



1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
619.231.1466 FAX 619.234.3407

Agenda

JOINT MEETING OF THE BOARD OF DIRECTORS

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

December 13, 2007

9:00 a.m.

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

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please call the Clerk of the Board at least five working days prior to the meeting to ensure availability. Assistive Listening Devices (ADLs) are available from the Clerk of the Board/Assistant Clerk of the Board prior to the meeting and are to be returned at the end of the meeting.

ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - November 8, 2007
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.

Approve

Please turn off cell phones and pagers
during the meeting



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

CONSENT ITEMS

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| 6. | <u>MTS: San Diego and Arizona Eastern (SD&AE) Railway Company Quarterly Reports and Ratify Actions Taken by the SD&AE Railway Company Board of Directors</u>
Action would: (1) receive the San Diego and Imperial Valley (SD&IV) Railroad, Pacific Southwest Railway Museum Association (Museum), and Carrizo Gorge Railway, Inc. (Carrizo) quarterly reports and ratify the 2008 meeting schedule; and (2) ratify actions taken by the SD&AE Railway Company Board of Directors at its meeting on November 6, 2007. | Ratify |
| 7. | <u>MTS: Taxicab Committee Member Election Results</u>
Action would receive a report for information regarding the results of the election for new members of the Taxicab Committee. | Receive |
| 8. | <u>MTS: Investment Report</u>
Action would receive a report for information. | Receive |
| 9. | <u>MTS: Amendment to Contract Assignment for On-Call Engineering Services</u>
Action would authorize the CEO to execute an amendment to the assignment of contract Doc. No. G1127.0-08 from the San Diego Associations of Governments (SANDAG) for on-call engineering services with Bureau Veritas/Berryman and Henigar. | Approve |
| 10. | <u>MTS: Regional Transit Management System - Contract Amendments</u>
Action would: (1) ratify Amendment No. 3 to MTS Doc. No. G0867.0-03 (Motorola) as executed by the CEO; (2) authorize the CEO to execute Amendment No. 4 to MTS Doc. No. G0867.0-03 (Motorola) for a change order; (3) authorize the CEO to execute an amendment to the Funds Transfer Agreement with North County Transit District (MTS Doc. No. G0868.0-03) for change orders; and (4) authorize a contract contingency and authorize the CEO to execute future contract amendments. | Approve |

CLOSED SESSION

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| 24. | a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
PURSUANT TO CALIFORNIA GOVERNMENT CODE
SECTION 54956.8
<u>Property:</u> Assessor Parcel No. 559-117-14, Bay Marina Drive, City of National City, California
<u>Agency Negotiators:</u> Tiffany Lorenzen and Tim Allison
<u>Negotiating Parties:</u> City of National City's Community Development Commission and MRW Group, Inc.
<u>Under Negotiation:</u> Price and Terms of Payment | Possible Action |
| | b. MTS: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant Exposure to Litigation Pursuant To California Government Code section 54956.9(b): (<u>One Potential Case</u>) | Possible Action |

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| <p>c. MTS: - CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 Pursuant to California Government Code Section 54956.8
 <u>Property:</u> 1341 Commercial Street and 1501 National Avenue,
 San Diego, California
 <u>Agency Negotiators:</u> Paul Jablonski and Tim Allison
 <u>Negotiating Party:</u> Merlone Geier Partners
 <u>Under Negotiation:</u> Price and Terms of Payment</p> | Possible Action |
| <p>d. MTS: INITIATION OF LITIGATION Pursuant To California
 Government Code section 54956.9(c): (<u>One Potential Case</u>)</p> | Possible Action |

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

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| <p>30. <u>MTS: Fiscal Year 2009 Capital Improvement Program</u>
 Action would: (1) approve the fiscal year 2009 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels. As the federal appropriation figures are finalized and/or other project funding sources become available, allow the CEO to identify and adjust projects for the adjusted funding levels; (2) recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of federal Section 5307 and 5309 applications for the MTS's fiscal year 2009 CIP after the federal appropriations are finalized; (3) recommend that the MTS and SANDAG Boards of Directors approve the transfers of funds from the indicated projects to the fiscal year 2009 CIP; and (4) recommend that the SANDAG Board of Directors approve the amendment of the Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2009 CIP recommendations.</p> | Approve |
| <p>31. <u>MTS: Status Report of Right of Entry for Third-Party Carriers at the El Cajon Transit Center</u>
 Action would receive a report on the negotiations with Barona, Sycuan, and Viejas regarding right of entry into the El Cajon Transit Center and give direction to staff.</p> | Possible Action |
| <p>32. <u>MTS: Proposed Amendments to Board Policy No. 22 (Rules of Procedure for the Metropolitan Transit System [MTS])</u>
 Action would provide direction to staff and/or approve the proposed revisions to Board Policy No. 22.</p> | Approve |

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| 33. | <u>MTS: Legislative Update and Proposed Federal and State Legislative Goals</u>
Action would: (1) receive a report on 2007 legislative and intergovernmental activities; (2) accept the proposed MTS 2008 Federal Legislative Program; (3) accept the proposed MTS 2008 State Legislative Program; and (4) authorize the CEO to direct MTS's Sacramento and Washington representatives to advocate the state and federal legislative programs. | Approve |
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REPORT ITEMS

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| 45. | <u>MTS: Fiscal Year 2007 Comprehensive Annual Financial Report</u>
Action would receive the Fiscal Year 2007 Comprehensive Annual Financial Report (CAFR). | Receive |
| 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. | <u>Additional Public Comments Not on the Agenda</u>
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. | <u>Next Meeting Date:</u> January 17, 2008 | |
| 66. | <u>Adjournment</u> | |