



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
Randy Perry, Chairman
Bob Jones
Paul Jablonski

OFFICERS
Paul Jablonski, President
Bob Jones, Secretary
Linda Musengo, Treasurer

GENERAL COUNSEL
Karen Landers

AGENDA

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

October 16, 2012

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.

- | | <u>ACTION
RECOMMENDED</u> |
|--|-------------------------------|
| 1. <u>Approval of the Minutes of July 10, 2012</u>
Action would approve the SD&AE Railway Company Minutes of July 10, 2012. | Approve |
| 2. <u>Statement of Railway Finances (Linda Musengo)</u>
Action would receive a report for information. | Receive |
| 3. <u>Report on San Diego and Imperial Valley (SD&IV) Railroad Operations (Matt Domen)</u>
Action would receive a report for information. | Receive |
| 4. <u>Report on Pacific Southwest Railway Museum (Diana Hyatt)</u>
Action would receive a report for information. | Receive |
| 5. <u>Report on the Desert Line (Chas McHaffie)</u>
Action would receive a report for information. | Receive |
| 6. <u>Real Property Matters (Tim Allison)</u>
a. <u>Summary of SD&AE Documents Issued Since July 10, 2012</u>
Action would receive a report for information. | Receive |
| 7. <u>Approval of the 2013 SD&AE Board of Directors Meeting Schedule (Karen Landers)</u>
Action would approve the 2013 SD&AE Board of Directors meeting schedule. | Approve |
| 8. Board Member Communications | |
| 9. Public Comments | |
| 10. Next Meeting Date: January 15, 2013 (assuming approval Agenda Item No. 7) | |
| 11. Adjournment | |

DRAFT

SD&AE AI No. 1, 10/16/12

MINUTES

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

July 10, 2012

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 July 10, 2012, at 9:02 a.m.

The following persons, constituting the Board of Directors, were present: Bob Jones and Wayne Terry (alternate for Paul Jablonski). Randy Perry and Paul Jablonski were absent.

Also in attendance were members from:

San Diego Metropolitan Transit System:
San Diego & Imperial Valley Railroad:
Pacific Southwest Railway Museum:
Pacific Imperial Railroad, Inc.:
Carrizo Gorge Railway:
Soitec:
Public:

Tim Allison, Karen Landers, Linda Musengo
Matt Domen
Diana Hyatt
Chas McHaffie, Donald Stoecklein
Sheila LeMire, Randall Polcyn
Sharon Nardoza, Joe Curry
Bob Nickles

1. Approval of Minutes

Mr. Terry moved to approve the Minutes of the April 10, 2012, SD&AE Board of Directors meeting. Mr. Jones seconded the motion, and it was unanimously approved.

2. Statement of Railway Finances

Linda Musengo reviewed the financial statement for the 2nd quarter of 2012 (attached to the agenda item).

Action Taken

Mr. Terry moved to receive the report for information. Mr. Jones 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 2nd quarter (attached to the agenda item).

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 2nd quarter of 2012 report (attached to the agenda item).

Action Taken

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

5. Report on the Desert Line

Randall Polcyn of CZRy distributed a report entitled *Desert Line Q2 2012 Summary of Maintenance of Way* (attached). Karen Landers asked if San Diego Gas and Electric (SDG&E) is paying for the damages to SD&AE tracks (shown in the report distributed). Mr. Polcyn responded that PAR Electrical Contractors, Inc. (PAR), a subcontractor of SDG&E, will pay for the repairs. He added that the damage was discovered during a maintenance-of-way inspection by CZRy and that PAR did not report the damage.

Tim Allison inquired about the damage by PAR at Mile Post 129. He stated that PAR is only authorized to work on the right-of-way west of Plaster City, and that PAR has no crossing rights at Mile Post 129. Ms. Landers added that these types of issues should be referred to Tim Allison. SDG&E is legally responsible, and SDG&E contractors and subcontractors cannot cross SD&AE right-of-way if they are not authorized. Ms. Landers instructed CZRy to provide information to MTS regarding the work being done by SDG&E contractors, the damage caused, and other related facts so that MTS can address them with SDG&E. Mr. Polcyn agreed to submit a narrative description of the damage and the location so that staff can initiate a conversation with SDG&E.

Mr. Allison stated that there are a number of unauthorized crossings in the system, and staff makes significant efforts to ensure that crossings are authorized.

Mr. Jones expressed concern that this incident is a liability for SD&AE, and the damage could cause an injury. He stated that in addition to granting crossing rights, SD&AE must have protection against liabilities such as these. Ms. Landers added that it is significant that this damage was never reported.

Mr. Allison referred to another picture in the report, which shows an excavator excavating material at the toe of a slope. He stated that in the past, staff has offered to provide engineering consultants to CZRy to analyze these types of operations to avoid any future issues. Mr. Allison added that no plans were submitted for this project, and he has concerns about the upper side of the slope. He requested that these types of operations be discussed and plans be submitted to him in advance. Mr. Polcyn agreed.

Sheila LeMire reported that there was no revenue from the Desert Line during the second quarter. Ms. LeMire stated that CZRy is working with PIR on marketing and with the Museum and PIR to determine how to best utilize the Desert Line. She added that negotiations are ongoing with the Mexican government, and there have been no reportable injuries.

Action Taken

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

6. Real Property Matters**a. Summary of SD&AE Documents Issued Since January 24, 2012**

Tim Allison reported that since the January 24, 2012, SD&AE Railway Company Board of Directors meeting, the documents described below have been processed by staff. He reminded members that there was a problem in April with the agency's database, so he was not able to submit a report for the April SD&AE meeting.

- S200-12-518: Lease to Innovative Cold Storage, Inc. for building use at the San Ysidro Freight Yard.
- S200-12-521: Right of Entry Permit to Navy Region Southwest Morale, Welfare and Recreation Department for the Bay Bridge Run/Walk.
- S200-12-528: Right of Entry Permit to Outdoor Dimensions to install banners at the Grossmont Trolley Station.
- S200-12-529: Right of Entry Permit to the City of La Mesa for the Flag Day Parade.
- S200-12-530: Right of Entry Permit to Hazard Construction, Inc. to construct the COMM 22 project in the City of San Diego.
- S200-12-513: Right of Entry Permit to Peterson Chase General Engineering Construction, Inc. to repair bridge railings at the Grossmont Trolley Station.
- S200-12-532: Right of Entry Permit to Ninyo & Moore to perform field investigations for various SANDAG projects.
- S200-12-534: Construction and Maintenance Agreement to the Ocotillo Express LLC for crossings in the Ocotillo area of the Desert Line.

Action Taken

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

b. Amended Agreement Between Carrizo Gorge Railway, Inc. (CZRy), SD&AE, San Diego and Imperial Valley (SD&IV) Railroad, and the United States Border Patrol (USBP)

Mr. Allison reported that the United States Border Patrol (USBP) requested continuing its agreement between CZRy, SD&AE, and SD&IV to utilize certain portions of the Desert Line for law enforcement and Border Patrol activities.

Diana Hyatt clarified for Mr. Terry that beginning in 2007, USBP had control of the track and provided the warrants. She added that there have been issues with USBP not cancelling track warrants, being on the line at the same time as the Museum, and also unmanned radio frequencies.

Board members agreed there should be training and protocols for track authorization and release addressed in the new agreement. It was also agreed that there should be a designated representative assigned from each entity, and the Museum should be included in the agreement. Matt Domen will represent SD&IV; Diana Hyatt will represent the Museum; PIR will assign someone soon. Ms. Landers and Mr. Allison will take the lead in reviewing the 2007 agreement and sending comments and edits to the assigned representatives to put together a new draft for Board review and approval.

Action Taken

Mr. Terry moved to approve composing a new draft agreement for Board approval to include protocols for track authorization and release between CZRy, SD&AE, SD&IV, the Museum, and USBP (aka Office of Homeland Security) for the utilization of right-of-way for law enforcement purposes. Mr. Jones seconded the motion, and it was unanimously approved.

c. Tierra del Sol Solar Project Transmission Line

Mr. Allison introduced Sharon Nardoza and Joe Curry of Soitec. Mr. Allison explained that Soitec is requesting a multiuse permit to construct a solar project southwest of HiPass on the Desert Line. Soitec is proposing to bring the energy to the market by running aerial transmission lines utilizing SD&AE right-of-way. Ms. Nardoza clarified that there could be some areas where undergrounding may be needed (which would be addressed in draft negotiations). Mr. Allison stated that the request today is to determine if the Board has any issues with the proposal as Soitec does not want to proceed without assurance of any fatal flaws. Upon Board approval, staff would negotiate a private-use Construction and Maintenance/Operations Agreement with a license that includes a yearly fee and termination clause. Staff would then return to the Board for final approval.

Action Taken

Mr. Terry moved to authorize staff to negotiate with Soitec for a private-use Construction and Maintenance/Operations Agreement with a license that includes a yearly fee and termination clause and then return to the Board for final approval. Mr. Jones seconded the motion, and it was unanimously approved.

7. Board Member Communications

There were no Board member communications.

8. Public Comments

- *Hector M. Gonzalez (Baja California Railway Foundation)* - Mr. Gonzalez stated that he represents a Mexican nonprofit corporation in Tijuana. The Foundation is planning to develop a railway museum in Baja. Mr. Gonzalez is requesting that the SD&AE Board donate a 1916 tank car owned by SD&AE since the 1950s (on the Redondo side—east of Mattenucko and west of Tecate).

Ms. Landers reminded the Board that no action could be taken during public comments; however, staff can be directed to investigate information about this request. Mr. Jones will work with Matt Domen to look into this request and inform the Board of the findings.

- *Randall Polycn* - Mr. Polycn asked who from CZRy or PIR should be reporting Desert Line activities to the SD&AE Board. Ms. Landers responded that PIR is now the operator and should designate an appropriate representative. She added that SD&AE doesn't have a preference of who is assigned as long as the reports are accurate.

Mr. Polycn stated that he heard a rumor that PIR is applying to the Surface Transportation Board (STB) to take over the Desert Line and, he assumes, remove CZRy's operating rights from the Desert Line.

Donald Stoecklein responded that PIR has started the process to apply to the STB, but that doesn't necessarily include terminating the interim operating agreement with CZRy during that process.

9. Next Meeting Date

The next meeting of the SD&AE Railway Company Board of Directors is on October 16, 2012.

The Board convened into Closed Session at 9:38 a.m.

6. Real Property Matters (Taken out of order)

- d. **CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to California Government Code section 54956.8
Property: MP 86.7, 89.0, and 94.0 over Railroad Street in Jacumba, California
Agency Negotiators: Karen Landers, MTS General Counsel; Tim Allison, Manager of Real Estate Assets; and Paul Jablonski, President and CEO
Negotiating Parties: San Diego Gas and Electric (SDG&E)
Under Negotiation: Price and Terms of Payment

The Board reconvened into Open Session at 9:55 a.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported that the Board gave direction to staff concerning negotiations with SDG&E regarding easements on various sections of SD&AE right-of-way.

10. Adjournment

The meeting was adjourned at 9:55 a.m.

President

General Counsel

JGardetto/
DRAFT MINUTES SDAE 2012-7-10

Attachment: Desert Line Q2 2012 Summary of Maintenance of Way (submitted during the meeting)

DESERT LINE

Q2 2012 SUMMARY OF MAINTENANCE OF WAY

CONTRACT MAINTENANCE OF WAY PERSONNEL: Eight (8)

CZRY MAINTENANCE OF WAY PERSONNEL: Two (2)

MAINTENANCE OF WAY SUMMARY:

- An inspection of track and right of way between Milepost 93 (Jacumba) and Milepost 129.5 (Plaster City) revealed numerous locations where rock and debris had encroached upon right of way.
- Heavy equipment was employed to clear rock, sand and other debris from the track and right of way allowing for safe clearance of railroad equipment.
- Approximately 60 feet of main line track at Milepost 129 (Plaster City) was repaired and replaced due to damage by construction equipment working on the SDG&E power line during November 2011.
- We are currently working with Cal-Fire (CA Dept. of Forestry) to reinstate the right of way brushing program to establish brush clearances to specifications.
- We are surveying the railroad bridges between Milepost 60 (Division) and Milepost 129.5 (Plaster City) for current condition and repairs needed. Work scope and repair estimates are being developed and prioritized for structures in need of repair.
- Maintenance and repairs are currently underway for the automatic highway crossing signals at Highway 94 (working in conjunction with the San Diego Railroad Museum) and at Highway S-2 in the Imperial Valley near Ocotillo.

DESERT LINE

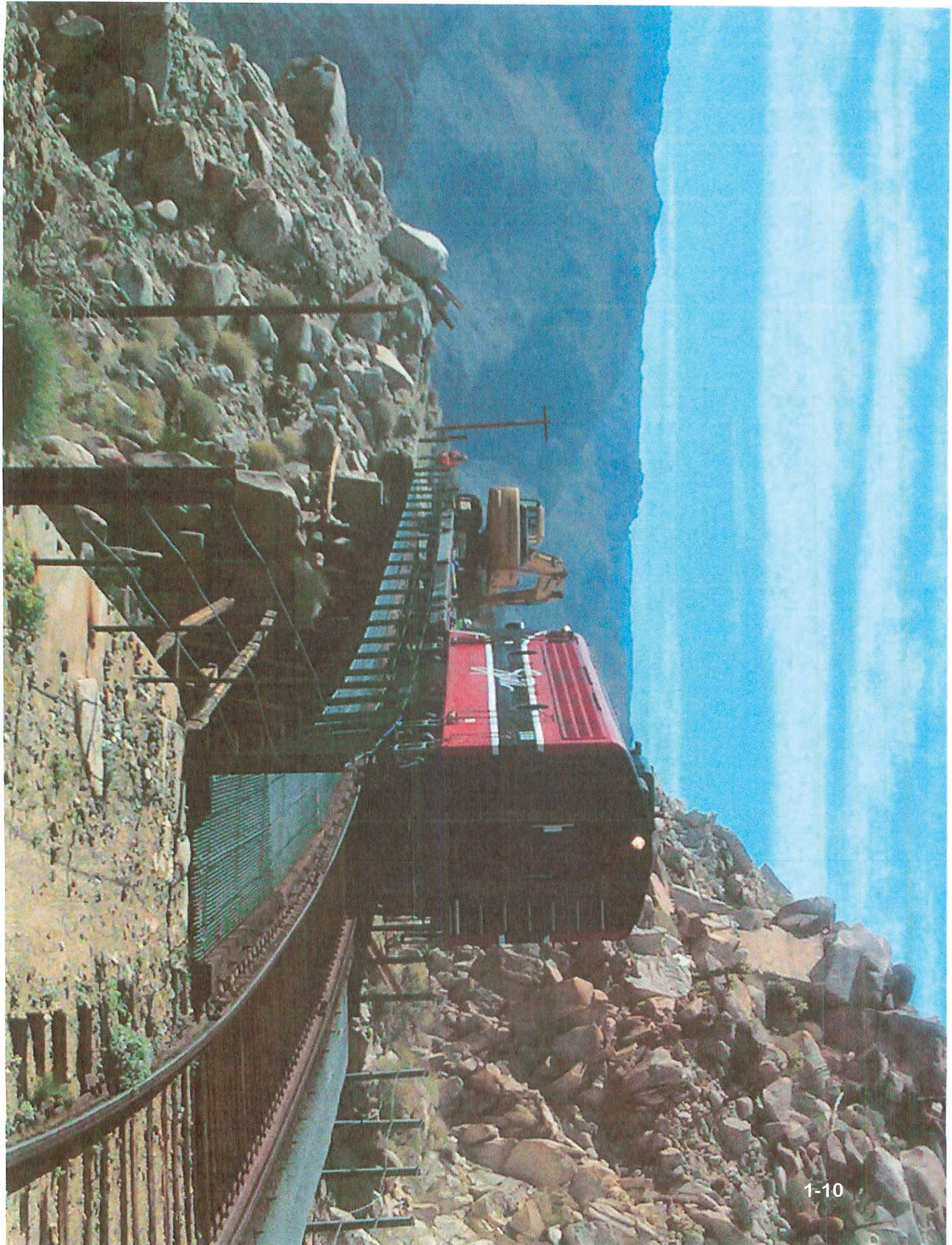
Q2 2012 SUMMARY OF MAINTENANCE OF WAY

TRACK

Ties Installed (7" x 9" x 9')	35 each
75 lb. yd. rail (33')	3 each
Track spikes (new)	150 each
Angle bars (75 lb.)	12 each
Track bolts	34 each











Agenda Item No. 2

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

October 16, 2012

SUBJECT:

STATEMENT OF RAILWAY FINANCES

RECOMMENDATION:

That the SD&AE Board of Directors receive a financial report for the quarter ended September 30, 2012.

Budget Impact

None.

DISCUSSION:

Attached are the financial results for the first quarter of fiscal year 2013, which includes the periods ended September 30, 2012, and 2011. Final audited results for FY 2012 will be available at the conclusion of the audit process and will include adjustments for depreciation and interest allocation.

The current year-to-date income is \$2,000 unfavorable to budget because the San Diego and Imperial Valley Railroad (SD&IV) freight fee is normally received in the 3rd or 4th quarter but is budgeted ratably throughout the year. Income has increased by \$12,600 compared to the same period last year due to an increase in fees for right of entry permits. Expenses are \$500 unfavorable to budget due to personnel costs directly related to the increase in permit activity offset by the timing of expenses for outside services. Expenses have increased by \$5,000 over the same period last year due to the increase in personnel costs. The net income for the first quarter of FY 13 was \$1,498 compared to a net loss of \$6,015 for the same period in FY 12.

Attachment: SD&AE Operating Statement 1st Quarter FY 13

SD&AE AI No. 2, 10/16/12

SD&AE operating statement FY2013-12

	Q1 2013	Budget	Variance	Q1 2012	Variance
Revenue					
Right of entry permits	\$ 13,400	\$ 5,000	8,400	1,221	12,179
Lease income	19,563	21,250	(1,687)	19,155	408
SD&IV 1% freight fee	-	8,750	(8,750)	-	-
	<u>32,963</u>	<u>35,000</u>	<u>(2,037)</u>	<u>20,376</u>	<u>12,587</u>
Expense					
Personnel costs**	25,179	20,299	(4,879)	20,284	(4,895)
Outside services	-	5,000	5,000	-	-
Energy costs	-	-	-	-	-
Risk management	5,752	5,575	(177)	5,798	46
Misc operating expenses	534	125	(409)	309	(225)
Depreciation	-	-	-	-	-
	<u>31,465</u>	<u>30,999</u>	<u>(465)</u>	<u>26,391</u>	<u>(5,074)</u>
Total expense	<u>31,465</u>	<u>30,999</u>	<u>(465)</u>	<u>26,391</u>	<u>(5,074)</u>
Net income/(loss)	<u>\$ 1,498</u>	<u>\$ 4,001</u>	<u>(2,502)</u>	<u>\$ (6,015)</u>	<u>7,513</u>

Reserve balance 2012-estimated	\$ 936,584
Allocated interest earnings - estimated	5,245
Operating profit/(loss)	1,498
Improvement expense 2012	-
Reserve balance 2013-estimated	\$ 943,327

Agenda Item No. 3

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

October 16, 2012

SUBJECT:

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

RECOMMENDATION:

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

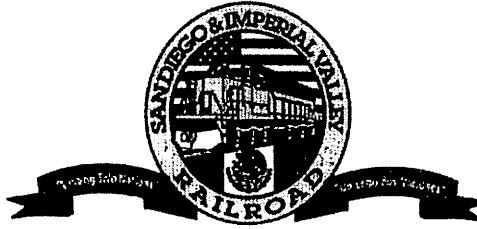
Budget Impact

None.

DISCUSSION:

An oral report will be given during the meeting.

Attachment: Periodic Report for the 3rd Quarter of 2012



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

October 1, 2012

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 3rd Quarter of 2012 are listed as follows:

1. Labor

At the end of September 30, 2012 the San Diego & Imperial Railroad had 10 employees:

- 1 General Manager
- 1 Asst. General Manager
- 1 Asst. Trainmaster
- 1 Manager - Marketing & Sales
- 1 Office Manager
- 1 Mechanical Manager
- 1 Roadmaster
- 1 Maintenance of Way Employee
- 2 Train Service Employees

2. Marketing

Volume in the 3rd Quarter rose 24% as compared to 2011. Bridge traffic had a 27% increase, primarily driven by a rise in LPG traffic. Traffic terminating or originating on the SDIV had a modest increase of 7% as compared to this time last year.

3. Reportable Injuries/Environmental

Days through year to date, September 30, 2012, there were no FRA Reportable injuries or environmental incidents on the SDIV Railroad.

Days FRA Reportable Injury Free: 4751

4. Summary of Freight

	2012	2011	2010
Total rail carloads that moved by SDIY Rail Service in the quarter.	1302	985	1402
Total railroad carloads Terminating/Originating Mexico in the quarter.	1107	804	1107
Total railroad carloads Terminating/Originating El Cajon, San Diego, National City, San Ysidro, California in the quarter.	195	181	295
Total customers directly served by SDIY in the quarter	9	12	12
Regional Truck trips that SDIY Railroad Service replaced in the quarter	4414	3339	4753

Respectfully,

Randy Perry-
General Manager

Agenda Item No. 4

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

October 16, 2012

SUBJECT:

REPORT ON PACIFIC SOUTHWEST RAILWAY MUSEUM

RECOMMENDATION:

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

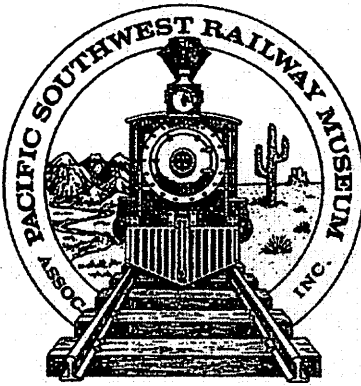
Budget Impact

None.

DISCUSSION:

A report will be presented during the meeting.

Attachment: Third Quarter Report for 2012



Pacific Southwest Railway Museum

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

October 5, 2012

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

Re: Third Quarter 2012

Dear SD&AE Board:

During the third quarter of 2012, the Pacific Southwest Railway Museum carried 1,012 passengers with no FRA reportable accidents or injuries. Total income from SD&AE property for third quarter 2012 was \$13,707.54; a check for \$274.15 is enclosed. By comparison, PSRM carried 2,882 passengers and earned \$35,365 during the second quarter of this year. During the third quarter of 2011, PSRM carried 1,294 passengers with an income of \$19,285.81. There were no special event trains during this quarter and Sunday trains were limited to operations within the Campo Valley.

The Campo Depot restoration project is officially complete. As of August, the air conditioning and heating units have been installed and are operational for both the downstairs waiting room and the upstairs Gift Shop.

Maintenance of Way work continues along the right of way, weeding takes place several times per month to maintain clearances for Cal Fire. Museum personnel continue to perform the monthly signal inspections. Our contract weed sprayer performed some spot maintenance during the third quarter as well.

The museum has completed its compliance with the latest FRA regulations concerning Bridge Safety Standards, part 237 by the deadline of September 13, 2012. Inspections of the four bridges within PSRM's operating territory were performed by a certified bridge engineer in August of this year. The three bridges west of Campo have been deemed in good condition and capable of the current load limitations. The engineer recommended an annual bridge maintenance program that will be enacted within the next several months.

In early September, the museum moved a 120 ton diesel locomotive by truck from Oceanside to Campo. We are now the proud owners of a low-nose EMD GP-9 that was once owned by the Southern Pacific Railroad and utilized in Southern California. This is the second locomotive that has been moved to Campo by truck within the last fifteen months.

Museum members are actively preparing for the two special events of the fourth quarter that continue to draw the public to Campo. The Pumpkin Trains will operate over three weekends this year beginning on October 13th through October 28th. The North Pole trains will be offered over five weekends this year beginning with the Thanksgiving holiday weekend November 23rd and continuing through to the weekend before Christmas, December 22nd. If the board is interested, I would be happy to host you and your guests on a North Pole train trip aboard the Pullman car the Robert Peary.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Diana Hyatt".

Diana Hyatt
President

Enc.

Agenda Item No. 5

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

October 16, 2012

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 will be presented during the meeting.

Attachment: Report not submitted in time for mail-out



R E P O R T

Oct.
2012

PERIODIC REPORT

The periodic Report to the SD&AE Railway Company is produced quarterly by the Carrizo Gorge Railway, Inc for the SD&AE Board, in fulfillment of contractual requirements and to document activity in the restoration of the line to regional service along with its ongoing improvement for future generations.

CARRIZO GORGE RAILWAY, INC.

Third Quarter 2012

CONTENTS

I. PERSONNEL

II. MARKETING

III. DESERT LINE

IV. REPORTABLE INJURIES/ENVIRONMENTAL INCIDENTS

V. FREIGHT ACTIVITY

VI. MEXICAN RAILROAD

VII. GOVERNMENTAL DISCLOSURES

A) PACIFIC IMPERIAL RAILROAD LETTER DATED JULY 16TH, 2012

B) PIR-CHANGE IN OPERATOR EXEMPTION-FEDERAL REGISTER

C) AMENDMENT NO. 4 TO CZRY OPERATING AGREEMENT

**D) PIR-CHANGE IN OPERATOR EXEMPTION-DEPT. OF
TRANSPORTATION**

E) OPERATING AGREEMENT RE: SD&AE FREIGHT SERVICE

APPENDIX A- MOW SUMMARY

APPENDIX B- DESERT LINE FREIGHT REVENUES FINANCIAL SUMMARY

CARRIZO GORGE RAILWAY, INC.

Third Quarter 2012

Metropolitan Transit Development Board
San Diego & Arizona Eastern Railway Board
1255 Imperial Avenue 10th Floor
San Diego, California 92101

Pursuant to reporting agreement, here is the summary of Third Quarter activity for 2012.

I. Personnel

As of September 30, 2012, Carrizo Gorge Railway has 4 employees to cover the railroad administration and operation in the U.S.

2 Administration
1 DSL & Engineer
1 Train Master & Locomotive Engineer

II. Marketing

Consistent with our business/marketing plan, CZRY is working with PIR to reopen the Desert Line. In that regard, both CZRY and PIR have met with a contractor for purposes of evaluating and assessing the scope of work needed to conform to FRA standards.

Carrizo is continuing to improve the relationship with Mexican authorities in an effort to improve the cross border freight transfer relationships.

III. Desert Line

In follow up to last quarter's report pertaining to the track damage allegedly caused by SDG&E, we have at this time been unable to confirm the fault of SDG&E or any other party. The investigation is ongoing.

Carrizo Gorge Railway continues to be the operator of the Desert Line by way of a contractual agreement (Interim Operating Agreement) with MTS/Pacific Railroad, Inc. and with formal approval by SD&AE/MTS. Unauthorized maintenance has been addressed.

CARRIZO GORGE RAILWAY, INC.

IV. Reportable Injuries/Environmental Incidents

There were no reportable injuries in the Third Quarter of 2012.

There were no reportable accidents in the Third Quarter of 2012.

There were no reportable environmental incidents in the Third Quarter of 2012.

V. Freight Activity

No Freight activity in the Third Quarter of 2012. We are still continuing to store empties, with a total amount of 52 GE cars located in the East end of the line as of this date.

MOW Sand carloads moved on the Desert Line	0
Revenue Sand carloads moved on the Desert Line	0
Revenue Freight carloads moved to/from Seeley via interchange with UPRR, on the Desert Line	0
Non-Revenue Freight carloads moved from UPRR and USG, on the Desert Line	0
Revenue Freight carloads terminating/originating in Mexico to/from San Ysidro via interchange with SD&IV Railroad	0
Total overall Third Quarter 2012 Carloads Moved	0
Revenue Empties	0
Revenue Storage	52

CARRIZO GORGE RAILWAY, INC.

VI. Mexican Railroad

Carrizo Gorge Railway is continuing to negotiate with the State of Baja California, Mexico. Here is an update of Carrizo Gorge Railway, Inc. Mexico's Operation.

CURRENT MEXICO PERSONNEL

4 Trust Administration Employees

VII

A



PACIFIC IMPERIAL RAILROAD, INC.

COLUMBIA CENTER

401 WEST A STREET

SUITE 1150

SAN DIEGO, CALIFORNIA 92101

July 16, 2012

Mr. Chas McHaffie, President
Carrizo Gorge Railway, Inc.
31123 Highway 94
Campo, CA 91906

Dear Mr. McHaffie:

This correspondence is in follow up to our phone call this afternoon, and our discussion after the Carrizo Gorge Railway, Inc., ("CZRY") board meeting, pertaining to the Interim Operating Agreement between Pacific Imperial Railroad, Inc. ("PIR") and CZRY and the protocol which must be established between CZRY and PIR in regards to any operations and or maintenance which impacts the Desert Line.

I recognize that you have just recently accepted the position as President of CZRY; however, in that capacity, PIR has an expectation that you or an individual appointed by CZRY, will take control of and establish the criteria by which anyone on behalf of CZRY will be active, either operationally or from a maintenance perspective on the Desert Line.

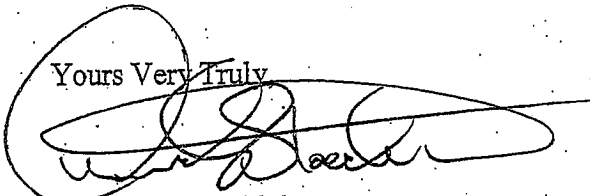
Additionally, I noted during the July 10, 2012 San Diego and Arizona Eastern (SD&AE) Railway Company Board of Directors meeting, that Mr. Polcyn submitted a report which reflected that maintenance was being conducted on the Desert Line, of which PIR had not been informed. I also noted that Mr. Polcyn represented that "that's why they hired me." Since we have been attempting to obtain the appropriate management of CZRY for several months, we, at PIR, would appreciate knowing who the management is, and what employees or consultants CZRY has that are impacting, both the operations of CZRY and the maintenance of the Desert

Line, to help us better understand the relationships of the parties, the authority over personnel, and how to establish a protocol which works for both PIR and CZRY. Until such protocol is in place we are requesting that all work cease on the Desert Line, that no individuals, consultants, owners, employees, traverse on the Desert Line, and that additionally no Track Warrants be issued, or allowed to be issued without the approval of PIR.

We have also been made aware of certain materials which have been removed from the Desert Line in the form of heavy beams and steel. As you are aware, or should be, any material removed, which has been sold, since our ownership of the trackage rights, is the property of PIR subject, only to the caveat that the proceeds must be utilized for direct expenses of the Desert Line. Since we have not been notified of any such expenditure we are demanding an accounting of the funds received. Please copy Karen Landers, General Counsel of MTS, with your response to this request.

I look forward to your response to this correspondence, and a follow up meeting to discuss the implementation of a protocol for operations over the Desert Line. Additionally, I understand that we will be working together for a redraft of the agreement with the United States Border Patrol (aka Office of Homeland Security). I suggest we meet and confer on that issue, and set up a meeting with the appropriate individual at MTS.

Yours Very Truly

A handwritten signature in black ink, appearing to read "Donald J. Stoecklein", written over the typed name.

Donald J. Stoecklein

President

Cc Karen Landers, MTS

B

The transaction may be consummated on or after August 31, 2012 (the effective date of the exemption).

SCMB certifies that its projected annual revenues as a result of this transaction will not result in SCMB's becoming a Class II or Class I rail carrier and will not exceed \$5 million.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than August 24, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35633, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy must be served on John D. Heffner, Strasburger & Price, LLP, 1700 K Street NW., Suite 640, Washington, DC 20006.

Board decisions and notices are available on our Web site at www.stb.dot.gov.

Decided: August 14, 2012.

By the Board, Rachel D. Campbell,
Director, Office of Proceedings.

Derrick A. Gardner,
Clearance Clerk.

[FR Doc. 2012-20241 Filed 8-16-12; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35657]

Pacific Imperial Railroad, Inc.—Change in Operator Exemption—Rail Line of San Diego and Arizona Eastern Railway Company

Pacific Imperial Railroad, Inc. (PIR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to change operators, pursuant to an agreement with Carrizo Gorge Railway, Inc. (CGR),¹ from CGR to PIR over a 70.01-mile rail line between milepost

59.60 in Division, Cal. and milepost 129.61 in Plaster City, Cal. (Desert Line).² The Desert Line is owned by San Diego and Arizona Eastern Railway Company (SD&AE). The agreement provides for a change in operators for the Desert Line through CGR's assignment of its authority to operate the Desert Line to PIR, with the consent of SD&AE, its parent, San Diego Metropolitan Transit Development Board, and SD&IV.

The transaction may be consummated on or after August 31, 2012 (30 days after the notice of exemption was filed).

PIR certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than August 24, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35657, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas F. McFarland, 208 South LaSalle Street, Suite 1890, Chicago, IL 60604.

Board decisions and notices are available on our Web site at www.stb.dot.gov.

Decided: August 13, 2012.

By the Board, Rachel D. Campbell,
Director, Office of Proceedings.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2012-20260 Filed 8-16-12; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35632]

Iowa Pacific Holdings, LLC and Permian Basin Railways—Continuance in Control Exemption—Santa Cruz and Monterey Bay Railway Company

Iowa Pacific Holdings, LLC, and Permian Basin Railways (IPH/PBR), noncarriers, have filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Santa Cruz and Monterey Bay Railway Company (SCMB) upon SCMB's becoming a Class III rail carrier.¹

In a concurrently filed verified notice of exemption, SCMB seeks Board approval to acquire by assignment from Sierra Northern Railway its lease and operating rights over a 31.0-mile rail line (the Line) owned by Union Pacific Railroad Company (UP). The Line, known as the Santa Cruz Branch, extends from milepost 0.433 at the east boundary of Salinas Road, near Watsonville Junction, Cal., to milepost 31.39 at the end of the line near Davenport, Cal., and includes an interconnection with Santa Cruz, Big Trees & Pacific Railway Company at milepost 20.4 in Santa Cruz, Cal., and an additional 3.6 miles of siding and spur track. *Santa Cruz & Monterey Bay Ry.—Assignment of Lease Exemption—Sierra N. Ry.*, Docket No. FD 35633.

In addition, SCMB has filed a related verified notice of exemption to acquire from UP its permanent and exclusive operating easement over the Line.² *Santa Cruz & Monterey Bay Ry.—Acquis. & Operation Exemption—Union Pac. R.R.*, Docket No. FD 35659.

The transaction may be consummated on or after August 31, 2012 (the effective date of the exemption).

IPH/PBR subsidiary railroads include: (1) Chicago Terminal Railroad, located in and around Chicago, Ill.; (2) Mount Hood Railroad, located in Oregon; (3) San Luis & Rio Grande Railroad, located in Colorado; (4) Saratoga & North Creek Railway, located in New York; (5)

¹ PBR and SCMB are wholly owned subsidiaries of IPH.

² Related to these notices of exemption is a petition for a declaratory order filed by the Santa Cruz County Regional Transportation Commission (SCCRTC). See *Santa Cruz Cnty. Reg'l Transp. Comm'n—Petition for Declaratory Order*, Docket No. FD 35653. SCCRTC seeks a finding that its purchase of the physical assets of the Line from UP is not subject to the Board's approval jurisdiction and will not result in SCCRTC acquiring a common carrier obligation with respect to the Line. As part of the transaction, UP will retain the permanent and exclusive operating easement over the Line that SCMB is seeking to acquire. The petition will be addressed in a separate decision.

Cruz County Regional Transportation Commission (SCCRTC). See *Santa Cruz Cnty. Reg'l Transp. Comm'n—Petition for Declaratory Order*, Docket No. FD 35653. SCCRTC seeks a finding that its purchase of the physical assets of the Line from UP is not subject to the Board's approval jurisdiction and will not result in SCCRTC acquiring a common carrier obligation with respect to the Line. The petition will be addressed in a separate decision.

¹ CGR was authorized to operate the Desert Line in *Carrizo Gorge Railway—Operation Exemption—San Diego and Eastern Railway*, FD 34485 (STB served Apr. 12, 2004).

² PIR states that San Diego & Imperial Valley Railroad Company, Inc. (SD&IV) has residual authority to operate the Desert Line and has agreed to assign that authority to PIR. PIR states that it will file another notice of exemption for Board approval at the appropriate time regarding that assignment.

C

AMENDMENT NO. 3 4

This Amendment No. 3 is entered into as of the 7th day of January, 2012 by and between San Diego and Imperial Valley Railroad Company, Inc. (SDIV), Carrizo Gorge Railway, Inc. (CGRY), Pacific Imperial Railroad, Inc. (PIR), Metropolitan Transit System (MTS), and San Diego and Arizona Eastern Railway Company (SD&AE).

WHEREAS, by virtue of Carrizo Gorge Railway, Inc. Operating Rights Agreement Over Desert Line, dated March 1, 2002, among SDIV, CGRY, SD&AE, and Metropolitan Transit Development Board (MTDB), as amended (2002 Operating Agreement), CGRY was authorized by MTDB, SD&AE, and SDIV to operate over a rail line between Milepost 39.6 at the border between the United States and Mexico near Division, CA and Milepost 130.0 at or near Plaster City, CA, which is commonly known as the Desert Line; and

WHEREAS, by decision of the Surface Transportation Board (STB) in its Finance Docket No. 34485, Carrizo Gorge Railway, Inc. -- Operation Exception -- San Diego and Arizona Eastern Railway Company, served April 12, 2004, CGRY was authorized by the STB to operate the Desert Line; and

WHEREAS, by virtue of an Amendment No. 1 executed on August 1, 2002, among SDIV, CGRY, MTDB, and SD&AE, Section 9(c) of the 2002 Operating Agreement was amended in regard to insurance requirements; and

WHEREAS, by virtue of Amendment No. 2 entered into on August 23, 2003, among SDIV, CGRY, MTDB, and SD&AE, the 2002 Operating Agreement was further amended to extend the term of the Agreement and to modify terms relating to payment of fees; and

WHEREAS, MTDB has been succeeded by Metropolitan Transit System (MTS); and

WHEREAS, CGRY desires to assign its rights and obligations under the 2002 Operating

Agreement to Pacific Imperial Railroad, Inc. (PIR); and

WHEREAS, PIR is willing to assume all of CZRY's rights and obligations under the 2002 Operating Agreement; and

WHEREAS, by virtue of Section 10 of the 2002 Operating Agreement, CZRY's rights under that Agreement cannot be assigned without the written consent of SDNY, MTS (now MTS) and SD&AE; and

WHEREAS, SDNY, MTS, and SD&AE are willing to consent to an assignment by CZRY of its rights and obligations under the 2002 Operating Agreement to PIR; and

WHEREAS, PIR has agreed that within a reasonable time after execution of this Amendment No. 3, PIR will file a Notice of Exemption at the STB for PIR's acquisition from CZRY of authority to operate the Desert Line by virtue of this Amendment No. 3;

NOW, THEREFORE, the undersigned parties agree as follows:

1. CZRY hereby assigns its rights and obligations under the 2002 Operating Agreement to PIR; and
2. PIR hereby assumes CZRY's rights and obligations under the 2002 Operating Agreement; and
3. SDNY, MTS, and SD&AE hereby consent to the assignment of CZRY's rights and obligations under the 2002 Operating Agreement to PIR, and to the assumption of such rights and obligations by PIR; and
4. PIR hereby agrees that within a reasonable time after execution of this Amendment No. 3, it will file a Notice of Exemption at the STB for its acquisition from CZRY of authority to operate the Desert Line by virtue of this Amendment No. 3;

WHEREFORE, authorized representatives of the parties have signed this Amendment
No. 3 as of the date stated in the foregoing.

CARRIZO GORGE RAILWAY, INC.

by: [Signature]
Its Authorized Representative

printed name: Dwight J. Jory

PACIFIC IMPERIAL RAILROAD, INC.

by: [Signature]
Its Authorized Representative

printed name: DONALD J. STOECKLEIN

CONSENTED TO BY:

SAN DIEGO & IMPERIAL VALLEY RAILROAD COMPANY, INC.

by: [Signature]
Its Authorized Representative

printed name: Robert D. Jones

METROPOLITAN TRANSIT SERVICE

by: [Signature]
Its Authorized Representative

printed name: PAUL C. JABONSKI

SAN DIEGO & ARIZONA EASTERN RAILWAY COMPANY

by: [Signature]
Its Authorized Representative

printed name: PAUL C. JABONSKI

D

42578

SERVICE DATE -- AUGUST 17, 2012

DO

FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35657]

Pacific Imperial Railroad, Inc.—Change in Operator Exemption—Rail Line of San Diego and Arizona Eastern Railway Company

Pacific Imperial Railroad, Inc. (PIR), a noncarrier, has filed a verified notice of exemption under 49 C.F.R. § 1150.31 to change operators, pursuant to an agreement with Carrizo Gorge Railway, Inc. (CGR),¹ from CGR to PIR over a 70.01-mile rail line between milepost 59.60 in Division, Cal. and milepost 129.61 in Plaster City, Cal. (Desert Line).² The Desert Line is owned by San Diego and Arizona Eastern Railway Company (SD&AE). The agreement provides for a change in operators for the Desert Line through CGR's assignment of its authority to operate the Desert Line to PIR, with the consent of SD&AE, its parent, San Diego Metropolitan Transit Development Board, and SD&IV.

The transaction may be consummated on or after August 31, 2012 (30 days after the notice of exemption was filed).

¹ CGR was authorized to operate the Desert Line in Carrizo Gorge Railway—Operation Exemption—San Diego and Eastern Railway, FD 34485 (STB served Apr. 12, 2004).

² PIR states that San Diego & Imperial Valley Railroad Company, Inc. (SD&IV) has residual authority to operate the Desert Line and has agreed to assign that authority to PIR. PIR states that it will file another notice of exemption for Board approval at the appropriate time regarding that assignment.

Docket No. FD 35657

PIR certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. § 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than August 24, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35657, must be filed with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas F. McFarland, 208 South LaSalle Street, Suite 1890, Chicago, IL 60604.

Board decisions and notices are available on our website at WWW.STB.DOT.GOV.

Decided: August 13, 2012.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

E

OPERATING AGREEMENT
RE SD&AE FREIGHT SERVICE

AMENDMENT NO. 2
(Assignment and Assumption of Desert Line Rights and Responsibilities)

This Amendment Agreement No. 2 is entered into as of the ____ day of _____, 2012 by and between San Diego and Imperial Valley Railroad Company, Inc. (SDIY), Pacific Imperial Railroad, Inc. (PIR), and San Diego Metropolitan Transit Development Board (also known as San Diego Metropolitan Transit System) (MTS);

WHEREAS, by virtue of an Agreement for Operation of Freight Service and Control Through Management of SD&AE, dated March 8, 1984, among San Diego and Arizona Eastern Railway Company (SD&AE), MTS, and Rail Tex, Inc. (RTI) (1984 Operating Agreement), RTI was authorized by MTS, which controlled SD&AE, to operate specified rail lines owned by SD&AE as identified in Section 5 of the 1984 Operating Agreement, one of which extends between Division, CA and approximately one mile west of Plaster City, CA, commonly known as the "Desert Line"; and

WHEREAS, by decision of the Interstate Commerce Commission in its Finance Docket No. 30457, *San Diego & Imperial Valley Railroad Company, Inc. -- Exemption from USC 10901 and 11301*, served August 17, 1984, RTI and its wholly-owned subsidiary, SDIY, were authorized to operate those SD&AE-owned rail lines; and

WHEREAS, by virtue of an Amendment Agreement No. 1 executed on October 9, 1984, among SD&AE, RTI, and SDIY, and consented to by MTS, the 1984 Operating Agreement was amended by an assignment of all of RTI's rights and obligations under that Agreement to SDIY;

and

WHEREAS, by virtue of a First Amendment entered into on April 28, 1988, among SD&AE, MTS, and SDIY, the 1984 Operating Agreement was further amended to alter the insurance requirements of such Agreement; and

WHEREAS, SDIY desires to assign its rights and obligations under the 1984 Operating Agreement to Pacific Imperial Railroad, Inc. (PIR), but only as to the Desert Line and as specifically amended herein; and

WHEREAS, PIR is willing to assume all of SDIY's rights and obligations under the 1984 Operating Agreement as to the Desert Line and agrees to such terms herein; and

WHEREAS, by virtue of Section 32 of the 1984 Operating Agreement, SDIY's rights under that Agreement cannot be assigned without the written consent of MTS, and any such assignment shall not relieve SDIY of any of its obligations under that Agreement except as agreed upon MTS; and

WHEREAS, MTS is willing to consent to an assignment by SDIY of its rights and obligations under the 1984 Operating Agreement to PIR, but only as to the Desert Line and subject to the amendments herein; and

WHEREAS, within a reasonable time after execution of this Amendment Agreement No. 2 and MTS' consent thereto, PIR has agreed to file a Notice of Exemption at the Surface Transportation Board (STB) for PIR's acquisition from SDIY of authority to operate the Desert Line by means of this Amendment Agreement No. 2;

NOW, THEREFORE, the undersigned parties agree as follows:

1. SDIY hereby assigns its rights and obligations under the 1984 Operating Agreement to

- PIR, but only as to the Desert Line; and
2. Subject to Section 4, below, PIR hereby assumes SDIY's rights and obligations under the 1984 Operating Agreement as to the Desert Line; and
 3. Without prejudice to Section 4, below, MTS hereby consents to the assignment of SDIY's rights and obligations under the 1984 Operating Agreement to PIR, and to the assumption of such rights and obligations by PIR, but only as to the Desert Line; and
 4. The parties agree that Section 25 (Option to Renew) of the 1984 Operating Agreement is hereby deleted as of the date of this Amendment and restates the expiration date of the 1984 Operating Agreement as March 7, 2014, but only as to the Desert Line.
 5. The parties agree that only the Right of First Refusal discussed in Section 26 (Option to Purchase) and Exhibit E, Section 8 shall survive this assignment to PIR. The Option to Purchase is hereby extinguished as to the Desert Line.
 6. The parties agree that the addresses/persons for notice in Section 34 shall be:

MTS: Paul C. Jablonski
Chief Executive Officer
San Diego Metropolitan Transit System
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

PIR: Donald J. Stoecklein
President
Pacific Imperial Railroad, Inc.
401 West A Street, Suite 1150
San Diego, CA 92101
 7. MTS hereby agrees that such assignment and assumption relieves SDIY of its obligations under the 1984 Operating Agreement, but only as to the Desert Line; and
 8. PIR hereby agrees that within a reasonable time after execution of this Amendment

MTS Doc. No. 00-84-323.2

Agreement No. 2, it will file a Notice of Exemption at the STB for its acquisition from SDIY of authority to operate the Desert Line by means of this Amendment Agreement No.2;

WHEREFORE, authorized representatives of the parties have signed this Amendment Agreement No. 2 as of the date stated in the foregoing.

SAN DIEGO & IMPERIAL VALLEY RAILROAD COMPANY, INC.

by: 

Vice President + Treasurer

Its Authorized Representative

printed name: Joshua Putterman

PACIFIC IMPERIAL RAILROAD, INC.

by: 

Its Authorized Representative

printed name: DONALD J. STOECKLEIN

CONSENTED TO BY:

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

by: _____

Its Authorized Representative

printed name: _____

Agenda Item No. 6

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

SDAE 710.1 (PC 50771)

October 16, 2012

SUBJECT:

SUMMARY OF SD&AE DOCUMENTS ISSUED SINCE JULY 10, 2012

RECOMMENDATION:

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

Budget Impact

None.

DISCUSSION:

Since the July 10, 2012, SD&AE Railway Company Board of Directors meeting, the documents described below have been processed by staff.

- S200-12-533: Right of Entry (ROE) Permit to Pacific Drilling, Inc. for field investigations for various SANDAG capital projects.
- S200-12-535: ROE Permit to San Diego Bicycle Coalition for the Bike the Bay Fun Ride.
- S200-12-536: ROE Permit to Steve Julius Construction Inc. for renovation of the Farmers Market Building on 21st Street, San Diego.
- S200-12-537: ROE Permit to the Ortiz Corporation for sewer reconstruction at 33rd and J Streets, in the City of San Diego.
- S200-13-539: ROE Permit to San Diego Gas and Electric for various locations for the Traction Power Substation Project.
- S200-13-540: ROE Permit to Blattner Energy Inc. to construct the Ocotillo Wind Farm Project in Ocotillo, Imperial County.
- S200-13-543: ROE Permit to AM Ortega Construction, Inc. to jack and bore a 36" casing for SDG&E at 22nd Street, San Diego.
- S200-13-544: ROE Permit to Basile Construction Inc. to construct sewer facilities at 22nd Street, San Diego.
- S200-13-550: ROE Permit to R. Dugan Construction Inc. to construct storm drainage facilities at 22nd Street, San Diego.
- S200-13-552: ROE Permit to Aguirre Engineering Inc. to perform surveying for various SANDAG capital projects.
- S200-13-553: ROE Permit to Schilling Paradise Corporation to construct various dry utilities at 22nd Street, San Diego.
- S200-13-554: ROE Permit to Malcolm Drilling Company, Inc. to construct shoring at 22nd Street, San Diego.

Agenda Item No. 7

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

October 16, 2012

SUBJECT:

APPROVAL OF THE 2013 SD&AE BOARD OF DIRECTORS MEETING SCHEDULE

RECOMMENDATION:

That the SD&AE Board of Directors approve the 2013 SD&AE Board of Directors meeting schedule.

Budget Impact

None.

DISCUSSION:

The SD&AE Board of Directors customarily meets once each quarter to discuss business and receive reports from its contract operators. The following meeting schedule is recommended for 2013:

Tuesday, January 15, 2013	9:00 a.m.	(Fourth Quarter 2012 Reports)
Tuesday, April 16, 2013	9:00 a.m.	(First Quarter 2013 Reports)
Tuesday, July 16, 2013	9:00 a.m.	(Second Quarter 2013 Reports)
Tuesday, October 15, 2013	9:00 a.m.	(Third Quarter 2013 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 4, 2013
Friday, April 5, 2013
Friday, July 5, 2013
Friday, October 4, 2013

Materials Mailed

Wednesday, January 9, 2013
Wednesday, April 10, 2013
Wednesday, July 10, 2013
Wednesday, October 9, 2013