



VENTURA COUNTY TRANSPORTATION COMMISSION SANTA PAULA BRANCH LINE ADVISORY COMMITTEE(SPBLAC)

**FRIDAY, March 26, 2021
9:00 AM**

This meeting will be held by Zoom webinar.

[https://us02web.zoom.us/j/89344244039?
pwd=MC8xbUI1ZUhNZEFwUHFEUUJQSjd2Zz09](https://us02web.zoom.us/j/89344244039?pwd=MC8xbUI1ZUhNZEFwUHFEUUJQSjd2Zz09)

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AGENDA

In light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with Executive Order N-29-20 and the Guidance for Gatherings issued by the California Department of Public Health commissioners will participate in the meeting from individual remote locations, which is in accordance with the Governor's Executive Order. Members of the public are encouraged to attend the meeting remotely. Persons who wish to address the commission on an item to be considered at this meeting are asked to submit comments in writing to the commission at ribarra@goventura.org by 4:30PM, Thursday, MARCH 25, 2021. Due to the current circumstances, if you would like to participate in a verbal public comment on any item on the agenda during the meeting, please email your public comment to ribarra@goventura.org or via telephone at 805-642-1591 ext. 101. Any public comment received will be read into the record during the public comment portion of this meeting. In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in the Commission meeting, please contact VCTC staff at (805) 642-1591 ext. 101. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.

- 1. CALL TO ORDER**
- 2. ROLL CALL**

3. **PUBLIC COMMENTS** (For items not on the agenda) – *Under the Brown Act, the SPBLAC should not take action on or discuss matters raised during Public Comment portion of the agenda which are not listed on the agenda. Committee members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.*
4. **APPROVE SUMMARY FROM 3/23/2020 – SPBLAC MEETING – PG.3**
5. **COMMITTEE MEMBER/STAFF REPORT**
This item provides the opportunity for the SPBLAC members VCTC staff to report on attended meetings and any other items related to SPBLAC activities.
6. **ADDITIONS/REVISIONS** – *The SPBLAC may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the SPBLAC subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the SPBLAC. If there are less than 2/3 of the SPBLAC members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*
7. **DRAFT FISCAL YEAR 2021/2022 SANTA PAULA BRANCH LINE BUDGET– PG. 5**
Recommended Action:
Receive and Comment.
8. **DRAFT SANTA PAULA BRANCH LINE 2020 BRIDGE INSPECTION – PG. 9**
Recommended Action:
Receive and File.
9. **SANTA PAULA BRANCH LINE ENCROACHMENTS AND LEASING UPDATE – PG. 16**
Recommended Action:
Receive and File.
10. **SANTA PAULA BRANCH LINE RAIL OPERATOR LEASE– PG. 18**
Recommended Action:
Receive and File.
11. **HEARTHSTONE CROSSING UPDATE – PG. 20**
Recommended Action:
Receive and File.
12. **HOMELESS ENCAMPMENTS AND RESPONSE - PG. 22**
Recommended Action:
Information Item.
13. **ADJOURN**



**VENTURA COUNTY TRANSPORTATION COMMISSION
SANTA PAULA BRANCH LINE ADVISORY COMMITTEE
(SPBLAC)**

**MONDAY, March 23, 2020
1:00 PM**

www.goventura.org

SUMMARY

**Ventura County Transportation Commission
Held via Zoom webinar
950 County Square Drive, Ventura, CA 93003**

1. CALL TO ORDER

Chair Minjares called the meeting to order.

2. ROLL CALL

Chair Minjares, Commissioners Crosswhite, Bennett, Heitman, and Long were in attendance. Commissioner Bennett joined at 1:30 PM.

3. PUBLIC COMMENTS

None.

4. APPROVE SUMMARY FROM 3/25/2019 SPBLAC MEETING

Commissioner Long made a motion to approve the minutes, seconded by Commissioner Heitman. Committee approved the meeting summary by a vote of 4 – 0.

5. COMMITTEE MEMBER/STAFF REPORT

Nothing to report.

6. ADDITIONS/REVISIONS – None.

7. DRAFT FISCAL YEAR 2019/2020 SANTA PAULA BRANCH LINE BUDGET– *Receive and Comment.*

Amanda Fagan presented the draft budget, noting a \$2,400 decrease in the budget compared to the previous year. The budget includes rail line maintenance, bridge inspections, administrative oversight and plan checks for two ongoing developments in Santa Paula and Fillmore, and preparations for the June 30, 2021 expiration of the Railroad Operator lease. The Branch Line has three primary revenue sources: lease revenues, State Transit Assistance, and Local Transportation Funds. Commissioners asked questions about

the revenue sources and expenses. No action is required.

8. DRAFT PAULA BRANCH LINE 2019 BRIDGE INSPECTION – Receive and File.

Amanda Fagan presented the 2019 annual bridge inspection report. Approximately \$1.2 million in repairs across 37 bridge structures is recommended. Darren Kettle noted that VCTC is not responsible for repairs on the portion of the Branch Line managed by Fillmore & Western. No action is required.

9. SANTA PAULA BRANCH LINE ENCROACHMENTS AND LEASING UPDATE – Receive and File. Amanda Fagan provided an overview of existing leases and portions of the Branch Line being used by adjacent landowners without agreements in place. The Committee directed Staff to proceed with field work and communication with landowners to enter into agreements for any access, cultivation, or other use of VCTC-owned railroad right of way.

10. SANTA PAULA BRANCH LINE RAIL OPERATOR LEASE – Receive and File.

No action is required. Darren Kettle provided an overview of the existing rail operator lease, which expires June 30, 2021, and preliminary work by the rail engineering consultant to develop a draft timeline for a possible Request for Proposals. Further discussions will take place with the full Commission. No action is required.

11. HEARTHSTONE CROSSING UPDATE – Receive and File.

Amanda Fagan provided an update on the Hearthstone railroad crossing near Fillmore, noting recent approval by the California Public Utilities Commission. No action is required.

12. ADJOURN



March 26, 2020

MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE
FROM: AMANDA FAGAN, PLANNING AND POLICY DIRECTOR
SUBJECT: DRAFT SANTA PAULA BRANCH LINE FISCAL YEAR 2021/2022 BUDGET

RECOMMENDATION:

- Review draft Fiscal Year 2021/2022 budget for the Santa Paula Branch Line and provide comments to staff.

DISCUSSION:

The Draft Fiscal Year 2021/2022 Santa Paula Branch Line (SPBL) Budget represents a reset of operations and maintenance approach and costs associated with continued asset management, maintenance, and operational obligations along the thirty-two miles long corridor. The Draft Fiscal Year 2021/2022 SPBL budget is approximately \$773,743 lower than the previous year, due to reduced VCTC contribution to the operations and maintenance costs for the line associated with the new Rail Operator lease. At this time, no State Transit Assistance (STA) or Local Transportation Funds (LTF) revenues for public transit are included, consistent with direction from the Commission that public transit revenues not be used to subsidize SPBL operations and maintenance.

The Draft Budget provides for four broad categories of effort:

- (1) Routine property management activities, such as VCTC's continuing "Good Neighbor" policy of weed abatement, tree trimming, and trash removal within the corridor. VCTC continues to work with the cities of Santa Paula and Fillmore to coordinate efforts to address a persistent homeless population along segments of the Branch Line, including development of a Trespasser Removal Policy.
- (2) Bridge inspections, including the annual inspections mandated by the Bridge Management Plan per the Federal Railroad Administration. The annual bridge inspection report is addressed further in Item 8, Draft Santa Paula Branch Line 2020 Bridge Inspection. For Fiscal Year 2021/2022, bridge inspection obligations are shifted to the rail operator.
- (3) Rail and operating right-of-way maintenance performed by the rail operator as determined by the forthcoming Rail Operations Services Agreement.
- (4) Consultant support and rail engineering services to assist with planning for the future of the SPBL.

Revenues for the Santa Paula Branch Line come from four primary sources:

- (1) Local Fees (lease revenue from the 75 paying leases along the SPBL and permits, such as for filming and utilities maintenance),
- (2) Signal Revenues from the California Public Utilities Commission,
- (3) State Transit Assistance (STA), and
- (4) Local Transportation Funds (LTF).

BUDGET TASK: SANTA PAULA BRANCH LINE**DIRECTOR:** Amanda Fagan**BUDGET MANAGER:** Amanda Fagan**OBJECTIVES:** Manage the Santa Paula Branch Line (SPBL) corridor.

ACCOMPLISHMENTS: The Ventura County Transportation Commission purchased the thirty-two-mile-long Santa Paula Branch Line in 1995. With the purchase of the Branch Line came leases for cultivation, utilities, crossings, and pipelines, which provide a portion of the revenue needed to support the line. In 2001, VCTC entered into a 20-year lease agreement with the Fillmore and Western Railway Company for maintenance and operation of the SPBL. With these agreements comes the continual need to actively manage the SPBL.

During Fiscal Year 2020/2021, staff managed the day-to-day business of owning the SPBL, issuing rights-of-entry permits, license agreements, weed abatement, trash removal, and interfacing with other jurisdictions on property management issues. Staff also worked to address encroachments into the railroad right-of-way by adjacent property owners and negotiated with landowners to execute new or updated leases and to remove encroachments into the operating right-of-way.

In addition, staff met the Federal Railroad Administration (FRA) requirement to have all bridges inspected annually under VCTC's Bridge Management Plan and evaluate load carrying capacity as needed. Staff also provides administrative oversight for private development projects adjacent to the SPBL corridor in Santa Paula and Fillmore. Staff and legal costs are fully compensated by the developers.

With the June 30, 2021 expiration of the lease agreement with Fillmore and Western, VCTC issued a Request for Proposals for Rail Operator Service in October 2020, with proposals due in December 2020. In February 2021, VCTC entered real property negotiations with a Rail Operator, with final selection and contract approval projected for April 2021. A new lease is anticipated to commence July 1, 2021.

DESCRIPTION: The Fiscal Year 2021/2022 Santa Paula Branch Line Task Budget provides for asset management and maintenance; including issuing rights-of-entry, weed abatement, debris cleanup, lease management, and implementation of the trespass removal policy, in collaboration with the Railroad Operator.

At the time of preparation of this Draft Budget, VCTC is in active negotiations for a new Railroad Operator lease. The Draft Budget incorporates projected costs for VCTC oversight and management of the railroad right-of-way and will be updated pending the final negotiated lease with the Railroad Operator. It is anticipated that the new Railroad Operator lease will include operating and non-operating right-of-way maintenance and federally mandated annual Bridge Inspections and more frequent inspections as needed based on the Engineer recommendations. Any revenues collected beyond those budgeted will be available for future projects related to SPBL, such as recreational trail improvements.

The Fiscal Year 2021/2022 SPBL Budget is substantially below the previous fiscal year, due to reduced VCTC contribution to the operations and maintenance costs for the line associated with the new Rail Operator lease. At this time, no State Transit Assistance (STA) or Local Transportation Funds (LTF) funds for public transit are included.



BUDGET TASK: SANTA PAULA BRANCH LINE (continued)**DIRECTOR:** Amanda Fagan**BUDGET MANAGER:** Amanda Fagan**WORK ELEMENTS:**

1. Oversee management of day-to-day operations of the SPBL, consistent with policies of the VCTC and requirements of the California Public Utilities Commission (CPUC), Federal Railroad Administration (FRA), and Surface Transportation Board (STB).
2. Investigate revenue opportunities for the SPBL.
3. Prepare and administer leases and rights-of-entry for use of SPBL corridor property.
4. Quickly respond to neighbor complaints; conduct weed abatement activities, including application of pre-emergent and weed killer sprays; trim and/or remove brush and trees on the rail ROW; and contract for regular monthly operations and maintenance.
5. Implement VCTC Trespass Policy requirements along SPBL right-of-way.
6. Complete annual FRA required and Engineer recommended rail bridge inspections.
7. Evaluate SPBL leases and establish new rate schedule where applicable.
8. Facilitate transition to new rail operating lease.

PRODUCT: Continued safe and cost-efficient management of the SPBL corridor.**FUNDING:**

Funding Source	Funding Dollars
Signal Revenue	20,000
Local Fee – Leases	274,000
Local Fee – Permits	5,000
Total Funding	\$299,000

EXPENDITURE COMPARISON:

	Fiscal Year 2019/2020 Actual	Fiscal Year 2020/2021 Budget*	Fiscal Year 2021/2022 Budget
Salaries	\$ 44,093	\$ 57,600	\$ 60,000
Fringe and Tax	18,546	24,600	26,000
Indirect Cost Allocation	32,052	45,100	51,500
Mileage	293	500	500
Office Support	0	500	500
Notices	0	5,000	500
Consultant Services	54,904	165,096	10,000
Legal Services	21,902	78,098	10,000
Non-Rail Maintenance	61,743	138,257	100,000
Signal Repair and Replacement	5,428	107,992	40,000
Track Maintenance	450,000	450,000	0
Bridge Inspections and Maintenance**	0	0	0
Total Expenditures	\$688,961	\$1,072,743	\$299,000

* This budget task was amended after the Commission approved the budget in June 2020.

**This budget task was previously included in Consultant Services and will be updated pending final Rail Operator Lease.



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March 26, 2021

MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE
FROM: AMANDA FAGAN, PLANNING AND POLICY DIRECTOR
SUBJECT: DRAFT SANTA PAULA BRANCH LINE 2020 BRIDGE INSPECTION

RECOMMENDATION:

- Receive and File.

BACKGROUND:

In July 2010, the Federal Railroad Administration (FRA) promulgated Title 49, Code of Federal Regulations (CFR) Part 237 - Bridge Safety Standards, which mandates that owners of railroads develop and adopt a Bridge Management Plan (BMP). As part of the BMP, bridges must be inspected annually for safety and engineering deficiencies, and by March 2017, all bridges in service must have had a bridge load capacity rating performed to determine the weight each bridge can safely carry. As owner of the Santa Paula Branch Line (SPBL), VCTC must comply with the federally mandated 49 CFR Part 237 on the prescribed schedule.

DISCUSSION:

In December 2020, VCTC rail engineering consultant Wilson & Company conducted the annual BMP Bridge Inspection. Wilson & Company inspected and assessed each of the thirty-seven bridge structures in terms of condition, needed repairs, and estimated cost of repairs. Wilson & Company provided a written report in February 2021 within the required schedule. Total estimated bridge maintenance costs are \$1,264,000. This estimate is \$52,500 more than the previous year.

Consistent with previous inspections, the 2020 inspections reveal a continued worsening of bridge conditions along most of the Branch Line. The 2020 report identifies four bridges in need of major maintenance within the next year (Figure 1). The 2020 report recommends replacement of deck planks and stringers within the next year for each of the four bridges (those located at Mile Posts 415.69, 415.92, 417.24, and 420.20), along with and quarterly inspections to ensure functionality of the bridge until repairs are made for three of the four bridges (Mile Posts 415.69, 415.92, and 417.24). The 2020 report also recommends addition of steel stringers to replace the temporary bents for the bridge at Mile Post 420.20.



Figure 1. Selected Bridge Locations

Under VCTC's lease with rail operator Fillmore & Western, for bridges between Mile Post 414.15 and Mile Post 437.07, VCTC is under no obligation to make these repairs, but the rail operator may elect to assume responsibility for the repairs at their own cost.

Obligations for railroad bridge maintenance, repairs, and inspections (both annual and quarterly) are included in the active ongoing negotiations with a railroad operator under the Request for Proposals for an Operator of Rail Service on the Santa Paula Branch Line issued in October 2020.

The estimated cost of repairs is shown in Attachment A (2020 Maintenance List).

Structure #	Priority (years)	Description of Work - Maintenance	Est. Cost
407.48	1	Repair wingwalls to retain ballast	\$4,000
	1	Repair footwalk	\$2,000
408.02	3	Replace fouled ballast	\$5,000
	1	Raise approaches	\$4,000
	3	Replace ties	\$5,000
	1	Repair northeast embankment	\$3,000
	1	Repair fence breach	\$500
408.84a	<1	Remove vegetation under all spans	\$2,000
	<1	Repair backwall and scour before next rainy season	\$10,000
	1	Raise approaches on both ends	\$4,000
	<1	Replace walkway	\$2,000
	<1	Repair handrail cable	\$2,000
408.84b	<1	Repair walkway	\$4,000
	<1	Repair handrail post	\$2,000
	1	Remove vegetation under bridge	\$2,000
	1	Repair undermining at pier 3	\$4,000
408.84c	<1	Remove vegetation under all spans	\$2,000
	1	Raise approaches on both ends	\$4,000
	<1	Replace walkway	\$2,000
	<1	Repair backwall and scour before next rainy season	\$10,000
409.74	1	Replace ballast	\$5,000
	1	Raise approaches	\$4,000
	<1	Remove bees	\$1,000
410.40	1	Remove vegetation from under and around bridge structure	\$5,000
	1	Raise approaches	\$4,000
	<1	Repair handrail and walkway	\$2,000
	1	J-Bolts need to be installed to prevent tie movement	\$1,000
	1	Repair west wingwall to prevent further ballast loss	\$5,000
411.97	<1	Repair handrail	\$1,000
	1	Raise approaches	\$4,000
412.25	<1	Remove vegetation from under and around bridge	\$3,000
	1	Clean debris from around bearings both ends	\$2,000
	1	Raise approaches both ends	\$4,000
	1	Replace guard timbers	\$2,000
	1	Replace split tie	\$1,000
	1	Add handrails	\$4,000
415.20	1	Raise approaches	\$4,000
	1	Excavate to allow inspection or replace with culvert	\$10,000
	3	Repair wingwalls	\$4,000
415.32	<1	Replace walkway grating	\$2,000
	1	Raise approaches	\$4,000
	1	Excavate to allow inspection or replace with culvert	\$10,000
415.59b	1	Clean bearings	\$2,000
	1	Remove material between inside guard rail and running rail both ends, both sides	\$4,000
	1	Remove vegetation from under and around bridge structure	\$3,000
	1	Repair fence breaches	\$1,000
415.69	1	Raise east approach	\$2,000
	<1	Replace failed deck planks	\$50,000
	<1	Replace failed/rotten/crushing stringers	\$150,000
	<1	Quarterly inspections until deck and stringer repairs are made	\$3,500
	1	Repair wingwalls	\$4,000
415.79	1	Repair ballast guard	\$1,000
	1	Add ballast to approaches	\$3,000
	1	Clean channel to allow inspection or replace with culverts	\$10,000
415.82	1	Repair wingwalls and headwall retainer, both ends	\$3,000
	1	Replace sway braces	\$3,000
	1	Raise ballast at approaches	\$3,000
	<1	Shim pier to provide bearing	\$1,000
415.92	1	Ballast planks beginning to fail. Monitor and replace if maintained as a bridge	\$25,000
	<1	Walkway has uneven surface and is a tripping hazard	\$2,000
	1	Shim helper bents to stringers noted in report	\$1,000
	<1	Replace failed and rotten stringers or replace with culverts	\$150,000
	1	Repair handrail	\$1,000
	<1	Quarterly inspections until deck and stringer repairs are made	\$3,500
	1	Repair wingwalls	\$4,000

Structure #	Priority (years)	Description of Work - Maintenance	Est. Cost
416.21	1	Grout Joints	\$2,000
	1	Fix gaps in fence	\$2,000
416.32	1	Raise and straighten both approaches	\$5,000
	<1	Bridge has silted in more, channel needs cleaning to prevent water from hitting stringers	\$10,000
416.63	1	Raise approaches	\$4,000
	1	Repair backwall locations that are leaking	\$5,000
417.24	<1	Remove vegetation under and around bridge	\$5,000
	<1	Replace bad track ties	\$2,000
	1	Clear boulders, trees & other debris from under bridge to allow max flow & prevent damage to pile	\$3,000
	2	Repair backwalls	\$20,000
	<1	Replace ballast planks with stringer replacement	\$35,000
	<1	Replace bad stringers.	\$150,000
	<1	Quarterly inspections until deck and stringer repairs are made	\$3,500
	1	Repair erosion around wingwalls	\$3,000
	1	Correct rail alignment	\$4,000
	1	Raise approaches	\$4,000
	1	Repair handrails	\$2,000
417.96	3	Level track across structure	\$5,000
	3	Replace loose block	\$500
418.02	1	Clear debris from under bridge	\$2,000
	1	Raise approaches both ends	\$4,000
	1	Replace failed deck planks	\$25,000
	2	Install ballast curbs to prevent ballast loss	\$3,000
419.42	<1	Remove overhead vegetation	\$2,000
	2	Repair scour and protect both abutments	\$30,000
	1	Raise approaches	\$4,000
	<1	Repair handrail both sides	\$2,000
419.92	<1	Protect Abutment #1 from further scour	\$10,000
	1	Raise approaches both ends	\$4,000
	1	Replace missing, rotted and broken bracing	\$5,000
	1	Replace rotten backwall planks	\$20,000
	1	Repair holes in ballast near both abutments	\$2,000
	2	Increase height of SW ballast retainer to hold ballast	\$2,000
420.20	1	Raise approaches	\$4,000
	<1	Shim temporary bents	\$1,000
	1	Add supplemental steel stringers to replace temporary bents	\$15,000
	1	Add handrail	\$5,000
	1	Repair ballast retainer and deck planks	\$20,000
	2	Repair sway bracing	\$3,000
	3	Repair rotten backwall	\$20,000
420.46	1	Raise approaches	\$4,000
	2	Repair abutment ballast retainer west end and add at east end	\$2,000
	2	Repair west backwall	\$10,000
	1	Replace broken bent 2 sway brace, attach bent 4 brace	\$4,000
	1	Repair holes in deck planks	\$2,000
421.05	1	Remove vegetation under and around bridge	\$2,000
	1	Clean silt from span 1	\$5,000
	1	Raise approaches both ends	\$4,000
	2	Replace / Repair / Install ballast retainers at both ends on both sides	\$4,000
421.23	1	Clean channel downstream	\$5,000
	1	Raise approaches both ends	\$4,000
	<1	Repair walkway	\$4,000
	<1	Repair handrail	\$2,000
	2	Replace stringers on span #1 & #2 . Monitor stringers if condition worsens and raise priority.	\$75,000
	1	Increase ballast depth to 12 in minimum	\$3,000
422.53	<1	Remove vegation around bridge	\$2,000
	1	Add j-bolts to attach ties to stringers along with guard timbers	\$2,000
	1	Raise approaches on both ends	\$4,000
422.89	1	Raise approaches on both ends	\$4,000
	1	Replace fouled ballast	\$3,000
	1	Add ballast retainers	\$5,000

2020 Maintenance List

Structure #	Priority (years)	Description of Work - Maintenance	Est. Cost
423.28	1	Raise approaches	\$4,000
	<1	Repair handrail cable north side	\$2,000
	2	Clean bearings. Monitor condition and raise priority if necessary	\$2,000
423.44	1	Remove vegetation from under and around bridge	\$2,500
	1	Add ballast - ballast 3" below top of tie	\$5,000
	1	Raise west approach	\$2,000
	1	Remove debris from bents	\$5,000
	2	Add scour protection at Abutment 1	\$25,000
425.15	<1	Repair loose handrail cable	\$2,000
427.64	<1	Clear vegetation on north and south side of bridge	\$3,000
	<1	Clear channel	\$5,000
	1	Raise approaches both ends	\$4,000
	1	Replace ties	\$3,000
	<1	Clean debris from stringers	\$2,000
	1	Repair backwalls	\$5,000
429.79b	2	Raise both approaches	\$4,000
	1	Clear abutments, center pier and bearings of silt and debris	\$5,000
Total Maintenance Costs 2020=			\$1,264,000

Selected photos of the four bridges with significant findings are included below.

MP 415.69



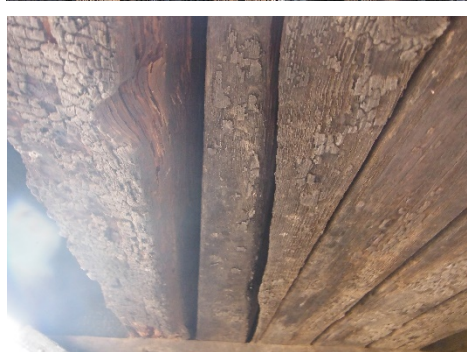
MP 415.92



MP 417.24



MP 420.20



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March 26, 2021

MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE
FROM: AMANDA FAGAN, PLANNING AND POLICY DIRECTOR
SUBJECT: SANTA PAULA BRANCH LINE ENCROACHMENTS AND LEASING REPORT

RECOMMENDATION:

- Receive and File.

BACKGROUND:

VCTC staff actively manages the Santa Paula Branch Line (SPBL) to administer leases, conduct weed abatement and trash removal to carry out the “Good Neighbor” policy and maintain the right-of-way.

The SPBL consists of 99 parcels owned by VCTC and runs for 32 miles from Mile Post 403 to Mile Post 435, with 29 active track miles extending through Mile Post 432. The SPBL property has 75 active paying leases and generated nearly \$276,460 in revenue in Fiscal Year 2020/2021. The SPBL currently has 619 total ongoing leases, the majority of which are for utilities (457 leases) or access (73 leases) that do not pay lease fees on an ongoing basis. Leased areas include 25 cultivation leases extending 11.55 miles, where agriculture occurs on some portion of the property owned by VCTC and leased to private parties.

DISCUSSION:

The Commission has previously directed staff to address encroachments through leasing activities to ensure fairness among neighboring landowners and generate revenues to sustain SPBL management and operations. The Commission confirmed this direction to staff during the SPBL Advisory Committee meeting held on March 23, 2020.

The initial field study conducted in February 2020 and an analysis of the Branch Line property indicated that many neighboring properties have extended cultivation activities and/or access onto the public property without entering into a lease with VCTC. These encroachments include row crops, lemon and avocado trees, equipment and materials staging areas, and other uses of the public property without entering into a lease with VCTC or receiving other permission to access the Branch Line property. A number of neighboring parcels within the unincorporated County have extended use beyond the private property line onto the public right-of-way without a corresponding lease. Based on field study and analysis conducted to date, significant acreage is in cultivation or private use on the public right-of-way without an active lease. VCTC staff has not yet been able to access all of the Branch Line to conduct a detailed evaluation due to difficulty of access on certain portions of the Line without crossing private property; however, from a visual inspection, it is anticipated that additional encroachments along the line are occurring.

Agricultural land within the Santa Clara River Valley of Ventura County carries average annual lease values ranging from \$250 (average current SPBL lease rent) to \$1,700 per acre (average County of Ventura cultivation lease rent). As leases are renewed or reassigned, VCTC continues to work with landowners to update rent values consistent with current market rates. For leases with termination provisions, VCTC staff will work proactively with leaseholders to update leases to market rates. Foregone revenue associated with publicland not currently leased but in active cultivation is estimated at approximately \$100,000 based on an agricultural land rent annual payment of \$1,700 per acre.

Though used for a public purpose, railroads are considered private property, unlike streets and highways. In California, courts have found that railroads are not subject to adverse possession, so users cannot gain a right to use the railroad property by using or occupying the property.

Throughout Calendar Year 2020 and continuing into 2021, VCTC staff conducted further field study to document encroachments, prepared and sent letters to neighboring property owners to notify, educate, and inform the owners about the need for a lease to access or cultivate within the public right-of-way or on railroad property, and giving property owners sufficient time to respond, execute a lease, or remove encroachments and/or cease access without permission.

Two new leases for access and cultivation were executed in September 2020 and January 2021 with combined lease revenue of \$4,516.72 and coverage of 2.76 acres. For example, in September 2020, VCTC executed a lease with the property owner and coordinated with the tenant to accommodate anticipated uses of 1.18 acres of railroad ROW property and private crossing located at Mile Post 416.31. This executed lease enabled approval of County permits to operate the Prancer's Farm pumpkin patch and other seasonal events, which provide a destination for excursion trains on the Santa Paula Branch Line. Three additional new or assigned leases are in progress between staff and adjacent landowners. The newly executed and pending leases bring the annual rental rate to comparable lease rates for agricultural land in the Santa Clara River Valley, and also utilize modern requirements and language regarding insurance, termination, and other provisions.



March 26, 2021

MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE
FROM: AMANDA FAGAN, PLANNING AND POLICY DIRECTOR
SUBJECT: SANTA PAULA BRANCH LINE RAIL OPERATOR LEASE

RECOMMENDATION:

- Receive and File.

BACKGROUND:

VCTC entered into a lease agreement with the Fillmore & Western Railway Company (FWRY) on June 25, 2001 for a twenty-year term for operation and maintenance of the rail line ending June 30, 2021. Amended three times to reflect changes in payment and the terms and conditions specified in the settlement agreement resulting from past litigation, the Lease Agreement terms provide for VCTC to pay FWRY \$450,000 per year for maintenance performed on the rail line. VCTC receives annual lease revenues from FWRY for its use of the rail line (combined total of \$15,534 in Fiscal Year 2019/2020 and the first six months of Fiscal Year 2020/2021). VCTC also receives a small share of film revenue generated on the line (combined total of \$11,569 in Fiscal Year 2019/2020 and the first six months of Fiscal Year 2020/2021).

With the June 30, 2021 expiration of the lease agreement with Fillmore and Western, VCTC issued a Request for Proposals for Rail Operator Service in October 2020, with proposals due in December 2020. In February 2021, VCTC entered real property negotiations with a Rail Operator, with final selection and contract approval projected for April or May 2021. A new lease is anticipated to commence July 1, 2021.

The draft budget for the Santa Paula Branch Line (SPBL) for Fiscal Year 2021/2022 is \$299,000, with funding comprised entirely of Local Fees and Signal Revenues generated by the SPBL.

DISCUSSION:

At this time, VCTC is in active real property negotiations for a new Railroad Operator lease. Future planning efforts seek to achieve the Commission policy of a self-sustaining Branch Line that does not require public transit funding subsidy.

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March 26, 2021

MEMO TO: SANTA PAULA BRANCHLINE ADVISORY COMMITTEE
FROM: AMANDA FAGAN, PLANNING & POLICY DIRECTOR
SUBJECT: HEARTHSTONE CROSSING UPDATE

RECOMMENDATION:

- Receive and File.

BACKGROUND:

At the March 2018 Santa Paula Branch Line Advisory Committee meeting, VCTC Staff reported to the Committee that Hearthstone Multi-Asset Entity C., L.P., the developer of The Bridges community in Fillmore, had requested to construct an additional at-grade rail crossing with associated easements for vehicular traffic, storm water drainage, and utilities (Figure 1). Staff worked with General Counsel to negotiate with representatives of Hearthstone, and in November 2018, the full Commission approved the construction and a non-exclusive Easement Agreement to provide for storm water drainage for the project. The Easement Agreement separated the storm water drainage from an at-grade crossing and utilities easement pending approval by the California Public Utilities Commission (CPUC). Hearthstone entered into a cost recovery agreement with VCTC to cover the cost of both staff and legal counsel's time.

The request included the right to install and obtain easements for construction, maintenance, and operation of an at-grade public vehicular, bicycle, and pedestrian crossing of the railroad tracks and related crossing-gates and signals, which required approval by the CPUC, and utilities (electrical, gas, water, reclaimed water, sewer, telephone, and cable utilities).

In connection with that request, Hearthstone applied to the CPUC, and acknowledged through the storm drain Easement Agreement that CPUC approval of the plans and the location of the proposed Rail Crossing were required before VCTC could consider granting an easement for the construction, operation and maintenance of the rail crossing and utilities pursuant to a separate easement agreement. With the November 2018 drainage Easement Agreement, VCTC and Hearthstone agreed upon the content and form of the rail crossing agreement, provided CPUC granted approval.

On February 27, 2020, the CPUC approved a decision granting authorization to the City of Fillmore to construct a new at-grade crossing at Trestle Way on the VCTC SPBL at Mile Post 425.81.

DISCUSSION:

In April 2020, VCTC approved a Construction and Non-Exclusive Easement Agreement with Hearthstone and the City of Fillmore. In September 2020, Hearthstone coordinated with Fillmore & Western Railway to cease rail operations to allow for construction of the railroad crossing to proceed. Construction of utilities and landscaping continues. The intersection at Highway 126 and Trestle Way crossing is now to open to the public (Figure 2).



Figure 1. Hearthstone Trestle Way Crossing Location



Figure 2. Trestle Way Open Crossing (Photo taken March 12, 2021)



Item #12

March 26, 2021

MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE

FROM: AMANDA FAGAN, DIRECTOR OF PLANNING AND POLICY

SUBJECT: HOMELESS ENCAMPMENTS AND RESPONSE

RECOMMENDATION:

- Information Item regarding the presence of homeless encampments on the Santa Paula Branch Line railroad right-of-way, impacts to rail operations, and VCTC staff response.

BACKGROUND:

Over the past year, VCTC received several reports from local residents, the City of Santa Paula, and railroad operator Fillmore & Western Railway of trash accumulation, small fires, and both occupied and abandoned encampments on the Santa Paula Branch Line right-of-way.

To address reports and complaints of trash accumulation along the right-of-way, VCTC called on the weed abatement contractor to conduct cleanups, avoiding any occupied encampments. VCTC also worked with the weed abatement contractor and arborist to conduct vegetation removal and tree pruning on VCTC property to discourage the establishment of encampments. Staff conduct periodic and responsive field visits to evaluate trash, weeds, and trespass conditions, and submit work orders for trash cleanup, tree pruning, or weed abatement, as needed. During the first seven months of Fiscal Year 2020/2021 (July 2020 – January 2021), VCTC expended \$43,746.09 on trash removal, weed abatement, and tree pruning. It is not known what portion of the debris is generated by homeless encampments or illegal dumping; however, problem areas occur in proximity to observable encampments.

In an effort to proactively address areas of recurring trash accumulation, VCTC staff also communicated with the City of Santa Paula, Ventura County Watershed Protection District, and other partners regarding collaborative efforts to address the encampments and trash situation in a more proactive way, such as by installing collection sites/receptacles for containment and establishing a more regular removal cycle. With assistance from the City of Santa Paula, and approval of an access permit by the Watershed Protection District, VCTC ordered installation of a four cubic yard trash dumpster on VCTC property near the Santa Paula Creek Bridge with weekly service (Figure 1).

To date, VCTC has not removed occupied encampments from the property during Calendar Years 2020 or 2021. In early 2020, the Centers for Disease Control and Prevention (CDC) issued guidance advising against encampment removal unless the individual(s) can be provided non-congregant shelter, to prevent the potential spread into the community of the virus that causes COVID-19. As such, to address encampments, VCTC staff communicated with the County Continuum of Care and other partners

regarding homeless encampments, requesting support from the Backpack Medicine team and determining whether shelter or care is available for the encampment residents.

In recent weeks, several incidents have raised serious safety concerns, notably two incidents of residents of nearby encampments jumping onto moving trains (one carrying a fuel can), and incidents of individuals sleeping on the Santa Paula Creek Bridge. Fillmore & Western called police and the individuals were arrested in each instance. Given these incidents of increasing severity, VCTC staff has stepped up efforts to work with the Continuum of Care, Santa Paula Police Department, and service providers to remove encampments within the areas of primary concern, starting with the area between 12th Street and the Santa Paula Creek bridge. VCTC staff has consulted with General Counsel to develop a Trespasser Removal policy and plans to coordinate with partners to carry out the policy as needed, and consulting updated CDC guidance issued February 26, 2021.



Figure 1. Dumpster on SPBL right-of-way near Santa Paula Creek Bridge.



Figure 2. Occupied encampments on SPBL right-of-way near Santa Paula Creek Bridge.