

EXECUTIVE COMMITTEE MEETING FOR THE
METROPOLITAN TRANSIT SYSTEM (MTS),
SAN DIEGO TRANSIT CORPORATION (SDTC),
AND SAN DIEGO TROLLEY, INC. (SDTI)

November 1, 2007

MTS
1255 Imperial Avenue, Suite 1000, San Diego

MINUTES

A. ROLL CALL

Chairman Mathis called the meeting to order at 9:02 a.m. A roll call sheet listing Executive Committee member attendance is attached.

B. APPROVAL OF MINUTES

Ms. Atkins moved approval of the minutes of the September 20, 2007, Executive Committee meeting. Mr. Ewin seconded the motion, and the vote was 4 to 0 in favor.

C. COMMITTEE DISCUSSION ITEMS

1. MTS: Update on Budget Deficit and Revenue-Generating Measures (FIN 310)

Ms. Sharon Cooney, MTS Director of Government Affairs and Community Relations, provided Committee members with an update on MTS's budget deficit for FY 2008 and revenue-generating measures that have been implemented as part of MTS's effort to address that deficit. She added that the latest revenue projections indicate more difficulties for all state programs for FY 2009.

Ms. Cooney reported on revenues that have been generated by bus and trolley wraps and through banner advertising and showed examples of each. She also briefly discussed MTS's efforts to develop a uniform policy for charging third-party carriers for their use of MTS bus and/or trolley stops. She reported that it recently cost \$33,000 to make repairs to the El Cajon Transit Center, which was not designed to accommodate the heavy over-the-road coaches that casinos are using at this center. She stated that up to 64 tribal casino buses are using this transit center on a daily basis. She stated that they are also stopping in an inconvenient location, and staff is working on a plan that would provide them with a location that will meet their needs and be separated from MTS's regular service. She also reported on revenues that will be generated by the provision of MTS planning services to SANDAG and through a new contract for pay phones.

Action Taken

Mr. Roberts moved to receive a report for information. Mr. Rindone seconded the motion, and the vote was 5 to 0 in favor.

2. MTS: Proposed Downtown San Diego Developer Impact Fee for Transit (S RTP 820.1)

Mr. Brandon Farley, MTS Sr. Transportation Planner, provided the Committee with an overview of MTS's involvement in the development of a developer impact fee for transit. He pointed out that MTS has provided an analysis of downtown services, specifically regarding ridership demand during peak periods and the associated capital costs. He reported that a fee should be in place prior to June 1, 2008. He added that the fee would be collected when the developer files for permits for a project.

Action Taken

Mr. Rindone moved to receive a status report concerning a proposed downtown San Diego transit-oriented developer impact fee. Ms. Atkins seconded the motion, and the vote was 5 to 0 in favor.

3. MTS: Grossmont Transit Center Improvement Project (LEG 460)

Mr. Paul Jablonski, MTS CEO, reported that the west-end parking structure for this project is now complete and ground-floor parking should be available to MTS patrons in early December. He stated the Westfield plans on starting the framing of the apartment building in December also. He stated that they are 7 to 10 days behind schedule but the project is going very well.

Mr. Frank Owsiany, SANDAG Project Manager, distributed a conceptual site plan for this project. He pointed out that the plans include an eight-foot-high mesh fence to control traffic to and from the elevator tower.

Mr. Owsiany also explained that the Alvarado Channel is subject to flooding that affects the trolley tracks and has therefore been separated from the project. He explained that SANDAG issued an Intent to Award for this task on Monday, October 29, 2007. He stated that the winning bid was for \$385,000 compared to an engineering estimate of \$607,000. He projected that a contract award should be made for the elevator and pedestrian bridge by September of 2008 with the project projected for completion at the end of 2009. He stated that completion should coincide with the completion of the residential units that are being constructed by Fairfield Residential at this location.

Mr. Owsiany reported that the overall budget for the entire project is \$4.7 million and is being funded with \$2.7 from the capital improvement program and \$2 million in Smart Growth monies. He added that the project's projected cost is now estimated to be \$5.3 million; therefore, staff has prioritized elements of the projects and is recommending that the CCTV camera portion of the project be delayed. He stated that the infrastructure necessary to accommodate the cameras will be completed so the cameras can easily be installed at a later date.

In response to a question from Mr. Roberts, Mr. Owsiany explained that there are two parallel bridges because there is a seven-percent downward grade at the location of the bridge, which severely limits other options. Mr. Rindone suggested

that the bridge be totally encased, at least in the sections where the bridge is directly above the tracks, to prevent people from throwing items off the bridge onto the tracks. Mr. Owsiany reported that the 70th Street Station of Mission Valley East has almost the same type of mesh barrier and pointed out that if someone wants to throw something on the tracks, they will find a way. Mr. Ewin suggested having a "catch unit" below the bridge to address this potential problem. He also stated that he was really pleased with the design and appreciated the work that had gone into developing it. He offered to talk to the City of La Mesa about installing some type of catch unit below the bridge.

Action Taken

Mr. Atkins moved to receive a report for information. Mr. Rindone seconded the motion, and the vote was 5 to 0 in favor.

The Committee convened to Closed Session at 9:34 a.m. to discuss the following item:

4. MTS: CLOSED SESSION: Conference with Real Property Negotiators
Pursuant to California Government Code Section 54956.8
Property: 1341 Commercial Street and 1501 National Avenue, San Diego, California
Agency Negotiators: Tiffany Lorenzen, Tim Allison
Negotiating Party: Merlone Geier Partners
Under Negotiation: Offer to Purchase

The Committee reconvened to Open Session at 10:07 a.m.

Oral Report of Final Actions Taken in Closed Session

Chairman Harry Mathis reported the following action taken in Closed Session:

Staff briefed the Committee on this item and gave guidance to the CEO.

D. REVIEW OF DRAFT SEPTEMBER 27, 2007 BOARD AGENDA

Recommended Consent Items

6. MTS: An Ordinance Amending Ordinance No. 4, an Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule (ADM 110.3)

Recommend that the MTS Board of Directors adopt the proposed changes (Attachment A of the agenda item) to the ordinance entitled: "Ordinance No. 4: An Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule" and direct publication of an ordinance summary. The ordinance would take effect on January 1, 2008.

7. MTS: Increased Authorization for Legal Services (LEG 491)

Recommend that the Board of Directors authorize the CEO to enter into contract amendments with the law firm of Best Best & Krieger, LLP (MTS Doc. No. G1071.1-07) for legal services (in substantially the same form as Attachment A of

the agenda item) and ratify prior amendments entered into under the CEO's authority.

8. MTS: MCS Medium/Small DART Fixed Buses – Contract Award (FIN 340.2)

Recommend that the Board of Directors authorize the CEO to (1) execute MTS Doc. No. B0478.0-08 (in substantially the same format as Attachment A of the agenda item) with Creative Bus Sales for the provision of up to 20 minibuses utilizing the public agency/state contract with Creative Bus Sales (Specification No. 54309 of State of California Contract No. 1-05-23-16); and (2) transfer the remaining funds of \$341,773 from CIP 11418 to CIP 11419.

9. MTS: Liability Claims Analysis Report (LEG 491)

Recommend that the Board of Directors receive the Liability Claims Analysis Report (Attachment A of the agenda item) for MTS, SDTC, and SDTI.

10. MTS: Taxicab Administration Update (OPS 950.7)

Recommend that the Board of Directors receive an update regarding the Taxicab Administration and approve the continued jitney moratorium.

11. MTS: Capital Improvement Program-Funded Revenue Budget Transfers
(CIP 11147, 11213, 11240)

Recommend that the Board of Directors authorize the CEO to (1) transfer federal funds in Grant No. 5307 CA-90-Y176 totaling \$637,800 from CIP 11417 (MCS Midsize CNG Buses) into the FY 2009 Capital Improvement Program (CIP) to fund preventative maintenance; (2) transfer nonfederal funds from CIPs 11213 (SDTC KMD Building Rehabilitation) totaling \$500,000 and CIP 11240 (SDTC Support Equipment) totaling \$137,8000 to CIP 11417; and (3) fund CIP Nos. 11213 and 11240 within the FY 2009 CIP by the amounts transferred.

12. MTS: Federal Legislative Representation (LEG 490)

Recommend that the Board of Directors authorize the CEO to (1) execute Task Order No. 3 of the triagency contract with Blank Rome Government Relations, LLP (MTS Doc. No. G0980.0-06) effective upon completion of the signed agreement; and (2) ratify prior amendments entered into under the CEO's authority.

13. MTS: Investment Report (FIN 300)

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

Recommended Consent Items

There was no discussion of the recommended Consent Items.

Recommended Board Discussion Items

There was no discussion of the recommended Discussion Items.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

Chairman Mathis reported that the November 9, 2007, Transportation Committee meeting has been rescheduled for November 16.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

San Diego Symphony and 2007/2008 Winter Pops: As requested by Chairman Mathis, Mr. Rob Schupp, MTS Director of Marketing and Communications, provided the Committee with an update on MTS's partnership with the San Diego Symphony. He reported that MTS is in the second year of a three-year contract that gets MTS exposure to the symphony's audience. He explained that an MTS Board member introduces each program and a Power Point presentation promoting MTS is played at each performance. Mr. Schupp stated that this year there will be a special program and MTS will be given 600 tickets to pass on to transit riders. Chairman Mathis reported that he is introducing the performance on November 9 and Jerry Rindone is introducing the performance on November 10. He encouraged other Board members to do the same.

Article from Westway Magazine: Mr. Ewin passed out a recent article from Westway Magazine regarding the recent state diversion of spillover funds.

Fire Storm: Ms. Atkins advised the Committee that she submitted a couple of special requests during the recent wild fires and that staff and Mr. Jablonski were incredibly responsive. She stated that one of the special services she requested was provided by an operator that was the most professional representative of MTS she had ever witnessed. She asked that her thanks and comments be passed to him. She added that, even though Mr. Jablonski was displaced from his home, he was still conducting business during the fires. Mr. Jablonski stated that he is planning on giving a formal report to the Board on this topic. He stated that buses (both small and full size) were provided for evacuation purposes. He stated that even though he let County Emergency Services personnel know that MTS was willing to assist, there were not a lot of requests. He stated that MTS operated most of its regular service during this event and that trolley operations were not affected. He added that services that were affected by the fires included Route No. 20 that goes up the I-15 corridor, DART, services in east county, and rural service. He stated that all service is now back to normal. He added that MTS ridership dropped by 50 percent, at the worst point, during this event. He also reported that MTS submitted daily reports to the Federal Transit Administration and that no employee homes were burned.

Board Member Motions Regarding Service Cuts: Mr. Rindone pointed out that two motions made during the October 18, 2007, Board meeting (his substitute motion to approve staff's recommendation with a vote of 6 to 7 against and the motion to delay service changes for DART and Route No. 28 with a vote of 7 to 5 in favor) did not actually pass or fail because 8 votes are required in order for that to occur. He stated that this fact needs to be part of the record. Chairman Mathis reported that Captain Mark Patton, USN, and staff have reached an agreement regarding the service changes to Route No. 28. Mr.

Jablonski reported that staff is trying to find a provider to take over the DART service that was proposed for elimination. He stated that MTS is exploring the possibility of purchasing the vehicle for such service. He stated that staff is also exploring the possibility of using a grant program through SANDAG to purchase the vehicle or having the County of San Diego purchase the vehicle.

Payroll Tax: Mr. Jablonski, in response to a question from Mr. Rindone, reported that staff is still researching the payroll tax that was approved by Portland to support transit. He stated that such a tax would require a public vote.

G. PUBLIC COMMENTS

There were no Public Comments.

H. NEXT MEETING DATE:

The next meeting is scheduled for Thursday, December 6, 2007, in the Executive Conference Room.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 10:18 a.m.

Chairman

Attachment: A. Roll Call Sheet

gail.williams/minutes