

JOINT MEETING OF THE BOARD OF DIRECTORS FOR THE
METROPOLITAN TRANSIT SYSTEM (MTS),
SAN DIEGO TRANSIT CORPORATION (SDTC), AND
SAN DIEGO TROLLEY, INC. (SDTI)

June 11, 2009

MTS
1255 Imperial Avenue, Suite 1000, San Diego

MINUTES

1. Roll Call

Chairman Mathis called the Board meeting to order at 9:01 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Mr. Ewin moved to approve the minutes of the May 28, 2009, MTS Board of Directors meeting. Mr. Ovrom seconded the motion, and the vote was 9 to 0 in favor.

3. Public Comments

Aremi Lopez, School Teacher: Ms. Lopez referred to the incident on May 20 when students were detained at the Old Town Transit Center and subsequently deported to Mexico by the Transportation Security Administration (TSA) VIPR Unit. She stated that more than half of her students ride the trolley or bus. She stated that they would not allow the Border Patrol and the Transit Security Administration to question and intimidate their students while they are on their way to get an education. She demanded that MTS no longer collaborate with any immigration agencies and that MTS make a statement they it will not do so.

Dawn Miller: Ms. Miller stated that this detainment and deportation was the most outrageous affront to her students. She briefly discussed the good character of one of the students who was deported on May 20. She stated that the students had student ID's and had paid their fares and alleged that the TSA was racially profiling people. She stated that the students were terrified by the alleged aggressive approach taken by the TSA. She pointed out that these students are pursuing an education in order to become productive members of society. She stated that the students rely on the safety of the MTS system and stated that students are now afraid to ride. She also stated that the TSA's actions have angered teachers and advocates for education. She added that these activities must not be carried out on public transportation.

Stephanie Gramidas, SDSU Student: Ms. Gramidas stated that the students deported were separated from their families as they were pursuing an education, which is a human right. She also stated that it was MTS's responsibility to provide transportation free of harassment and questioning. She stated that MTS should refuse any agreement or collaboration.

Ana Benitez: Ms. Benitez, through a translator, stated that her daughter was one of the students who was deported while she was on her way to school. She stated that bus and trolley are the only way they can travel around the city. She stated that they are now afraid to ride. She also stated that public transportation should be a safe place. She requested that MTS make a decision to support the students so this doesn't happen again.

Christian Ramirez, American Friends Service Committee: Mr. Ramirez stated that this is not a new issue. He stated that his organization worked with MTS in 2001 to ensure that all residents feel that boarding buses and trolleys was safe to do. He stated that the public now feels unsafe again. He encouraged MTS to take this matter up as an agenda item. He felt that MTS should not be involved with immigration-related activities.

Chairman Mathis stated that MTS was not happy that this incident occurred but pointed out that MTS has the role of providing transportation. He stated that MTS does not condone TSA activities on public transit. He stated that the TSA was carrying out its duties as assigned to them by law and that MTS cannot interfere with that. He added that MTS is cooperating to the extent the law requires. He stated that MTS is sympathetic to the public's concerns, but this type of matter is beyond MTS's control. He added that MTS has contacted the TSA and expressed its concerns to them, and the TSA understands those concerns.

Mr. Young stated that he was glad to see everyone exercise their right to speak. He also stated that it didn't seem that the TSA was respectful in the way it carried out its responsibilities on May 20. In response to a question from Mr. Young, Chairman Mathis stated that the TSA and Border Patrol can board buses and trolleys anytime they want to and clarified that MTS would be breaking the law if it attempt to stop them. Ms. Tiffany Lorenzen, General Counsel, confirmed that MTS had to comply with TSA directives and also reported that MTS could be putting its TSA funding in jeopardy if it interfered with TSA activities. Mr. Young stated that intimidation on the MTS system should not be condoned. Mr. Gloria stated that he supported efforts to clarify MTS's concerns. Chairman Mathis pointed out that the TSA officials seemed to be sensitive to MTS's concerns. Chairman Mathis reiterated that MTS wants the public to feel safe on the public transportation system but is bound by the law to not interfere with TSA activities.

***** Triennial Audit Results

Mr. Paul Jablonski, CEO, reported that the Federal Transit Administration (FTA) representatives were at MTS recently to conduct a triennial audit. He stated that they conducted a comprehensive review of 23 different areas and reported no deficiencies, which is very unusual. Mr. Jablonski commended staff for its preparation and for doing things right over the three-year period that was reviewed. Chairman Mathis stated that it is rare that such an audit is conducted and doesn't identify deficiencies of some kind.

CONSENT ITEMS:

6. MTS: Elevator and Escalator Maintenance and Repair Services – Contract Award (OPS 960.2, 970.2)

Recommend that the Board of Directors authorize the CEO to execute (1) MTS Doc. No. PWL113.0-09 (in substantially the same format as Attachment A of the agenda item) for a five-year contract with KONE Elevator for SDTC elevator Maintenance and repair services; and (2) MTS Doc. No. PWL116.0-09 (in substantially the same format as Attachment B of the agenda item) for a five-year contract with Omega Elevator for SDTI elevator and escalator maintenance and repair services.

7. MTS: Transit Security Grant Program (AG 210.9)

Recommend that the Board of Directors approve Resolution No. 09-20 (Attachment A of the agenda item) authorizing the CEO to submit applications for funds provided by the federal

Department of Homeland Security and administered through the State of California Office of Homeland Security.

8. MTS: Investment Report – April 2009 (FIN 300)

Recommend that the Board of Directors receive a report for information.

9. MTS: Audit Report - Payroll (LEG 492)

Recommend that the Board of Directors receive an internal audit report on the MTS payroll process.

Action on Recommended Consent Items

Mr. Young moved to approve Consent Agenda Item Nos. 6, 7, 8, and 9. Mr. Roberts seconded the motion, and the vote was 14 to 0 in favor.

46. MTS: Update on the San Ysidro Border Reconfiguration Project (CIP 10453)
(Discussion Item: Taken Out of Order)

Ms. Sharon Cooney, Interim Director of Planning, reported that staff had been working with the General Services Administration (GSA) to improve the flow of transit services and pedestrians at the San Ysidro Border crossing. She stated that MTS staff has also worked with a number of different agencies, including San Diego's congressional delegation, in order to address these issues.

Mr. Mike Daney, Senior Transportation Planner, reviewed the schedule and alternatives for the Draft Environmental Impact Statement, and provided a visual display of the existing point of entry at San Ysidro and discussed how it is currently working. He also provided a visual display of and discussed the alternatives and various construction phases for the project. He then reviewed MTS's concerns and reported that MTS will submit its comments to the GSA by June 22. He added that staff will continue to work with the GSA to develop solutions for the issues related to the ticket booth, the signal house, taxicab line-of-sight, and pedestrian flow. In response to a question from Mr. Young, Mr. Daney reported that if the Preferred Alternative is selected as the basis for the final design, MTS will be happy with that.

In response to a question from Mr. Young, Mr. Jablonski stated that the issue of taxi "wildcatters" in this area is one of enforcement rather than the configuration of the station. Mr. Jablonski stated that taxicab operators are parking in off-site areas around the transit center in order to try to pick-up passengers.

Mr. Jablonski pointed out that Phase III of this project includes the items that MTS requested. He added that the danger is that this particular phase of the project might not get done. He also stated that 85 to 90 percent of the pedestrians using this station are transit riders.

Ms. Bragg reported that it is very difficult for people who are physically impaired to use this station and stated that she hoped the new configuration would address that issue.

Action Taken

Mr. Rindone moved to receive a report on the United States General Services Administration's San Ysidro Border Reconfiguration Project. Mr. McClellan seconded the motion, and the vote was 13 to 0 in favor.

CLOSED SESSION:

24. Closed Session Items (ADM 122)

The Board convened to Closed Session at 9:48 a.m.

- a. MTS: CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to California Government Code section 54956.8:
Property: Assessor Parcel Nos. 667-020-70, 76, and 76, San Diego, California, in the community of San Ysidro;
Agency Negotiators: Tiffany Lorenzen, General Counsel, and Tim Allison, Manager of Real Estate Assets
Negotiating Parties: United States General Services Administration
Under Negotiation: Price and Terms of Payment
- b. MTS: CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to California Government Code section 54956.9(a) Balfour Beatty/Ortiz v. Metropolitan Transit System (Superior Court Case No. GIC 868963)
- c. MTS: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a): Phelps v. SDTC (Case No. 37-2008-0075323-CU-PO-CTL)

The Board reconvened to Open Session at 10:10 a.m.

Oral Report of Final Actions Taken in Closed Session

Ms. Lorenzen reported the following:

- a. The Board received a report and gave direction to agency negotiators.
- b. The Board received a report.
- c. The Board received a report and gave direction to outside counsel.

PUBLIC HEARING

25. There were no Public Hearings conducted.

DISCUSSION ITEMS:

There were no Discussion Items.

REPORT ITEMS:

45. MTS: Old Town Passenger Information Pilot Project (SRTP 850)

Mr. Rob Schupp, Director of Marketing and Communications, provided the Board with an overview of this project. He reported that staff has been working on improving customer information tools and has now turned to the station platform signage portion of that effort. He reported that CHK America was selected to work with staff on this project after a Request for Proposal process. He then provided Committee members with background information on CHK and reported that they had done signage for London, Chicago, Atlanta, and Washington D.C. He reviewed the reasons that the Old Town Transit Center was selected for the pilot project. He also reviewed the method CHK used to evaluate the effectiveness of the existing signage at this location and then displayed mock-ups of the proposed signage.

Mr. Schupp reported that new kiosks will be placed in front of the store at the transit center and close to the pedestrian tunnel. He also reported that new inserts will be placed in the existing kiosks.

Public Comment: *Clive Richard:* Mr. Richard stated that he really liked the new signage. He stated that it will make it easier for people to use the system and will encourage them to choose to ride with MTS. He applauded staff and complimented the consultant on a job well done.
Margo Tanguay: Ms. Tanguay stated that this was a real positive sign for the system.

Mr. Faulconer stated that the signage at Old Town was not intuitive, and this will be a really good improvement. He stated that he liked the proposed locations for the kiosks and suggested that the consultant return to the station and repeat the test-case transfer scenarios again after the new signs are installed. In response to a question from Mr. Faulconer, Mr. Schupp reported that the pilot project would last about three to four months and that staff will report back with the results at the end of that period.

Mr. Roberts complimented staff on developing this program and stated that it is the most effective money ever spent. He stated that the existing signage is incredibly confusing, and this will be a huge improvement. He added that the system will be more accessible and user friendly. He suggested that there be step-by-step instructions for reading the signs. He was also very pleased with the low cost of the project.

Ms. Bragg stated that the new signage was a tremendous improvement. She stated that she was a frequent rider and had helped others use the existing signage. She stated that she liked the emphasis on travel times and felt this would be especially helpful to tourists. She also thanked Mr. Schupp for his assistance on the wheelchair accessibility issue on Route 929.

Action Taken

Mr. Roberts moved to receive a report and provide input on the draft Old Town Passenger Information Pilot Project signage along with step-by-step instructions for using the signage. Mr. Ovrom seconded the motion, and the vote was 14 to 0 in favor.

47. MTS: 2009 Rock 'N' Roll Marathon (SRTP 825)

Mr. Jim Byrne, Director of Transportation, reviewed bus-related planning that occurred before this event and then reviewed operations on the day of the race. He also showed a map of the

course and reviewed statistical information regarding bus-related activities that occurred before, during, and after the race. He stated that everything went smoothly and event organizers expressed their pleasure with the services provided by MTS Bus and Veolia.

Mr. Tom Doogan, Special Event/Operations Coordinator, reviewed how the race impacted trolley operations. He reviewed how ticket sales were handled and provided statistics on manual ticket sales, ridership levels, and cost recovery, which was 100 percent. Mr. Doogan reported that a new course will be developed for next year because the Marine Corps Recruit Depot will no longer be available to serve as the Finish Line area.

Mr. Jablonski stated that this year's effort was exceptional and felt that the model for this service had been perfected. He stated that this serves as a good example of how well the system can perform outside of normal operations. Chairman Mathis thanked staff for a job well done. Mr. Faulconer stated that this operation just gets better and better. He stated that he talked to people who reported that they had minimal waits for service and that everything went smoothly.

In response to a question from Mr. Faulconer, Mr. Byrne reported that bus services are provided on a full-cost-recovery basis. Mr. Faulconer stated that he was pleased that staff is working with marathon staff to ensure that the new route selected for next year will integrate effectively with transit. Chairman Mathis stated that MTS has the leverage it needs to ensure that and added that race personnel understand how critical transit services are to the success of this event. In response to questions from Mr. Gloria, staff reported that bus service was billed at just under \$70,000, that MTS updates its cost figures every month. Staff also reported that \$40,000 in additional fares were collected that day.

Mr. Roberts also complimented staff. He added that there was major traffic congestion at some intersections the day of the race and improvements are needed in this area.

Action Taken

Mr. Faulconer moved to receive a report on operations during the Rock 'N' Roll Marathon. Mr. Young seconded the motion, and the vote was 14 to 0 in favor.

48. MTS: Mid-City Rapid Bus Project Update (SRTP 820.2)

Mr. Denis Desmond, Senior Transportation Planner, provided the Board with a report on the Mid-City Rapid Bus Project. He reviewed the elements of the project including service, equipment, transit signal priorities, and stations and station amenities. He also reviewed the current status of this project and the funding that would be used for capital and operating expenses for this project. He reported that TransNet funding for operations would be over and above what it costs currently to operate Route 15. He reported on the current status of the project and added that service should begin in 2011. Mr. Desmond also displayed artist renderings of the El Cajon Boulevard station and the Park Boulevard Median Lanes and Station and displayed a map of the route showing the location of special transit lanes and traffic priorities. He then introduced Miriam Kirshner, the SANDAG Project Engineer for this project. In response to a question from Chairman Mathis, Mr. Desmond reported that the funding for this service will be available for the duration of TransNet. In response to a question from Mr. Ewin, Ms. Cooney stated that the station design could vary from stop to stop, and staff will be attempting to use off-the-shelf components in the design in order to reduce cost.

Mr. Gloria stated that this is a very exciting project and briefly discussed development activity that is currently underway and planned for around Park and El Cajon Boulevards. He stated that he appreciated staff's work. Mr. Desmond informed Mr. Gloria that MTS staff participated in meetings with SANDAG project personnel to provide MTS's input.

Ms. Kirshner reported on public meetings that have been held in the areas that will be served by this route and stated that business owners were involved in some of those meetings. She added that SANDAG is now focusing on community planning groups. Mr. Gloria stated that planning groups and business district groups should continue to be included. Mr. Desmond reported that the fare for this service should remain at \$2.25, which is the fare currently charged for Route 15. Ms. Kirshner advised Mr. Gloria that SANDAG will not be improving the stations in the Balboa Park/Park Boulevard area, but the route will continue to serve those stations. Mr. Ewin referenced the original station design for Super Loop and stated that he was glad that SANDAG staff members were looking at ways to economize on stations. Mr. Gloria stated that shelters should not block the view of storefronts.

Action Taken

Mr. Gloria moved to receive a report on the Mid-City Rapid Bus Project. Ms. Bragg seconded the motion, and the vote was 11 to 0 in favor.

60. Chairman's Report

Chairman Mathis reported that the June 4 Executive Committee and Audit Oversight Committee meetings were cancelled.

61. Audit Oversight Committee Chairman's Report

Mr. Ewin stated that the next Audit Oversight Committee meeting would be held on July 9, 2009.

62. Chief Executive Officer's Report

There was no CEO's report.

63. Board Member Communications

Super Loop Launch: Mr. Rindone reminded Board members that the Super Loop launch is being held on Monday, June 15. He stated that questions regarding this event should be directed to him, Rob Schupp, or Gail Williams.

San Diego Railroad Museum: Mr. McClellan stated that he had gotten an e-mail from the San Diego Railroad Museum stating that there were some problems with rail traffic and with someone trying to pass costs on to the museum. Chairman Mathis reported that Mr. Jablonski had already addressed this issue.

64. Additional Public Comments on Items Not on the Agenda

Diana Hyatt, Pacific Southwest Railway Museum: Ms. Hyatt introduced herself to the Board and provided background on herself as well as the museum. She stated that she would appreciate the opportunity to appear before the Board to give quarterly PowerPoint

presentations on the museum's activities. She also offered to give tours to anyone who was interested and stated that she would leave her contact information on the table.

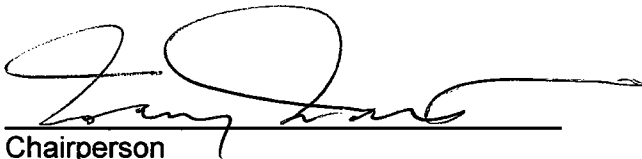
Clive Richard: Mr. Richard discussed recent developments regarding transit funding and stated that voters have no real power.

65. Next Meeting Date

The next regularly scheduled Board meeting is Thursday, June 25, 2009.

66. Adjournment

Chairman Mathis adjourned the meeting in the memory of departed colleague Fred McLean at 11:21 a.m.



Chairperson
San Diego Metropolitan Transit System

Filed by:



Office of the Clerk of the Board
San Diego Metropolitan Transit System

Approved as to form:



Office of the General Counsel
San Diego Metropolitan Transit System

Attachment: A. Roll Call Sheet
gail.williams/minutes

METROPOLITAN TRANSIT DEVELOPMENT BOARD
ROLL CALL

MEETING OF (DATE): 06/11/09

CALL TO ORDER (TIME): 9:01 a.m.

RECESS: _____

RECONVENE: _____

CLOSED SESSION: 9:48 a.m.

RECONVENE: 10:10 a.m.

PUBLIC HEARING: _____

RECONVENE: _____

ORDINANCES ADOPTED: _____

ADJOURN: 11:21 a.m.

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
BOYACK	<input checked="" type="checkbox"/> (Cunningham) <input type="checkbox"/>		
EWIN	<input checked="" type="checkbox"/> (Allan) <input type="checkbox"/>		
FAULCONER	<input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>	9:04 a.m. during AI 3	11:00 a.m. during AI 48
GLORIA	<input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>		
JANNEY	<input type="checkbox"/> (Bragg) <input checked="" type="checkbox"/>		
LIGHTNER	<input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>		
MATHIS	<input checked="" type="checkbox"/> (Vacant) <input type="checkbox"/>		
MCCLELLAN	<input checked="" type="checkbox"/> (Hanson-Cox) <input type="checkbox"/>		
OVROM	<input checked="" type="checkbox"/> (Woiwode) <input type="checkbox"/>		
RINDONE	<input checked="" type="checkbox"/> (Castaneda) <input type="checkbox"/>		
ROBERTS	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>		11:07 during AI 48
RYAN	<input type="checkbox"/> (B. Jones) <input checked="" type="checkbox"/>	9:04 a.m. during AI 3	
SELBY	<input checked="" type="checkbox"/> (England) <input type="checkbox"/>		
YOUNG	<input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>		10:55 a.m. during AI 48
ZARATE	<input type="checkbox"/> (Parra) <input type="checkbox"/>		<input checked="" type="checkbox"/>

SIGNED BY THE OFFICE OF THE CLERK OF THE BOARD



CONFIRMED BY OFFICE OF THE GENERAL COUNSEL

