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Agenda

JOINT MEETING OF THE BOARD OF DIRECTORS

for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

July 16, 2009

9:00 a.m.

James R. Mills Building
Board Meeting Room, 10th Floor
1255 Imperial Avenue, San Diego

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ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - June 25, 2009 Approve
3. Public Comments - Limited to five speakers with three minutes per speaker. Others will be heard after Board Discussion items. If you have a report to present, please give your copies to the Clerk of the Board.

Please turn off cell phones and pagers
during the meeting

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Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations), and San Diego Vintage Trolley, Inc., a 501(c)(3) nonprofit corporation, in cooperation with Chula Vista Transit. MTS is the taxicab administrator for seven cities. MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.

CONSENT ITEMS

6. MTS: LRV Paint and Body Rehabilitation, Vandalism, and Accident Repair - Contract Award Approve
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L0884.0-09 with Carlos Guzman, Inc. for a three-year base period with 2 one-year options for light rail vehicle (LRV) paint and body rehabilitation, vandalism, and accident repair services.
7. MTS: LRV Hi-Rail Vehicle - Contract Award Approve
Action would authorize the CEO to execute MTS Doc. No. L0874.0-09 with Dion International Truck, LLC for a one-time purchase of a hi-rail vehicle.
8. MTS: Proposed Policy No. 60 - Ticket Distribution Adopt
Action would adopt MTS Policy No. 60 regarding ticket distribution.
9. MTS: Investment Report - May 2009 Receive
Action would receive a report for information.
10. MTS: Increased Authorization for Legal Services - Trovillion Inveiss Ponticello & Demakis, APC Approve/Ratify
Action would authorize the CEO to execute MTS Doc. No. G1139.4-08 with Trovillion Inveiss Ponticello & Demakis, APC for legal services and ratify prior amendments entered into under the CEO's authority.
11. MTS: Increased Authorization for Legal Services - Wheatley Bingham & Baker Approve/Ratify
Action would authorize the CEO to execute MTS Doc. No. G1111.10-07 with Wheatley Bingham & Baker for legal services and ratify prior amendments entered into under the CEO's authority.
12. MTS: Increased Authorization for Legal Services - Law Offices of Mark H. Barber, APC Approve/Ratify
Action would authorize the CEO to execute MTS Doc. No. G1162.5-08 with the Law Offices of Mark H. Barber, APC for legal services and ratify prior amendments entered into under the CEO's authority.
13. MTS: Federal Economic Stimulus Supplemental Appropriations Act Approve
Action would approve: (1) the use of the Supplemental Appropriations Act for the American Recovery and Reinvestment Act (ARRA) of 2009 to fund MTS fiscal year 2010 operations; and (2) the transfer of \$5.86 million from the Blue Line Rehabilitation Project (CIP 1210001) to MTS fiscal year 2010 operations.
14. MTS: Capital Improvement Project Budget Transfer and Contract Amendment Approve
Action would authorize the CEO to: (1) transfer \$1,000,000 from Capital Improvement Project (CIP) 11164 (Rehabilitation Traction Motors) to CIP 11216 (LRV Electronics Components) and CIP 11254 (LRV Brake Overhaul) equally (\$500,000); and (2) execute MTS Doc. No. L0888.1-09 to Knorr Brake Corporation for the procurement and assembly of brake overhaul kits for SD 100 light rail vehicles (LRVs).

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| 15. | <u>MTS: Federal Section 5307 Formula Funds for ADA Paratransit Service</u>
Action would approve exchanging \$3.6 million in capital federal Section 5307 formula funds for nonfederal operating funds. | Approve |
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CLOSED SESSION

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| 24. | a. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a): <u>Balfour Beatty/Ortiz v. Metropolitan Transit System</u> (Superior Court Case No. GIC 868963) | Possible Action |
| | b. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a): <u>Tuil v. SDTI, MTS, MTDB</u> (San Diego Superior Court Case No. GIC 37-2008-00078029-CU-NP-CTL) | Possible Action |
| | c. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a): <u>Gladden v. SDTI, MTS</u> (San Diego Superior Court Case No. GIC 37-2008-00082698-CU-PO-CTL) | Possible Action |

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. None.

REPORT ITEMS

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| 45. | None. | |
| 60. | <u>Chairman's Report</u> | Information |
| 61. | <u>Audit Oversight Committee Chairman's Report</u> | Information |
| 62. | <u>Chief Executive Officer's Report</u> | Information |
| 63. | <u>Board Member Communications</u> | |

64. Additional Public Comments Not on the Agenda

If the limit of 5 speakers is exceeded under No. 3 (Public Comments) on this agenda, additional speakers will be taken at this time. If you have a report to present, please furnish a copy to the Clerk of the Board. Subjects of previous hearings or agenda items may not again be addressed under Public Comments.

65. Next Meeting Date: August 20, 2009

66. Adjournment