

On Sunday, January 4, 2015 the Christmas Train event or Dia de los Tres Reyes Magos was held at the Tecate Stadium in Tecate. The mayor of Tecate, Cesar Moreno and his wife presided over the festivities. Also in attendance was co-founder Margaret Coval and members of the National

Latino Peace Officers Association, San Diego Metro chapter. PSRM was once again unable to provide the train that once carried the three kings, the Christmas Train volunteers and the gifts for the less fortunate children of Tecate for a sixth year as the daylighting efforts of tunnel 3 are not yet complete. We are hopeful, however, that museum excursion trains will resume by the Spring of this year.

It has been two years since PSRM's operating agreement with SD&AE expired. I respectfully request that the SD&AE Board consider one of the following: agree to renew the original operating agreement with the Pacific Southwest Railway Museum or accept the changes agreed upon between PSRM and PIR in a letter addressed to Mr. Don Stoecklein dated January 14, 2013 and integrate those changes within the operating agreement for a new five year contract. Thank you for your consideration.

Sincerely,



Diana M. Hyatt  
President

January 14, 2013

Mr. Don Stoecklein  
President  
Pacific Imperial Rail  
c/o Stoecklein Law Firm  
401 West A Street, Suite 1150  
San Diego, CA 92101

Re: Our meeting Friday, January 11, 2013

Dear Don:

Please accept this letter as a summary of our meeting held at your office last Friday, January 11, 2013. Those in attendance were: Sheila Lemire, PIR, Don Stoecklein, PIR, Greg Luiz, PSRM Director of Operations, Michael Edwards, PSRM Assistant Director of Operations and myself.

The primary objective for this meeting was to discuss the renewal of PSRM's operating agreement with the Metropolitan Transit System (MTS) and its impact upon the parallel operating agreement between MTS and PIR. This letter is intended to identify the responsibilities and establish the administrative infrastructure with regards to rail operations and traffic control as it pertains to the SDAE railway known as the Desert Line between MP 59.94 and MP 74. It was agreed upon that Pacific Southwest Railway Museum will be identified as the "Host Railroad" and control all rail operations between MP 59.94 and MP 74.0, specifically:

1. All rail traffic will be dispatched by PSRM.
2. PSRM will be responsible for training and qualifying dispatchers in accordance with Federal Railroad Administration (FRA) standards including supervision, testing and record keeping.
3. PSRM will establish and maintain all operating rules, policies, timetables, general orders, track bulletins, road frequencies and procedures for all rail traffic operating between MP 59.94 and MP 74.0 in compliance with all FRA and FCC regulations.
4. PSRM will be responsible for maintaining designated track, structures, and right-of-way to Class 2 Federal standards in compliance with all FRA regulations.
5. PSRM will be responsible for vegetation abatement along the right of way and in compliance with Cal-Fire and California PUC requirements.

6. PIR and PSRM agree that PSRM is unable to assume liability for the grade crossings without maintaining financial responsibility for the public utility service at the two automated grade crossing warning systems located at state highway 94 at the west and east ends of the Campo Valley respectively. PSRM will perform all FRA mandated monthly, quarterly, semi-annual and annual inspections and maintenance and any other inspections and maintenance as necessary.
7. The above points shall not inhibit or restrict PIR's ability to operate freight trains along museum's portion of the Desert Line. PIR freight trains will be dispatched in conjunction with PSRM trains and with minimal delay.
8. This agreement shall remain in effect until such time as it naturally expires or until such time as PIR begins revenue freight rail movement on a consistent basis.

Thank you for your time and attention to this matter. I look forward to a mutually benefitting relationship.

Sincerely,

Diana Hyatt  
President

## Agenda Item No. 5

San Diego and Arizona Eastern (SD&AE)  
Railway Company  
Board of Directors Meeting

January 27, 2015

**SUBJECT:**

REPORT ON THE DESERT LINE

**RECOMMENDATION:**

That the SD&AE Board of Directors receive a report for information.

Budget Impact

None.

**DISCUSSION:**

A report was not submitted in time for the mail-out.

Attachment: To be provided at the meeting

# Agenda

Item No. 6a

San Diego and Arizona Eastern (SD&AE)  
Railway Company  
Board of Directors Meeting

January 27, 2015

## SUBJECT:

SUMMARY OF SD&AE DOCUMENTS ISSUED SINCE OCTOBER 21, 2014

## RECOMMENDATION:

That the SD&AE Railway Company Board of Directors receive a report for information.

### Budget Impact

None.

## DISCUSSION:

Since the October 21, 2014, SD&AE Railway Company Board of Directors meeting, the documents described below have been processed by staff.

- S200-09-383.1: Lease extension to Cox Communications for a billboard at Euclid Ave. and Market St. in San Diego.
- S200-09-413.1: Lease extension to Cox Communications for a billboard at Harbor Drive and Civic Center Drive in National City.
- S200-09-414.1: Lease extension to Cox Communications for a billboard at 28<sup>th</sup> Street and Harbor Drive in San Diego.
- S200-09-415.1: Lease extension to Cox Communications for a billboard at Imperial Avenue and Merlin Drive in San Diego.
- S200-09-416.1: Lease extension to Cox Communications for a billboard at 32<sup>nd</sup> Street and Harbor Drive in San Diego.
- S200-15-609: Construction and Maintenance Agreement to SDG&E for at-grade private crossings along the Coronado Branch in Chula Vista.

- S200-15-610: Easements to SDG&E for at-grade private crossings along the Coronado Branch in Chula Vista.

# Agenda

Item No. 6b

San Diego and Arizona Eastern (SD&AE)  
Railway Company  
Board of Directors Meeting

January 27, 2015

SUBJECT: F Street Underpass Crossing Interstate 5 in Chula Vista

## RECOMMENDATION:

That the SD&AE Railway Company Board of Directors receive a report for information only.

### Budget Impact

None at this time.

## DISCUSSION:

SD&AE and the State of California, Department of Transportation (Caltrans), entered into an agreement dated April 12, 1970, (as amended) to document the parties understanding and responsibilities for construction of Interstate 5 (I-5) through the City of Chula Vista.

As part of the agreement, SD&AE agreed to allow Caltrans to demolish the old railroad crossing from SD&AE's Mainline to its Coronado Branch along F Street and construct a new underpass immediately to the north of the present day F Street Overcrossing. The new F Street Underpass railroad bridge was constructed in Caltrans right-of-way. The 1970 Agreement outlined the respective party's responsibilities and authorities relating to construction and maintenance of highway and railroad facilities.

SD&AE is responsible for the operations and maintenance of the F Street Underpass above the bridge seats as described in the agreements. Currently, SD&AE no longer uses the underpass for active railroad service and has removed the connecting infrastructure from the MTS Mainline. The City of Chula Vista and the County of San Diego are interested in using the underpass as a pedestrian / bicycle path to the City of Chula Vista's Bayfront Development and connection to the Bayshore Bikeway.

MTS, Caltrans, and The City Chula Vista staffs have reviewed all the current documentation and discussed the proposal. It appears that there are no objections to

this plan. However, there are a number of discretionary and ministerial actions that would be necessary to accomplish the plan. MTS, through SD&AE, would need to assign its rights and obligations to the F Street Underpass to the City of Chula Vista subject to reversion back to MTS if in the future railroad service is re-established over the bridge. This action would require approval from Caltrans.

MTS sent correspondence to Caltrans, District 11, for concurrence on working together on the proposal, Attachment A, dated November 10, 2014. Also, MTS sent a letter to the City of Chula Vista documenting the intent to cooperate on the proposal, Attachment B, dated November 17, 2014.

As the project progresses, staff will update the Board and seek direction and/or approvals on agreements as necessary.

Attachments: Attachment A - Letter dated November 10, 2014 to Caltrans District 11  
Attachment B - Letter dated November 17, 2014 to the City of Chula Vista



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

Ms. Laurie Berman  
District Director  
California Department of Transportation, District 11  
4050 Taylor Street  
San Diego, CA 92110

November 10, 2014

Dear Ms. Berman:

**Subject: F STREET UNDERPASS ON INTERSTATE 5 IN CHULA VISTA**

MTS purchased the San Diego and Arizona Eastern Railway Company (SD&AE) in 1979. As the sole member of the Nevada non-profit corporation, MTS controls SD&AE's assets and has responsibility for its authorities and obligations. SD&AE and the State of California, Department of Transportation (Caltrans), entered into an agreement dated April 12, 1970, (as amended) to document the parties understanding and responsibilities for construction of Interstate 5 (I-5) through the City of Chula Vista.

As part of the agreement, SD&AE agreed to allow Caltrans to demolish the old railroad crossing from SD&AE's Mainline to its Coronado Branch along F Street and construct a new underpass immediately to the north of the present day F Street Overcrossing. The new F Street Underpass railroad bridge was constructed in Caltrans right-of-way. The 1970 Agreement outlined the respective party's responsibilities and authorities relating to construction and maintenance of highway and railroad facilities.

SD&AE is responsible for the operations and maintenance of the F Street Underpass above the bridge seats as described in the agreements. Currently, SD&AE no longer uses the underpass for active railroad service and has removed the connecting infrastructure from the MTS Mainline. The City of Chula Vista and the County of San Diego are interested in using the underpass as a pedestrian / bicycle path to the City of Chula Vista's Bayfront Development and connection to the Bayshore Bikeway.

MTS and Caltrans staffs have reviewed all the current documentation and discussed the proposal. It appears that there are no objections to this plan. However, there are a number of discretionary and ad ministerial actions that would be necessary to accomplish the plan. MTS, through SD&AE, would need to assign its rights and obligations to the F Street Underpass to the City of Chula Vista subject to reversion back to MTS if in the future railroad service is re-established over the bridge. This action would require approval from Caltrans.

It is MTS desire to work cooperatively towards this end and intend to direct staff to put every effort necessary to process the required documentation and project approvals going forward. MTS requests concurrence from Caltrans to cooperate with this joint effort of the City of Chula Vista and the County of San Diego as this proposal moves forward to final authorization.

Sincerely,

Paul C. Jablonski  
Chief Executive Officer - MTS  
President - SD&AE

Concurred by:

Laurie Berman  
District Director, Caltrans District 11

1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 • (619) 231-1466 • [www.sdmts.com](http://www.sdmts.com)

Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations), and San Diego Vintage Trolley, Inc., a 501(c)(3) nonprofit corporation, in cooperation with Chula Vista Transit. MTS is the taxicab administrator for seven cities. MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.





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November 17, 2014

Honorable Cheryl Cox  
Mayor  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91910

Re: Proposed Pedestrian/Bike Path on F Street Railroad Underpass

Dear Mayor Cox:

You have requested that the City of Chula Vista be allowed to use the F Street railroad bridge (called an "underpass" because Interstate 5 passes under the bridge) as part of its proposed network of bike and/or pedestrian paths. The F Street Underpass was built in 1970 to accommodate a connection between the MTS Coronado Branch and the MTS Mainline railroad. The Coronado Branch line is not currently operating and there are no known plans to operate railroad traffic on this line in the future. The connecting infrastructure to the Mainline has been removed.

Through an agreement with Caltrans, the F Street Underpass was constructed over Caltrans right-of-way. Pursuant to that agreement, MTS is responsible for operations and maintenance of the F Street Underpass above the bridge seats. Caltrans maintains the portions accessible only from Interstate 5.

Because this bridge is not currently used for railroad traffic, MTS is willing to assign its rights and obligations regarding the F Street Underpass to the City of Chula Vista, subject to a reversionary right to take back the property if railroad traffic resumes on this segment. Executive management at MTS, Caltrans and the City have agreed to this proposal.

The next steps to move this project forward include:

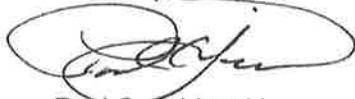
1. City staff refining the specific design and location of the proposed bike path;
2. Upon development of a sufficiently detailed and final design and scope of the bike path on MTS-controlled property, the following documents will be drafted and executed:



- a. Assignment of MTS<sup>1</sup> rights and obligations to use the F Street Underpass to the City of Chula Vista, subject to a reversionary right if the property is needed for railroad operations; and
- b. Construction, Maintenance & License Agreement for the use of any other MTS property in the vicinity of the F Street Underpass for this project.

I have directed my staff to work cooperatively with City and Caltrans staff to move this project forward as efficiently as possible. Tim Allison, Manager of Real Estate Assets, has been assigned as the MTS lead. Please have your staff contact him directly at (619) 595-4903 or [tim.allison@sdmts.com](mailto:tim.allison@sdmts.com).

Sincerely,



Paul C. Jablonski  
Chief Executive Officer

cc: Laurie Berman, District Director, Caltrans District 11  
Tim Allison, MTS Manager of Real Estate Assets

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<sup>1</sup> MTS real estate ownership in this area is through its solely owned railroad corporation, San Diego & Arizona Eastern Railway Co.

# F Street Railroad Bridge

Google

