

CAPISTRANO BAY DISTRICT
AGENDA REPORT
January 28, 2014

Manager's Reports

ITEM J.4

OCTA Request to Remove/Relocate RR Safety Fence

The District has 4 choices regarding the safety fence:

- do nothing and wait for OCTA to react **(no cost initially but could develop into a problem)**
- remove the existing fence and leave the area open **(2 bids at \$1800 & \$2500)**
- relocate the existing fence using the existing materials **(1 bid at \$7140)**
- remove exist. fence and install Metrolink's preferred fence style **(1 bid at \$38,445)**

Request for bids have been solicited from the following fence companies:

- Armor Fence Concepts **(bid \$1800 and \$7140 respectively)**
- Alpha Fence Company
- Alcorn Fence Co. **(bid \$38,445)**
- Fenceworks Inc.
- Crown Fence Co.

The existing fence is currently placed 15 feet from the near rail OR 17.5 feet from the track centerline (the tracks are 5 feet wide). Metrolink is inconsistent with their measuring standard; in some cases they measure from the centerline of the tracks and in other cases, like ours, they measure from the near rail (the rail nearest to our development) – it seems to be applied arbitrarily.

Moving the fence to a point 20 feet from the near rail (as OCTA is requesting) places the fence directly up against the back of line of vegetation – the hibiscus and bird of paradise would have to be heavily cut back and maintained to provide space for the fence – this would provide no working space behind the bushes for maintenance. Additionally, there are some irrigation supply lines and electrical conduits running about midway behind the line of vegetation and the fence that would end up being inaccessible and outside the fence, if it is placed at 20 feet.

Recommendation

Set a meeting with OCTA and offer to move the fence just 2.5 feet closer to the bushes, this would provide the maintenance access we need, would put the fence at 17.5 feet from the near rail OR 20 feet from the track centerline, and would demonstrate our good faith effort to comply. We might be able to negotiate this compromise with OCTA – it seems reasonable given that there are MANY areas between SJC and San Clemente where the fence is much closer than 15 feet.