



Updates on Quiet Zone Feasibility and Establishing a Memorandum of Understanding with Union Pacific Railroad

City Council

October 22, 2024

On July 16, 2024, City Council approved two recommendations requesting report backs related to the City's partnership efforts with Union Pacific Railroad (UPRR):

- The feasibility of establishing Quiet Zones at two intersections in Long Beach (Market/Candlewood and Wardlow/Santa Fe); and,
- The process to strengthen the City's partnership with UPRR through a Memorandum of Understanding.

A nighttime photograph of the Long Beach skyline. The city lights, including several tall buildings and palm trees, are reflected in the calm water in the foreground. A semi-transparent white box is overlaid on the left side of the image, containing the title text.

Quiet Zone Feasibility

Quiet Zone Feasibility - Background

- Following Council direction, staff from City Manager's Office, Public Works, Health & Human Services, and Community Development met with UPRR to learn more about the process to establish a Quiet Zone.
- Staff also had conversations with staff from the Cities of Pomona and San Jose, which have established Quiet Zones.
- The Federal Railroad Administration (FRA) regulates rail operations across the country, and the Train Horn Rule requires locomotive engineers to sound train horns between 15 and 20 seconds ahead of all public grade crossings.
- Localities can go through a process to establish Quiet Zones so that locomotive horns are not routinely sounded, but only if certain technical requirements are met.

Quiet Zone Feasibility - Process

- The City would engage the Federal Railroad Administration, California Public Utilities Commission, UPRR, and the property owner to begin the Quiet Zone establishment process.
- The City would be responsible for completing a diagnostic assessment of the infrastructure and engineering improvements needed to be compliant with the Manual on Uniform Traffic Control Devices at each intersection.
- The City would need to reimburse UPRR for staff resources to engage in this process, estimated at \$25,000 per intersection.
- Once the assessment is complete, the City would be responsible for the traffic improvement designs (e.g., adding crossing gates) and would work with UPRR on signal facility designs.
- All costs for infrastructure improvements and maintenance required to establish a Quiet Zone would be the City's responsibility.

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Memorandum of Understanding (MOU) for Encampment Cleanups

Memorandum of Understanding - Background

- On July 16, 2024, the City Council directed the City Manager to explore establishing a Memorandum of Understanding (MOU) with Union Pacific Railroad (UPRR).
- In recent years, UPRR and the City have received complaints from residents, businesses, and local governing entities about impacts of homeless encampments along railroad tracks.
- Encampments on UPRR properties pose safety and security risks to railroad staff, neighboring communities, and unhoused individuals.
- **Goal of the MOU:** to enhance cooperation to address encampments, overgrown vegetation, and illegal dumping on UPRR property as part of the City's broader efforts to promote public health and safety, particularly in properties adjacent to neighborhoods.

Homeless Encampments on Union Pacific Railroad Property

- According to the 2024 Point-in-Time Count, there are over 3,300 people experiencing homelessness in Long Beach.
- Due to right-of-way access requirements, UPRR properties cannot be fully secured, making them vulnerable to encampment activity.
- Railroad areas are also difficult to monitor consistently.
- Trespassing, public safety risks, and potential dangerous incidents involving trains or hazardous materials are major concerns.
- Many of the railroad encampments consist of individuals experiencing chronic homelessness who have been unsheltered for several years.

Challenges with Encampments on Railroad Property

- **Complaints about safety and sanitation near UPRR property:**
 - Unsanitary conditions, including the accumulation of trash, human waste, and illegal dumping.
 - Increased crime, vandalism, and disruptive behavior.
 - This puts a strain on public resources.
- **Other safety risks, including potential accidents, fires, and hazardous materials exposure:**
 - Increase the likelihood of accidents involving trains and people living near the tracks.
 - The presence of open flames or unsafe electrical connections heightens the risk of fires.
 - Many railroad corridors contain or transport hazardous materials, creating potential exposure risks for encamped individuals.

Challenges with Response

- While railroad properties are federally owned, UPRR manages oversight and operations, complicating the City's ability to address the concerns because we do not have purview on the maintenance of their rights-of-way.
- Despite monthly cleanups, reoccurring encampments are a persistent issue, often reappearing shortly after cleanups.
- Locations such as Candlewood Street, Orange Ave, and areas near the 91 Freeway are known hotspots for recurring encampments.
- Enforcement of trespassing laws is complicated by overlapping jurisdictions and limited resources.

Existing Interjurisdictional Efforts

- The Homeless Services Bureau (HSB) coordinates outreach efforts with UPRR through the Interjurisdictional Liaison and other interjurisdictional collaborations.
- HSB and City Interdepartmental Team conduct outreach and service connections in areas immediately around UPRR property
- UPRR conducts cleanups at least once a month, responding to reports submitted via their reporting system, through approved subcontractors with specialized crews trained to handle cleanups along railroads, which often involves hazardous materials.
- Long Beach Police Department (LBPD) accompanies cleanup crews to provide security.
- UPRR partners with CityNet, an organization that provides street outreach to unhoused individuals and connects them to transportation, housing assistance, hospital transfers, or family reunification services.

UPRR Reporting System

UPRR has two **reporting mechanisms** for coordinating responses:

- **Emergency** Incidents (e.g. life safety concerns, fires, hazardous materials):
 - Call the Union Pacific Response Management Communication Center at **1-888-UPRR COP (877-7267)**
- **Non-Emergency** Issues (e.g. encampments, blocked crossings, illegal dumping, vegetation obstructions):
 - Use the online Notify UP reporting system at:
www.up.com/notifyup

Challenges with Pursuing an MOU

- **UPRR's MOU with San Jose is no longer active**, as UPRR now subcontracts its own services directly to address encampments.
 - UPRR no longer utilizes the MOU approach with cities due to funding these services.
- City of San Jose's model required significant financial and in-kind resources directly provided by the City, including funding cleanup efforts, adding staffing capacity, and conducting post-cleanup patrols, without any reimbursement by UPRR.
- Cleanup activities on railroad property would require special equipment, special training, and coordination with UPRR's flaggers, especially for ensuring safe train line suspensions during cleanups.

Significant costs the City would incur if it assumed equivalent responsibilities to those in MOU with City of San Jose:

- Waiver of Permit Fees
- Encampment Cleanup, Graffiti Removal, and Vegetation Abatement
- Homeless Outreach and Encampment Abatement
- Post-Cleanup Patrols and Security
- Fencing and Landscaping

Proposed Agreement for Outreach

LBPD has an active Letter of Agreement with UPRR, allowing LBPD officers access to UPRR property to:

- Enforce trespassing violations within 20 feet of UPRR tracks.
- Tow abandoned vehicles on UPRR property.

This agreement is limited to enforcement and cannot be amended.

UPRR and the City are exploring an additional agreement that may include:

- Extending access to HSB outreach staff for coordinated outreach with LBPD during encampment responses.
- Expanding coordinated response to include service referrals for shelter and housing through Long Beach's Coordinated Entry System.

Conclusion and Next Steps

Conclusion:

A formal MOU between the City and UPRR is not feasible due to UPRR no longer entering MOUs with cities, extensive costs, and the challenges posed by UPRR's jurisdiction over railroad properties.

Next Steps:

- Pursue agreement with UPRR to allow for access by HSB outreach teams to supplement the existing Letter of Agreement with LBPD and expand the City's responsiveness to community requests.
- Residents are encouraged to report issues along railroads using UPRR's reporting channels for timely responses.
- When complaints come in through the Long Beach reporting system, the Interjurisdictional team will also put in a request to the UPRR reporting system.
- The City will continue working with UPRR to address safety and public health concerns and will provide regular updates to the City Council upon request.



Thank you

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