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Agenda

JOINT MEETING OF THE EXECUTIVE COMMITTEE

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

May 6, 2010

Executive Conference Room
9:00 a.m.

ACTION RECOMMENDED

- | | | |
|----|---|--------------------|
| A. | ROLL CALL | |
| B. | APPROVAL OF MINUTES - April 15, 2010 | Approve |
| C. | COMMITTEE DISCUSSION ITEMS | |
| 1. | <u>MTS: Commuter Express Pilot Project (Mike Daney)</u>
Action would receive a report for information/input and forward it to the MTS Board of Directors for discussion. | Receive |
| 2. | <u>MTS: Mid-Coast Corridor Transit Project (Sharon Cooney)</u>
Action would forward a recommendation to the Board of Directors to support the San Diego Association of Governments' (SANDAG's) Light Rail Transit Alternative 1 as the Locally Preferred Alternative for the Mid-Coast Corridor Transit Project. | Approve |
| 3. | <u>MTS: Mid-City Rapid Update (Denis Desmond and Eric Adams of SANDAG)</u>
Action would receive a report on the Mid-City Rapid Bus Project and provide feedback. | Receive |
| 4. | <u>MTS: Disposition of Decommissioned Light Rail Vehicles (Wayne Terry)</u>
Action would receive a report for information. | Receive |
| D. | REVIEW OF DRAFT MAY 13, 2010, JOINT BOARD AGENDA | |
| E. | <u>REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA</u>
Review of SANDAG Transportation Committee Agenda and discussion regarding any items pertaining to MTS, San Diego Transit Corporation, or San Diego Trolley, Inc. Relevant excerpts will be provided during the meeting. | Possible
Action |

- F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS
- G. PUBLIC COMMENTS
- H. NEXT MEETING DATE: May 20, 2010
- I. ADJOURNMENT

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

DRAFT MINUTES

April 15, 2010

MTS
1255 Imperial Avenue, Suite 1000, San Diego

A. ROLL CALL

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

B. APPROVAL OF MINUTES

Ms. Lightner moved for approval of the minutes of the March 18, 2010, MTS Executive Committee meeting. Mr. Selby seconded the motion, and the vote was 5 to 0 in favor.

C. COMMITTEE DISCUSSION ITEMS

2. MTS: Master Concessionaire Services - Contract Award (Wayne Terry) (Taken out of order)

Wayne Terry, Chief Operating Officer of MTS Rail, gave a PowerPoint presentation on the Master Concessionaire Service Contract Award. He discussed the terms and responsibilities of the current contract with The Kobey Corporation, which expires in June 2010. The presentation gave the Executive Committee examples of existing kiosks as well as a few improved kiosks that have a more uniform design, which is something the new contract will implement. The new contract will also allow expansion of services and an advanced rent structure based on location of the kiosk.

Larry Marinesi, MTS Budget Manager, reviewed two revenue proposals with the Executive Committee. Proposal No. 2 would provide MTS approximately \$568,000 more in total revenue, over a 9-year period, based on a higher percentage of monthly rent split between MTS and The Kobey Corporation.

Mr. Rindone questioned if there is a clause written into the proposal that requires rent to be paid on a monthly basis. He also expressed concern in regards to late payments of rent. He expressed his desire for a penalty incurred for rent being 30 days past due and an escape clause for rent being 60 days or more past due.

Tiffany Lorenzen, MTS General Counsel, commented that a Termination for Convenience and a Termination for Default clause is written into the proposal and that she will insert specific language about late payments. Paul Jablonski, MTS CEO, further

explained that when rent is late, a default note is sent and, if the tenant fails to pay rent we cancel the contract.

Mr. Roberts wanted to know if there was a monthly performance standard for rent. Ms. Lorenzen explained that MTS can cancel the contract with Kobey based on poor performance, via the Termination for Convenience clause. Mr. Terry stated that the projects for revenue are based on current numbers and that we are projecting the numbers to come in higher. He also stated that Kobey has a number of individuals who are waiting to join the Master Concessioner's Agreement.

Mr. Jablonski further clarified that the existing contract has been in place for 19 years. The focus for the new contract with Kobey is to move away from the 25% split currently in place. It has been stressed to Kobey during negotiations that we want a more aggressive company with a better revenue split at no cost to MTS. This has been accomplished and it the expectation is for this new agreement to be a very positive one for MTS. He added that MTS has the ability to cancel the contract with Kobey based on the Termination for Convenience, which is simply issuing Kobey a 30-day cancellation letter to cancel the contract. Based on the statement by Mr. Jablonski, Mr. Rindone and Mr. Roberts agree that it is in the best interest of Kobey to perform well.

Mr. Roberts wanted to make sure that the contract stipulates that vendor tenants do not get a rent reduction for purchasing the kiosks thereby decreasing net rent profits. Mr. Roberts advised that he would like this caveat put into the contract, and Mr. Rindone agreed.

Action Taken

Mr. Roberts moved to forward a recommendation to the Board of Directors to authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L0909.0-10 with The Kobey Corporation for master concessionaire services, Option 2, for a 9-year base period (including option years) with the following stipulations:

- (1) The Kobey Corporation cannot pass capital costs for facilities onto tenants renting kiosks.
- (2) A provision should be included in the contract that allows MTS to find Kobey in default if it fails to pay monthly rent later than 60 days.

Mr. Rindone seconded the motion, and the vote was 5 to 0 in favor.

1. MTS: Trolley Rehabilitation Project Update (Wayne Terry and John Haggerty of SANDAG)

The San Diego Association of Governments (SANDAG) is continuing to provide project management and design services for the upgrade to the Blue Line rail infrastructure and preparation for the entire trolley system for low-floor vehicle operations. SANDAG is looking beyond the platform itself for shelter concepts.

John Haggerty of SANDAG gave a PowerPoint presentation of 3-D rendering design features of proposed trolley shelters and the paving of trolley stations for the Green Line. The design features proposed include:

- Cantilevered "off-the-shelf" style canopy with varying widths; 7.5 feet, 9 feet, and 12 feet.
- Canopy has painted finish for ease of maintenance.
- Columns provide local context while the canopy remains consistent.
- Undercover area of 180 square foot per shelter vs. 48 square foot for existing shelter.
- Durable, smooth, and easily maintained paving surface at each station.
- Provide a unique station identity at Gaslamp Quarter.

Mr. Haggerty also provided shelter and pavement recommendation matrices. Recommendations vary based on location of station.

Mr. Roberts commented that the columns looked like they did not marry the shelters. He liked the custom features but would like to see different column options, such as a round column with a softer look and something more contemporary. Mr. Roberts expressed his liking for the canopy and paving choices that were presented. He made a suggestion that advertising could be mounted on the back side of shelters and would like to see the station name clearly mounted at seat height for passengers on the train. Mr. Roberts also felt that more options for the Gaslamp Quarter should be presented. He would like to see some examples from Portland Tri-Met.

Mr. Rindone feels that the columns are a bit bulky. He commented that the canopies could have more curve to provide better shade coverage. He is supportive of the canopy design but expressed concern for getting away from a distinct branding, such as the red roofs and having a consistent look. Mr. Rindone also commented that the station name signage should be clearly visible to riders on the trolley and should be in a consistent location at each station.

Ms. Lightner commented that solar paneling for the future would be a good item to consider in the design elements of the shelter canopy. Ms. Lightner communicated that she likes the columns but she would like to see more renderings.

In response to comments from the Executive Committee, Mr. Jablonski clarified that it is still the early stages of development and that future renderings will include different options for columns and include a shelter rendering loaded for a complete look. He will also get some photographs of the Portland Tri-Met stations.

The Executive Committee felt that maintenance and cost consciousness of the new canopies was an important issue to consider. Mr. Rindone commented that he did not like the proposed green color for canopies. Mr. Mathis commented that green would be a very fitting color as MTS is promoting "going green." Mr. Roberts felt that the color green depicted blends in nicely to landscaping and feels that it will blend nicely with

other materials, especially brick. Ms. Lightner wants the maintenance of the color white to be explored.

Dennis Landaal of Kimley-Horn gave a PowerPoint presentation on shelter and design options for the upgrade to the Blue Line rail infrastructure. Primary shelter design goals include maximizing shade, visual recognition, cost effectiveness, easy maintenance, and cantilevered-roof form. The presentation showed 3-D renderings of several types of shelter styles for cantilevered roofs; traditional, wave, tensile, tent, and barrel vault. The presentation also included a shade study for each cantilevered shelter design. The traditional cantilevered roof provided the maximum amount of shading throughout the day.

Mr. Rindone likes the traditional arch the best and felt it was the most aesthetically pleasing design. He also liked the fact that the traditional arch would provide the most shade during peak sunshine hours.

Mr. Roberts wanted more information on costs. He would like to see figures based on dollars per square foot for both the Blue and Green Line upgrades for comparison.

After some discussion on maintenance, the Executive Committee provided feedback and unanimously agreed not to instill any tensile cantilevered shelter designs on the Blue Line.

Action Taken

Mr. Rindone moved to receive the report. Mr. Selby seconded the motion, and the vote was 5 to 0 in favor.

The Executive Committee convened to Closed Session at 10:52 a.m.

1. MTS: CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to California Government Code Section 54956.8
Properties: 1313 National Avenue, San Diego, California (Assessor Parcel No. 535-612-01; 1344 National Avenue, San Diego, California (Assessor Parcel No. 535-613-04)
Agency Negotiators: Tiffany Lorenzen, General Counsel; and Tim Allison, Manager of Real Estate Assets
Negotiating Parties: George Davis Trust; ISD Triangle LLC
Under Negotiation: Price and Terms of Payment
2. MTS: CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to California Government Code Section 54956.8
Properties: 7490 and 7550 Copley Park Place, San Diego, California (Assessor Parcel Nos. 356-410-08 and 356-410-09)
Agency Negotiators: Tiffany Lorenzen, General Counsel; and Tim Allison, Manager of Real Estate Assets
Negotiating Parties: RV Investment CA, LLC, RV Investment CA, LLC II
Under Negotiation: Price and Terms of Payment

The Executive Committee reconvened to Open Session at 11:28 a.m.

Oral Report of Final Actions Taken in Closed Session

Ms. Tiffany Lorenzen, MTS General Counsel, reported the following:

1. The Committee received a report and gave direction to staff.
2. The Committee received a report and gave direction to staff.

D. REVIEW OF DRAFT APRIL 22, 2010, JOINT BOARD AGENDA

Recommended Consent Items

6. MTS: Rail Noise-Suppression Lubricant – Contract Award
Action would authorize the CEO to execute MTS Doc. No. L0954.0-10 with Neleco, Inc. to purchase Synco SuperLube Rail Noise-Suppression Lubricant for a five-year term with two 1-year options.
7. MTS: Internal Audit Report – Taxicab Administration
Action would receive an internal audit report on Taxicab Administration procedures.
8. MTS: Investment Report – February 2010
Action would receive a report for information.
9. MTS: Increased Authorization for Legal Services – Trovillion Inveiss Ponticello & Demakis, APC
Action would authorize the CEO to execute MTS Doc. No. G1139.8-08 with Trovillion Inveiss Ponticello & Demakis, APC for legal services and ratify prior amendments entered into under the CEO's authority.
10. MTS: Semiannual Uniform Report of DBE Awards or Commitments and Payments
Action would receive the Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards of Commitments and Payments.
11. MTS: Federal Transit Administration 5311 Program Projects
Action would approve Resolution No. 10-7 authorizing the use of \$235,296 of FTA Section 5311 funds for operating assistance in nonurbanized areas.
12. MTS: Increased Authorization for Legal Services – Law Offices of Michael E. Ripley
Action would authorize the CEO to execute MTS Doc. No. G1080.7-07 with the Law Offices of Michael E. Ripley for legal services and ratify prior amendments entered into under the CEO's authority.

There was discussion regarding Agenda Item No. 31 on the Draft Board Agenda for April 22, 2010, as to whether or not it should be a Consent item. Mr. Rindone felt that it would be beneficial for the Board to hear the report. Mr. Jablonski responded that it would stay a Discussion item.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

Sharon Cooney reported that the Transportation Committee will be approving MTS capital improvement programs (CIPs) for FY 2011 at the April 16, 2010, meeting.

The Transportation Committee will also move to approve by the Board of Directors three light rail transit alternatives for the Mid-Coast Corridor Project. Mr. Jablonski will be making comments on Alternative LRT No. 6 regarding rail noise and speed.

Ms. Cooney also reported that the Transportation Committee will be discussing other alternatives for funding transit operations.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

There were no communications or other business.

G. PUBLIC COMMENTS

There were no public comments.

H. NEXT MEETING DATE:

The next meeting is scheduled for Thursday, May 6, 2010, at 9:00 a.m. in the Executive Committee Conference Room.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 11:30 a.m.

Chairman

Attachment: A. Roll Call Sheet

**EXECUTIVE COMMITTEE
METROPOLITAN TRANSIT SYSTEM**

ROLL CALL

MEETING OF (DATE) April 15, 2010

CALL TO ORDER (TIME) 9:02 AM

RECESS None

RECONVENE ---

CLOSED SESSION 10:52 AM

RECONVENE 11:28 AM

ADJOURN 11:30 AM

BOARD MEMBER (Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
LIGHTNER ☒ (Young) ☐		11:27 AM
MATHIS ☒		
Imperial Beach Rotated to Chula Vista		
RINDONE (VC) ☒ (Young - CPT) ☐		
ROBERTS ☒ (Cox) ☐	9:05 AM	11:20 AM
SELBY ☒ (Ryan) ☐		
Transportation Committee Rep Slot (Mathis)		

SIGNED BY OFFICE OF THE CLERK OF THE BOARD Valerie Vizkeleti

CONFIRMED BY OFFICE OF THE GENERAL COUNSEL: [Signature]



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Agenda

Item No. C1

JOINT MEETING OF THE EXECUTIVE COMMITTEE
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

SRTP 820.2

May 6, 2010

SUBJECT:

MTS: COMMUTER EXPRESS PILOT PROJECT (MIKE DANEY)

RECOMMENDATION:

That the Executive Committee receive a report for information/input and forward it to the MTS Board of Directors for discussion.

Budget Impact

None.

DISCUSSION:

The Metropolitan Transit System (MTS) has been working with the United States Navy and SANDAG as part of a transportation demand-management initiative to develop a first-of-its-kind, cost-neutral, hybrid commuter-express bus service between the Navy's Murphy Canyon Housing Complex, the community of Tierrasanta, and the Naval Base San Diego. MTS staff will provide a report and update on this project.


Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Michael Daney, 619.515.0932, mike.daney@sdmts.com

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Agenda

Item No. C2

JOINT MEETING OF THE EXECUTIVE COMMITTEE
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

CIP 11171

May 6, 2010

SUBJECT:

MTS: MID-COAST CORRIDOR TRANSIT PROJECT (SHARON COONEY)

RECOMMENDATION:

That the Executive Committee forward a recommendation to the Board of Directors to support the San Diego Association of Governments' (SANDAG's) Light Rail Transit Alternative 1 as the Locally Preferred Alternative for the Mid-Coast Corridor Transit Project.

Budget Impact

None at this time.

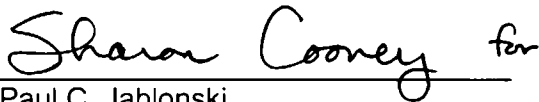
DISCUSSION:

The Mid-Coast Corridor Transit Project will extend transit service from the Old Town Transit Center to University City serving major activity centers, such as the University of California, San Diego, University Towne Centre, and downtown San Diego.

SANDAG and the Federal Transit Administration (FTA) are preparing a Draft Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (DSEIS/SEIR) for the Mid-Coast Corridor Transit Project. SANDAG will serve as the lead agency for the California Environmental Quality Act (CEQA), and the FTA will serve as the lead agency for the National Environmental Policy Act (NEPA).

The initial step in preparing the DSEIS/SEIR was the development and evaluation of preliminary conceptual project alternatives for consideration during CEQA scoping. The Draft Comparative Evaluation of Alternatives Report identifies the purpose and need for the Mid-Coast Corridor Transit Project; examines changed conditions since approval of the prior environmental documents for the project; defines and evaluates the alternatives considered; and recommends a set of alternatives for consideration during scoping. SANDAG staff provided a report on this project at the March 25, 2010, MTS Board meeting.

MTS staff has evaluated the Mid-Coast Corridor Project alternatives from the perspective of the agency's experience operating transit in the San Diego metropolitan area (Attachment A). Staff recommends that MTS support light rail alternatives in general—and Light Rail Transit 1 in particular—as the Locally Preferred Alternative for the Mid-Coast Corridor.

A handwritten signature in black ink that reads "Sharon Cooney" followed by a small "for" and a horizontal line.

Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, Sharon.Cooney@sdmts.com

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Attachment: A. Whitepaper "*Mid-Coast Corridor Transit Project Alternatives*"

MID-COAST CORRIDOR TRANSIT PROJECT ALTERNATIVES

Prepared by Metropolitan Transit System Staff

May 2010

OVERVIEW

The Metropolitan Transit System (MTS) has developed a world-class light-rail infrastructure over three decades that has become the backbone of an award-winning regional transit system. Based on its decades of experience in developing and operating transit service, it is appropriate for the MTS Board of Directors to communicate its position regarding the preferred mode and alignment for the Mid-Coast Corridor Transit Project during the project's Scoping period. MTS staff has analyzed the Draft Comparative Evaluation of Alternatives Report completed by the San Diego Association of Governments (SANDAG) and recommends that the MTS Board express a position of support for Light Rail Transit (LRT) Alternative 1 as the Locally Preferred Alternative (LPA). This recommendation is consistent with MTS's experience with operation of the transit network and the Board's previous decisions in this corridor.

BACKGROUND

In 1995 the MTS Board of Directors (previously Metropolitan Transit Development Board [MTDB]) adopted LRT as the preferred alternative for the Mid-Coast Corridor between Old Town and University City. This action was consistent with the light rail expansion plan approved by San Diego County voters in the 1987 Proposition A (TransNet) ballot measure. In October 2000, the Board adopted the Transit First strategic plan to be used as a blueprint for transit planning in the region. This strategy focused on market segments and changing land-use and employment patterns and prompted an extensive analysis of service strategies in the Mid-Coast Corridor. Based on this analysis, in February 2003, the MTS Board affirmed its support for LRT as the best service mode to address demand in the corridor.

Legislation enacted in 2003 (Senate Bill 1703) transferred transit development and construction functions to SANDAG and the Mid-Coast Corridor Transit Project (Mid-Coast Project) was transferred to SANDAG for development. That same year, the SANDAG Board approved an update to the original LPA to better serve the University of California San Diego campus. In 2004, San Diego County voters again affirmed the importance of this project by approving the Proposition A ballot measure that extended TransNet for 40 years with a "lock box" provision that precludes elimination of this project without another 2/3 popular vote. SANDAG included the Mid-Coast Project in the TransNet Early Action Program for accelerated funding and implementation.

The original decision by MTS was to segment the project into two phases, and the original National Environmental Policy Act (NEPA) environmental work for the Balboa Extension was completed in 2001. In April 2005, SANDAG determined that the Balboa Extension and the University City Extension should be recombined, which was a decision that prompted the initiation of further NEPA environmental review. SANDAG has begun Scoping for the amended project which will eventually vie for federal New Starts funding to match dedicated TransNet funds. Analysis of different modes and alignments are included in SANDAG's study to address any changes in demand since the 1995 selection of the LPA. Based on the Federal Transit Administration's (FTA) process for analyzing cost and benefits associated with different transit alternatives, SANDAG has determined to take only three LRT alternatives into Scoping.

SANDAG'S DRAFT COMPARATIVE EVALUATION OF ALTERNATIVES REPORT

The Draft Comparative Evaluation of Alternatives Report (Attachment A - Executive Summary) prepared by SANDAG identifies the purpose and need for the Mid-Coast Corridor Transit Project; examines changed conditions since approval of the prior environmental documents for the project; defines and evaluates the alternatives considered; and recommends a set of alternatives for consideration during Scoping. Based on this report, on April 23, 2010, the SANDAG Board adopted the recommendation to carry three LRT alternatives into the 30-day Scoping period for the Mid-Coast Project Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR). Project Scoping provides the public and agencies with an opportunity to review and comment on environmental issues and alternatives proposed to be analyzed in the draft environmental document.

The SANDAG Board of Directors and FTA will make the final decision on the LPA or alternatives to be evaluated in the DSEIS/SEIR. The final decision is anticipated in summer 2010. Once the Scoping period is complete, a Final Comparative Evaluation of Alternatives Report will be prepared. The final report will contain a summary of the Scoping comments, response to the comments, any revisions to the conceptual alternatives based on the Scoping comments, and recommendation on an LPA or alternatives to be evaluated in the DSEIS/SEIR. The Final Comparative Evaluation of Alternatives Report is scheduled to be presented to the Transportation Committee and the Board of Directors in summer 2010.

MTS staff has reviewed the Draft Comparative Evaluation of Alternatives Report. The Draft Comparative Evaluation of Alternatives Report defines and evaluates seven LRT alternatives, four bus rapid transit alternatives (BRT), and one commuter rail (CR) alternative. The LRT alternatives include the LPA and its alignment option approved by the Board of Directors as refined to respond to changed conditions in the Mid-Coast Corridor. Two of the LRT alternatives are similar to the refined LPA and vary only as aligned on, or immediately south of, Voigt Drive. Two of the LRT alternatives avoid the Voigt Drive alignment, and the remaining LRT alternative remains on the east side of Interstate 5 and does not serve the University of California -- San Diego (UCSD) West Campus. The BRT alternatives were developed to determine the effectiveness of BRT in serving the Mid-Coast Corridor. BRT alternatives had not been considered in the prior environmental documents. The BRT alternatives range from an alternative that provides exclusive guideway throughout the majority of the corridor to provide the fastest travel times and highest reliability to a less capital-intensive alternative that provides exclusive guideway only in the most congested areas. The CR alternative uses the existing Los

Angeles-San Diego-San Luis Obispo (LOSSAN) Corridor heavy rail tracks and double-tracking included in the Regional Transportation Plan to provide service from downtown San Diego to the University City area. This alternative includes a tunnel from the LOSSAN right-of-way to a deep underground station at UTC via a tunnel under Genesee Avenue.

The Draft Comparative Evaluation of Alternatives Report recommends that five of the seven LRT alternatives described above be carried forward for consideration at Scoping. The five LRT alternatives effectively meet project goals, improve regional mobility, are cost-effective or near cost-effective, and are anticipated to be competitive for FTA New Starts funding. The recommended LRT alternatives include the LPA, as refined to respond to changed conditions, and the two alternatives that are similar to the refined LPA and vary only as aligned on, or immediately south of, Voigt Drive. The draft report further recommends that these three alternatives be combined into one alternative with alignment options as these share similar routes and effectiveness. The recommended alternatives also include the two LRT alternatives that avoid Voigt Drive.

The draft report points out that compared to the LRT alternatives, the BRT and CR alternatives are not as effective in meeting project goals and improving regional mobility. Further, the BRT and CR alternatives are not cost-effective and are unlikely to be competitive for FTA New Starts funding. Therefore, the report leads staff to recommend, and the SANDAG Board to carry forward, only three alternatives into Scoping: LRT 1 (which combines 1, 4, and 5), LRT 3, and LRT 6. Attachment B presents a map of the three recommended LRT alternatives. Attachment C presents the FTA Cost Effectiveness Indicator for all alternatives.

In reviewing the draft report, MTS staff concurs with the Cost Effectiveness analysis and supports SANDAG staff's rejection of the CR and BRT alternatives and the two LRT alternatives that avoid the UCSD campus. The draft report supports this decision.

MID-COAST IN THE CONTEXT OF THE MTS NETWORK

From November 2004 to May 2006, MTS conducted a Comprehensive Operational Analysis (COA) to evaluate and restructure MTS services and operations to more efficiently and effectively serve the region's transit needs within the constraint of funding limits. The COA was the first comprehensive evaluation of public transportation in the central and southern parts of San Diego County since the implementation of trolley services in the early 1980s. The COA built on a principle first adopted by the MTS Board as part of Transit First: namely, that a comprehensive transit system is comprised of a variety of services to meet different travel demands and needs, with specialized characteristics and market-driven amenities. The result of the COA was the creation of a more viable transit network that responded to market demand. At the heart of this network is the San Diego Trolley system.

Light rail has proven highly successful in San Diego County since its inception. The existing 53 miles of LRT forms the backbone of the MTS network along some of the busiest transportation corridors. It provides a higher-speed, more-reliable alternative to bus service that must operate on congested urban roadways. The trolley system has grown into a truly integrated part of the overall transit network. There are only 5,200 parking spaces at the 53 trolley stops, but passengers make around 100,000 weekday trolley trips from these stations. Most passengers access the trolley from 1 of the 92 bus routes that reach into the communities served by MTS,

by regional services such as the Coaster or Amtrak, or on foot as is the case for a majority of trips taken from the San Ysidro International Border.

The region's extension of this infrastructure through projects such as Mid-Coast will ensure that the existing investment will be maximized exponentially as passengers take advantage of the increasingly integrated network. For instance, the demand analysis included in the Draft Comparative Evaluation of Alternatives Report indicates that one advantage of extending the trolley to University City would be the expanded access from South Bay and the International Border into the area. East County and Mission Valley will have new options for gaining access to the work and educational centers in the University City area, and travel time from those areas by transit will improve with the introduction of LRT in the Mid-Coast corridor. Communities north of Old Town will gain a higher speed and more reliable connection to downtown and the rest of the MTS network. The region's two major higher-learning centers, San Diego State University (SDSU) and UCSD, would enjoy a better link. A third, the University of San Diego, would also benefit from having an LRT from University City feed bus connections at the new Tecolote Transit Station or from Old Town.

Additional future investments in LRT could expand even more to connect the network east of University City to Miramar, north to Sorrento Mesa, or west to Torrey Highlands. The COA indicated that declining ridership can be attributed to the increasingly dispersed origins and destinations as employment and residential development spread outside of the San Diego downtown. A more complete trolley network as the backbone to an integrated system will result in more travelers switching from auto to transit for every tax dollar spent.

Light rail infrastructure is a lasting transportation investment. An extension of the Trolley to the University City area will have immediate benefits on opening day, but will become even more important as the area grows and develops.

THE MTS EXPERIENCE WITH LRT

Light rail in San Diego is extremely popular and cost effective. The Blue Line from San Ysidro to Old Town is one of the most productive light rail lines in the country with 20 million annual passengers and a farebox recovery of 64% in FY 2009. Bus operations will always cost more than trolley operations on a per-passenger basis, and trolleys can carry more passengers overall than can the same amount of bus service. This is because rail cars can be connected together in trains thus lowering labor costs and increasing the number of passengers they can carry in the same amount of time. Passengers per in-service hour are much higher on LRT than on bus with 233 passengers per hour on trolleys versus 31.1 on MTS buses. The cost to operate per passenger is 45 percent higher by bus—MTS trolleys carry passengers for \$1.66 versus \$2.41 for MTS buses. In addition, MTS tries not to have standees on freeway-operated bus routes whereas it is standard to permit standees on rail cars. Thus, a four-car train can carry up to 800 passengers versus 57 seats on an articulated bus (the bus with the greatest capacity).

Because of the greater capacity, the trolleys can accommodate large special events in ways that buses cannot. Thirty percent of the Chargers game attendance is moved by way of trolley service. To accomplish this by bus, MTS would need to dedicate 350 to 400 buses and have

room for staging them in the stadium parking lot. San Diego Trolley has proven that it can move 20,000 people from a single location in an hour to an hour and a half.

A quick analysis of the maximum capacities of three-car trains at 7.5-minute headways indicates that to achieve the same capacity, articulated buses would need to operate on a 42-second headway. That means that MTS would need to operate 212 buses to achieve the same capacity that the San Diego Trolley could achieve using 46 train cars in the Mid-Coast corridor. The cost of buses would be higher than the cost of rail cars to achieve the same throughput. Rail cars can have a useful life of 30 years or more, while a bus' useful life is 12 years. For the same 30 years of service, bus purchases would cost \$477 million compared to \$166 million for rail cars.

The related impact of this added bus service is significant. For instance, platooning buses on Broadway would cause additional traffic, and there would be a need for additional layover space in downtown San Diego and the UTC area. At a 42-second headway, there would be 86 buses running through downtown every hour in addition to the 50 operating today in the peak. The large number of vehicles would require large maintenance and fueling facilities. While fueled with cleaner compressed natural gas, these buses would still have air- and water-quality impacts in the communities they operate in that would not be associated with light rail, which is powered by electricity and does not have the brake dust and other issues associated with on-road vehicles. True BRT with dedicated busways would consume more land than extension of light rail in this corridor since busways require a wider right-of-way and could not share the existing rail right-of-way due to safety concerns.

When MTS extended Green Line Trolley service to SDSU in 2005, it demonstrated how much more attractive LRT is to San Diegans. Prior to the opening of the Green Line, nearly the same route was served by bus Route 81. In the last year of its operation Route 81 had a total of 468,768 riders or approximately 1,300 passengers per day. In the first year of its operation, the Green Line carried 7.6 million passengers or approximately 20,900 a day.

MTS's experience with premium bus service has not proven as successful as its experience with light rail despite features that should make it attractive. MTS operates premium bus service on Interstate 15 from stations with direct-access ramps and dedicated lanes that makes the trip time competitive with that of the auto. (For instance, trips from Poway or Rancho Bernardo to downtown San Diego are 25 to 30 minutes.) The stations have park-and-ride lots, the vehicles are new coaches with reclining seats and storage for personal items, and there are several convenient stops in downtown. Many employers subsidize the cost of a transit pass, and the region offers a guaranteed ride home program that ensures that individuals who need to go home during the day for an emergency or need to stay late unexpectedly for work can do so.

Despite all of these factors which should make the Premium Express bus service popular, only 600 people a day (less than 1,200 trips) take advantage of this commute choice. It is obvious that most people who have the choice between driving and riding the bus in this corridor prefer to drive. MTS's experience is in keeping with transportation studies that have shown that rail transit attracts between 35 and 43 percent more patronage for a given amount of transit capacity compared to buses regardless of the quality or type of bus service. From 1990 to 2005, 73 percent of transit ridership increases nationwide have come from rail operations.

THE UNIVERSITY MARKET

The Mission Valley East (MVE) Trolley extension to SDSU proved that a university can be a strong transit trip generator in San Diego when it is located on a rail line. The Green Line survey conducted shortly after the opening of Mission Valley East by SANDAG found that 3,700 new light rail transit riders were created by the opening of the Green Line Trolley. For the fall 2008 semester, SDSU students purchased 5,000 semester passes. This was a sharp increase from the 779 passes purchased by SDSU students in the fall prior to the opening of MVE trolley service. The SDSU Transit Center has become one of the top ten stations in the MTS service area with 12,000 daily trips. Many of the traffic and parking-related problems associated with the campus prior to the opening of the SDSU Trolley have been resolved.

The introduction of light rail to the UCSD campus in the La Jolla-University City area will likely have even greater impact due to that UCSD's history of promoting transit use. UCSD estimates that 54 percent of daily commuters use alternative transportation to access the campus. UCSD sponsors a free bus pass program for students, faculty, and staff on MTS services that generates more than 7,000 riders per day. The campus sponsors shuttles that carry more than 6,000 additional riders. The campus administration has endorsed the extension of light rail and is planning development around this infrastructure. The expectation is that the extension of light rail to the campus will provide increased campus access to the community, further reduce traffic congestion, and, instead of building more parking structures, allow the university to devote land to the construction of educational, research, and student housing facilities.

LIGHT RAIL ALTERNATIVES 1, 3, AND 6

Review of the various LRT alternatives leads to the conclusion that LRT 1 will provide the most benefit to the region. LRT 6 is a variation on the routing of LRT 1, but it provides an overly circuitous operation with numerous curves that will result in greater infrastructure wear, higher maintenance costs, slower travel, and greater noise levels near existing and future residential development.

While Alternatives 1 and 3 are operationally workable options, LRT 1 supports the UCSD's efforts to promote public transportation use by providing the most direct service to the campus. Shorter trips tend to make transit more attractive and competitive with the auto as does limiting the number of transfers, which are both features of LRT 1. Since the University and hospital campuses will be the greatest demand generators for the Mid-Coast Project, it makes sense to serve those areas first. LRT 1 also has the advantage of serving stops to the west of Interstate 5, which could not be served with LRT 3.

CONCLUSION

San Diego Trolley is perceived in a positive light by San Diegans and visitors alike and has a history of high ridership. Due to the benefits of light rail for generating greater transit ridership in the Mid-Coast corridor, MTS staff recommends that the Board of Directors take a position of support for LRT rather than BRT. Of the three LRT alternatives that SANDAG has determined should be taken into Scoping (1, 3, and 6), staff recommends that the MTS Board support Alternative 1 as the LPA.

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Attachments: A. Mid-Coast Corridor Evaluation of Alternatives
B. Map: LRT 1, 3 and 6



S.0 EXECUTIVE SUMMARY

S.1 Introduction

The Federal Transit Administration (FTA) and the San Diego Association of Governments (SANDAG) are preparing a Draft Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (SEIS/SEIR) for the Mid-Coast Corridor Transit Project in San Diego, California. FTA is serving as lead agency for the National Environmental Policy Act (NEPA) and SANDAG is serving as lead agency for the California Environmental Quality Act (CEQA).

The Draft SEIS/SEIR will build upon and update previous transit planning, engineering, and environmental studies and decisions for the Mid-Coast Corridor. These include:

- The *Mid-Coast Corridor Alternatives Analysis/Draft Environmental Impact Statement/Draft Environmental Impact Report* (AA/DEIS/DEIR) (MTDB 1995), completed in February 1995
- The Final Environmental Impact Report (FEIR), completed in December 1995.
- Adoption, in 1995, of a Locally Preferred Alternative (LPA) – an 11-mile extension of the Trolley light rail transit (LRT) system from the Old Town Transit Center (OTTC) to University City.
- The Final Environmental Impact Statement (FEIS) for the first portion of the LPA extending from OTTC to Balboa Avenue completed in 2001.
- An update to the 1995 LPA alignment, adopted in December 2003, to serve the University of California San Diego (UCSD) campus on both the sides of Interstate 5 (I-5) and to connect the Trolley with the University Towne Centre (UTC) Transit Center.
- Inclusion of the project in the extension of *TransNet*, approved by voters in November 2004.

The Draft SEIS/SEIR will include an analysis of changed conditions in the Mid-Coast Corridor since the previous environmental studies were completed.

The Mid-Coast Corridor LRT Project is included in the *2030 San Diego Regional Transportation Plan: Pathways for the Future* (RTP) (SANDAG 2007) under both the Revenue Constrained and the Reasonably Expected Revenue Scenarios. *TransNet* will provide 50 percent of the project's capital cost, with the remaining 50 percent assumed to come from the FTA Section 5309 New Starts program. Securing these funds will require successfully completing the FTA New Starts requirements.

S.2 Purpose of the Report

The first step in preparing the Draft SEIS/SEIR was the development and evaluation of alternatives for public and resource agency consideration during CEQA scoping, which will occur in spring 2010. The corridor's transportation needs were defined, and transit alternatives were identified for meeting these needs. These alternatives were then



evaluated against the project goals, objectives, and criteria. This *Draft Comparative Evaluation of Alternatives Report* summarizes this process, presents the evaluation results, and recommends a smaller set of alternatives for consideration in CEQA scoping. NEPA scoping was carried out in conjunction with the previous AA/DEIS/DEIR completed in 1995.

In the CEQA scoping process, SANDAG will inform the public and involved agencies about the project. It will describe the transportation problems and needs to be addressed, the alternatives under consideration, the criteria to be used for evaluating the alternatives, and the environmental issues to be studied. The goal of scoping is to encourage active two-way communication of issues and concerns to help shape the scope of the Draft SEIS/SEIR.

Three LRT alternative alignments are recommended for presentation at scoping. Each alternative would extend the existing Trolley system from OTTC north to University City, with service to UCSD and UTC. As required by NEPA and CEQA, the No-Build Alternative will serve as the basis for comparing the build alternatives in the Draft SEIS/SEIR.

This report also recommends eliminating the Transportation System Management (TSM), bus rapid transit (BRT), and Commuter Rail alternatives prior to scoping because they do not satisfy the project goals and objectives. Most importantly, these alternatives would generate significantly less ridership and mobility benefits than LRT. The BRT and Commuter Rail alternatives were found not to be sufficiently cost effective to be candidates for FTA New Starts funding. Two of the LRT alignment alternatives also are recommended for elimination because, compared to the other LRT alternatives, their costs were higher and/or potential adverse impacts were greater and benefits less.

The alternatives recommended to be carried forward, and the alternatives recommended for elimination, will be presented for review and comment at scoping. Once all comments have been considered, the SANDAG Board of Directors and FTA will decide upon the alternatives to be carried forward for further evaluation in the Draft SEIS/SEIR. The scoping results and the decision on the alternatives to be evaluated in the Draft SEIS/SEIR will be documented in the *Final Comparative Evaluation of Alternatives Report*.

This Executive Summary is a synopsis of the *Draft Comparative Evaluation of Alternatives Report*. It is organized into four sections: Purpose and Need, Alternatives Considered, Analysis and Evaluation of Alternatives, and Recommendations.

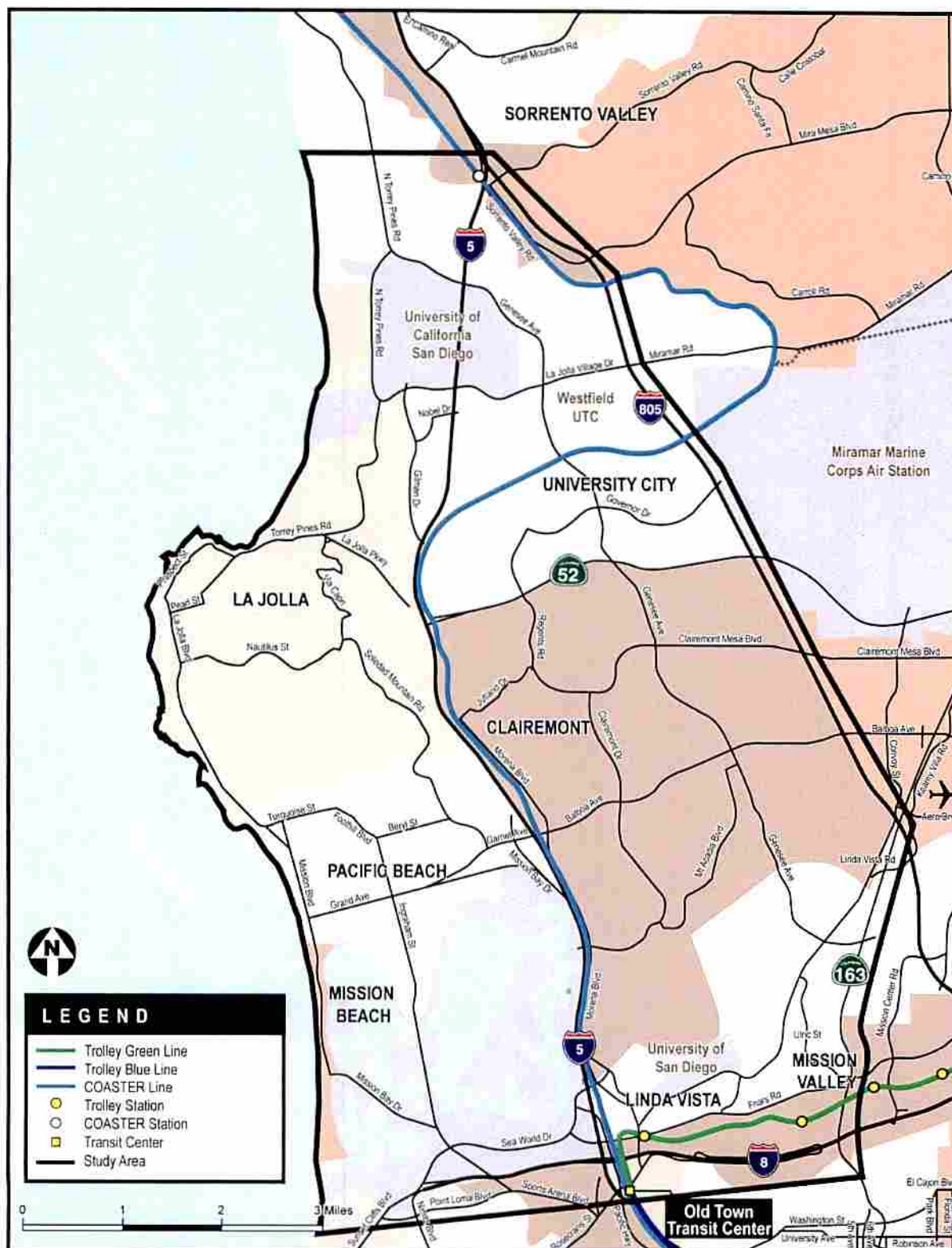
S.3 Purpose and Need

The purpose and need for the Mid-Coast Corridor Transit Project focuses on improving mobility and accessibility and attracting transit-supportive land uses and economic development to smart growth centers in the Mid-Coast Corridor.

The study area for the project, shown in Figure S-1, extends from OTTC on the south to the I-5/Interstate 805 (I-805) interchange on the north, and is bound by the Pacific Ocean on the west and the I-805 and State Route 163 (SR 163) on the east. More broadly, the term "Mid-Coast Corridor" refers to a larger geographic area that includes not only the project study area but also Downtown San Diego and the area between downtown and Old Town.



Figure S-1 . Project Study Area





S.3.1 Description of the Mid-Coast Corridor

The Mid-Coast Corridor is anchored by University City on the north and Downtown San Diego on the south. University City is a designated Urban Center and mixed-use core and has the second most dense land uses in San Diego County. In addition to the UCSD campus, the Westfield UTC shopping center, and four regional hospitals, the University City area contains several high-density residential developments and is a significant employment center for the region with numerous high- and mid-rise office developments in the vicinity of UTC. Downtown San Diego, at the south end of the Mid-Coast Corridor, is the region's only identified Metropolitan Center, and has the region's densest land uses and high-rise development.

Significant growth is projected in the Mid-Coast Corridor. By 2030, SANDAG projects that the Mid-Coast Corridor's population will exceed a quarter million, 14 percent more than in 2003. Employment in the corridor also is projected to increase by 14 percent, to almost 200,000 jobs. Increased population and employment will lead to increased travel demand in the corridor. Additionally, the SANDAG *Regional Comprehensive Plan* (RCP) (SANDAG 2004) identified for both the Downtown San Diego and University City areas as places of high residential and employment densities.

The SANDAG RTP envisions that the dense population and employment centers anchoring both the northern and southern ends of the corridor would be served by improved transit. This improved system would attract new transit riders with service that has greater frequency, speed, and reliability than is possible with the current system composed of buses, commuter rail, and LRT extending only to the OTTC. The existing COASTER commuter rail service has widely spaced stations and therefore, provides limited service to the specific areas of transit opportunity within the study area. The speed and reliability of bus service are hindered by roadway congestion. With increased congestion projected to occur in the future, the level of service, reliability, and efficiency of the existing transit system will decrease, with no additional priority improvements for transit.

S.3.2 Goals and Objectives

The SANDAG RTP was developed to meet the region's long-term mobility needs, better connect transportation and land use policy decisions, and create a transportation network that will serve the people of this region well into the 21st century. Adopted by SANDAG in 2007, the RTP specifies seven policy objectives to guide the further planning and development of the transportation system:

- **Livability**—Focus transit improvements in areas with compatible land uses that support an efficient transit system. Use regional transportation funding as an incentive for smarter-growth land uses.
- **Mobility**—Tailor transportation modal improvements to reflect supporting land uses in major travel corridors. Prioritize *TransNet* Early Action Program commitments and high-ranking projects and corridors for regional transportation funding. Minimize drive-alone travel by making it fast, convenient, and safe to carpool, vanpool, walk, and bike. Improve goods movement.



- **Efficiency**—Measure the performance of the regional transportation system on a regular basis and manage its efficiency. Develop cost effective, voluntary incentive programs for major employers, schools, and residential areas.
- **Accessibility**—Increase transit mode share during peak periods with competitive transit travel time to major job centers. Encourage walkability and better bicycle access within local communities.
- **Reliability**—Apply new technologies and management strategies to make transit service more reliable, convenient, and safe and to reduce congestion.
- **Sustainability**—Focus roadway and transit improvements in urban/suburban areas, away from the region's rural areas. Improve air quality, reduce greenhouse gas (GHG) emissions, and limit impacts to sensitive habitats. Evaluate all reasonable non-capital transportation improvement strategies before pursuing major expansions to roadway or fixed-guideway capacity.
- **Equity**—Provide equitable levels of transportation services for low-income, minority, and elderly and disabled persons.

The Mid-Coast Corridor's current transportation system does not satisfactorily meet these RTP policy objectives. To enhance the performance of the transportation system, the following needs have been identified:

- Transportation capacity needs to be expanded
- Alternatives to congested freeways and roadways need to be provided
- Improvements that complement and integrate with existing transit systems need to be provided
- Transit improvements that minimize dependence on auto travel are needed
- Transit needs to be reliable and competitive with the auto in terms of travel time
- Transit needs to effectively serve the UCSD and the University City areas
- Transit needs to better support -- and be supported by -- planned development and growth in the corridor

Project goals have been established to help identify alternatives that address these needs and to guide the evaluation of these alternatives. Table S-1 summarizes the need for the proposed Mid-Coast Corridor Transit Project and presents project goals for evaluating alternative modes and alignments.

Further objectives were established to account for other regional policy objectives that were not fully reflected in the project need, but have a bearing on the evaluation (Table S-2).

S.4 Alternatives Considered

The conceptual alternatives include a No-Build Alternative and several build alternatives consisting of a relatively low-cost TSM Alternative, seven LRT alternatives, four BRT alternatives, and one Commuter Rail Alternative.



Table S-1. Mid-Coast Corridor Transit Project Goals

Project Need	Project Goals
Transportation Capacity Needs to be Expanded	• Increase the overall capacity of the transportation system serving the study area
Alternatives to Congested Highways and Roadways Need to be Provided	• Reduce auto person trips and vehicles miles traveled (VMT) and vehicle hours traveled (VHT)
Improvements that Complement and Integrate With Existing Transit Systems Need to be Provided	• Link study area transit services with existing transit facilities and services to improve regional connectivity and mobility
Transit Improvements that Minimize Dependence on Auto Travel Need to be Provided	• Increase transit ridership and mode share
Transit Needs to be Reliable and Competitive with the Auto Travel Time	• Increase transit on-time performance • Reduce the disparity between highway and transit speeds and travel times
Transit Needs to Effectively Serve the UCSD and University City Areas	• Provide fast and efficient transit service to the University City area • Provide direct transit connections to UCSD West Campus
Transit Needs to Better Support -- and be Supported by -- Planned Development and Growth in the Corridor	• Provide high-capacity and quality transit service to those parts of the study area with existing or planned density and other transit friendly characteristics • Help shape local land use planning to help foster transit-oriented development (TOD) near stations

Table S-2. SANDAG Regional Policy Objectives

Regional Goals	Objectives
Livability: Focus transit investments in areas with compatible land uses that support an efficient transit system	• Consistency with regional and local plans
Sustainability: Improve air quality and reduce GHG emissions	• Reduce GHG emissions • Limit impacts to sensitive habitats
Equity: Provide equitable levels of transportation service and avoid disparate impacts	• Improve access for low-income, minority, elderly, and disabled persons. • Avoid adverse impacts to low-income, minority, elderly, and disabled persons

In identifying the range of alternatives, consideration was given to changed conditions since the previous LPA was adopted in 1995 and updated in 2003. One such change is the planned widening of I-5 to accommodate high-occupancy vehicle (HOV) lanes and direct access ramps (DARs) at Voigt Drive in University City. Recognizing the emergence of BRT as a transit mode, several BRT alternatives were identified for serving the corridor. The *Independent Transit Planning Review Services Report* (SANDAG 2006) recommended that a commuter rail alternative also be studied. As a result, the transit modes considered in the initial alternatives included LRT, BRT, commuter rail, and rapid bus. Figure S-2 identifies the major characteristics of the technologies considered.

Alternative alignments also were identified, responding to both the changed conditions and to stakeholder input from UCSD, Metropolitan Transit System (MTS), the California



Figure S-2. Transit Technology Alternatives under Consideration

Rapid Bus	• Operates at grade in mixed-flow lanes • Clean fuel (compressed natural gas or CNG) powered bus with rubber tires • 60 mph maximum or posted speed • Up to 60-foot long articulated bus • Capacity: Up to 84 passengers per bus, with standees • Approximate station spacing: 0.75 mile • Station length: Varies	
Bus Rapid Transit	• Operates at grade, below grade, or above grade in exclusive, semi-exclusive, and shared lanes • Clean fuel (CNG) powered bus with rubber tires • 65 mph maximum speed • Up to 65-foot long articulated bus • Capacity: Up to 100 passengers per bus, with standees • Approximate station spacing: 1 to 5 miles • Station length: 200 feet	
Light Rail Transit	• Operates at grade, below grade, or above grade in exclusive lanes or fixed-guideway • Electrically powered via overhead power contact system • 55 mph maximum speed • Maximum four cars per train • Capacity: 600 passengers per three-car train, with standees • Approximate station spacing: 1 to 2 miles • Station length: 360 feet	
Commuter Rail Transit	• Operates at grade, below grade, or above grade • Tracks shared with intercity and freight trains • Diesel propelled locomotives • 79 mph maximum speed • Trains generally consist of up to five double-deck passenger cars • Capacity: 675 seated passengers per train • Approximate station spacing: 4 to 5 miles • Station length: 500 feet	



Department of Transportation (Caltrans), North County Transit District (NCTD) and the City of San Diego. Consideration was given to alignments along major arterials, the I-5 corridor, the MTS/San Diego Northern Railway (SDNR) right-of-way, and routings independent of any existing facility.

S.4.1 No-Build Alternative

The No-Build Alternative includes existing transit services and the highway and transit improvements from the RTP Revenue Constrained Scenario. Within the Mid-Coast Corridor, the major capital improvement projects in the No-Build Alternative (and in each of the other alternatives) are shown in Figure S-3 and listed below:

- HOV lanes on I-5, from Interstate 8 (I-8) north to I-805 and beyond, with DARs at Voigt Drive
- HOV lanes on I-805, from I-5 to Carroll Canyon Road, and Managed Lanes on I-805, from Carroll Canyon Road to South Bay with DARs at Carroll Canyon Road and Nobel Drive
- Double tracking the SDNR tracks within the MTS/SDNR right-of-way

In addition to these capital improvements, transit operating improvements are included in the No-Build Alternative. These include modifying the existing Route 150 of the MTS bus system, which operates between Downtown San Diego and University City. The modified route would operate within the planned I-5 HOV lanes, from OTTC north to Nobel Drive, and would serve UCSD and UTC with 15-minute service during peak periods and 30-minute service during the mid-day or off-peak period.

Improvements to the existing Trolley service also are included in the RTP Revenue Constrained Scenario. Based on the RTP, the No-Build Alternative provides for 7.5-minute frequencies all day on all lines except the Trolley Orange Line, which would operate at 7.5-minute frequencies during peak periods and 15-minute frequencies during the off-peak.

S.4.2 TSM Alternative

The TSM Alternative is designed to address the same needs as the build alternatives, without constructing a fixed guideway and with a lower capital investment. The TSM Alternative would improve bus services by modifying Route 150 to provide a high frequency (7.5 minutes peak/off-peak) express route between downtown and University City via Pacific Highway and the planned I-5 HOV lanes, with an intermediate stop at OTTC. In addition, between Downtown San Diego and Balboa Avenue, a new rapid bus route (Route 156) would operate limited-stop service at 15- and 30-minute frequencies (peak/off-peak periods) along Pacific Highway and Morena Boulevard. Between Balboa Avenue and Nobel Drive, the new express service would operate in the planned I-5 HOV lanes. From Nobel Drive, the two routes would have local service with five stops in University City at Nobel Drive, UCSD West, UCSD East, Executive Drive, and the UTC Transit Center (Figure S-4).



Figure S-3. No-Build Alternative Transportation Improvements

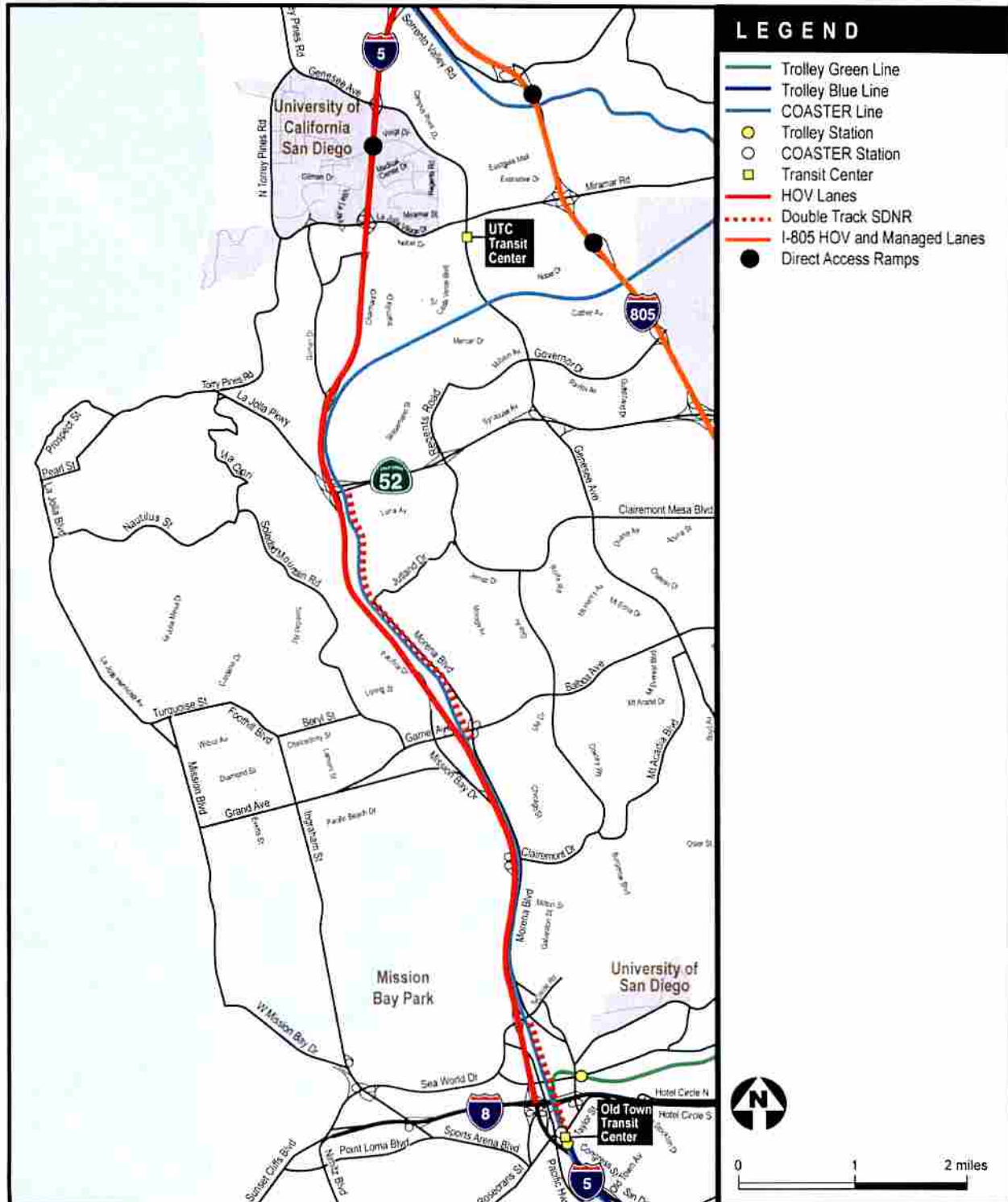
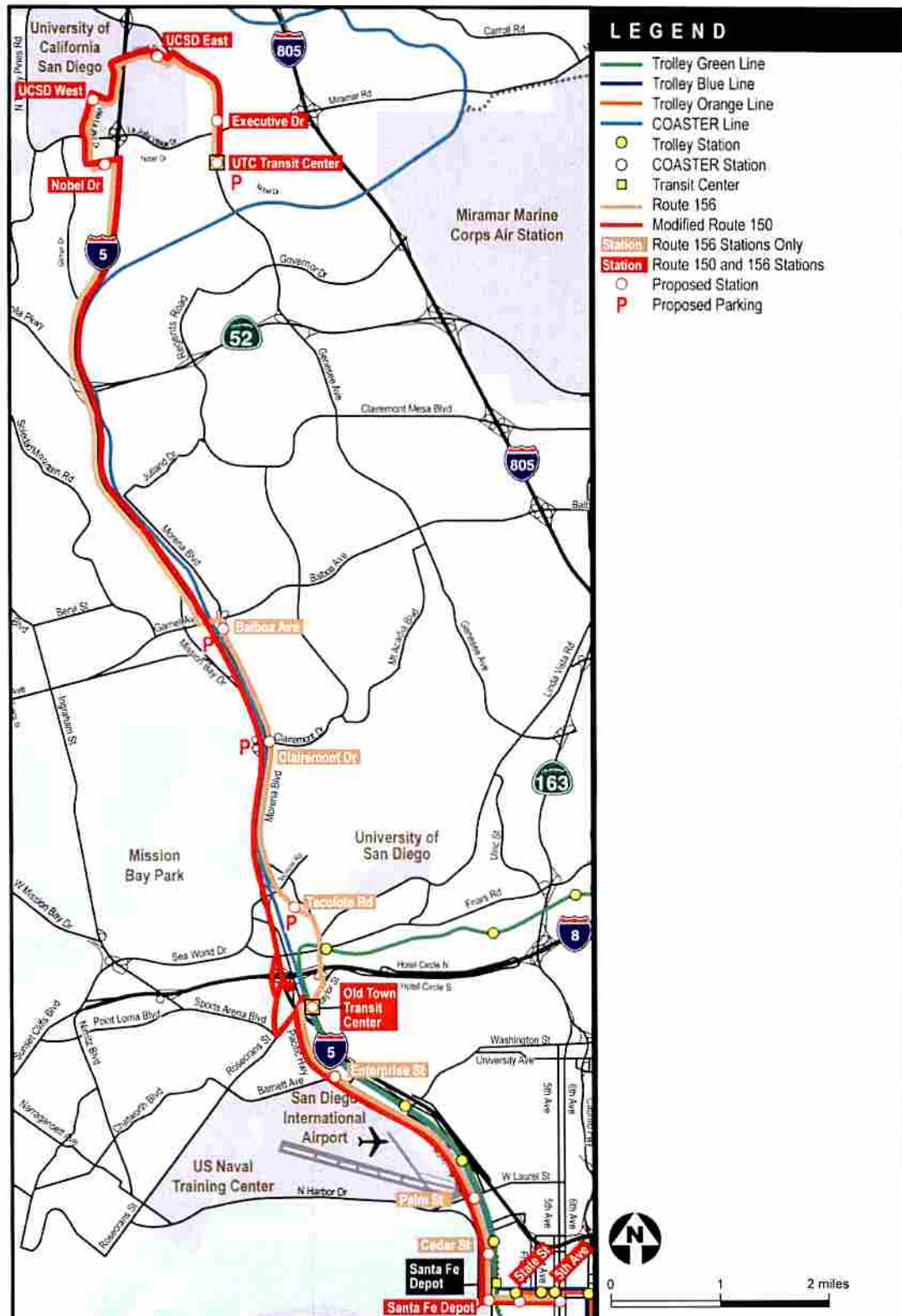




Figure S-4. TSM Alternative





S.4.3 Light Rail Transit Alternatives

Seven potential LRT alternatives were identified for extending the Trolley system from OTTC north to University City. Each would use the existing Trolley tracks from the Santa Fe Depot north past OTTC, to a point just south of the San Diego River. From there, the alternatives would follow the MTS/SDNR right-of-way to near SR 52 in University City. Stations would be located within the MTS/SDNR right-of-way along Morena Boulevard at Tecolote Road, Clairemont Drive, and Balboa Avenue. Figure S-5 shows the proposed LRT alignment alternatives and station locations from OTTC north to SR 52.

North of SR 52, several LRT alignment alternatives were identified for service to University City (Figure S-6). LRT Alternatives 1 and 2 are refinements of LPA options adopted by the SANDAG Board of Directors in 2003. These two alternatives would follow the I-5 corridor north to the UCSD west campus and then turn east along Voigt Drive and Genesee Avenue or Regents Road and Executive Drive to a terminal station at the UTC Transit Center terminus. Stations would be located at Nobel Drive, UCSD West, UCSD East, Executive Drive, and the UTC Transit Center.

LRT Alternatives 4 and 5 are variations of LRT Alternative 1 to avoid the potential conflict with the planned DAR at Voigt Drive. LRT Alternative 4 would provide for an aerial alignment along the south side of Voigt Drive, while LRT Alternative 5 would provide for an alignment to the south and away from Voigt Drive.

Two additional LRT alternatives were developed to avoid Voigt Drive. LRT Alternative 6 would leave the UCSD West Campus and cross over to the east side of I-5 north of Gilman Drive. On the UCSD East Campus, this alternative would include a station at Thornton Hospital instead of on Voigt Drive. LRT Alternative 7 would continue along the east side of I-5 to Thornton Hospital instead of crossing over to the west side of I-5. Like LRT Alternative 6, LRT Alternative 7 would include a UCSD East Station at Thornton Hospital. This alternative is the only LRT alternative without a UCSD West Station.

LRT Alternative 3 was developed to avoid potential conflicts with the planned I-5 widening to accommodate the future HOV lanes. Although it was evaluated in the 1995 AA/DEIS/DEIR, the planned I-5 widening merited its reconsideration. Unlike the other LRT alternatives, LRT Alternative 3 would follow the existing MTS/SDNR right-of-way east to Genesee Avenue. At this point, LRT Alternative 3 would exit the MTS/SDNR right-of-way and transition below grade (via a new tunnel), which would proceed north under Genesee Avenue and then turn west under Executive Drive, rising to grade west of Regents Road on the UCSD East Campus. The alternative would continue west, with a terminal station on the UCSD West Campus. Within University City, this alternative would include a below-grade station at the UTC Transit Center and at-grade stations at UCSD East (at Thornton Hospital) and UCSD West. This alternative would minimize right-of-way acquisitions by using the existing MTS/SDNR right-of-way east to Genesee Avenue.

Each of the LRT alternatives would operate as an extension of the Trolley Blue Line to University City. The extended Blue Line would operate a single line from the existing San Ysidro Transit Center Station on the south to University City on the north, with stops at all intermediate stations. The LRT line would operate every 7.5 minutes during peak



Figure S-5. LRT Alternative Alignment between OTTC and SR 52

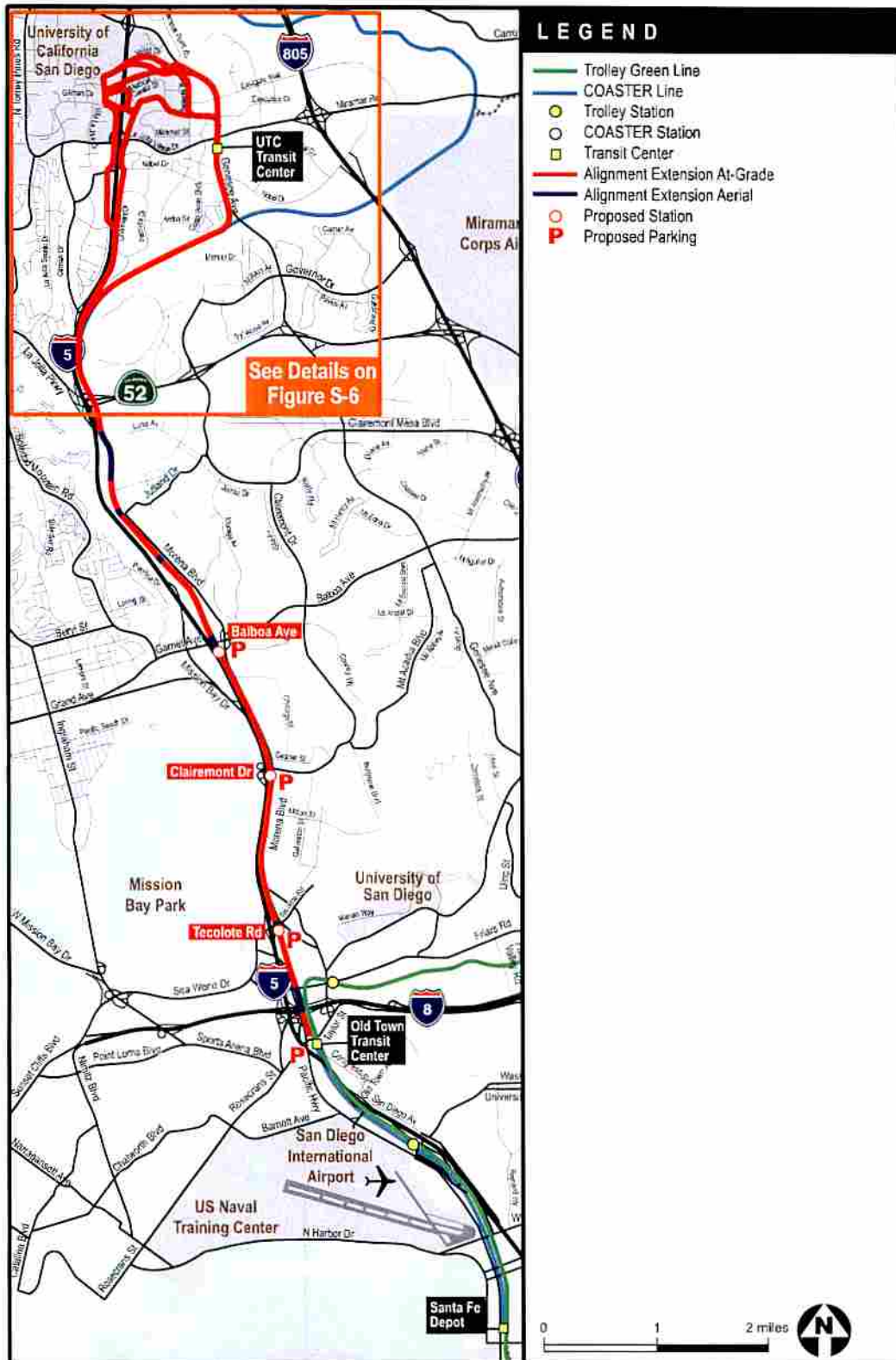
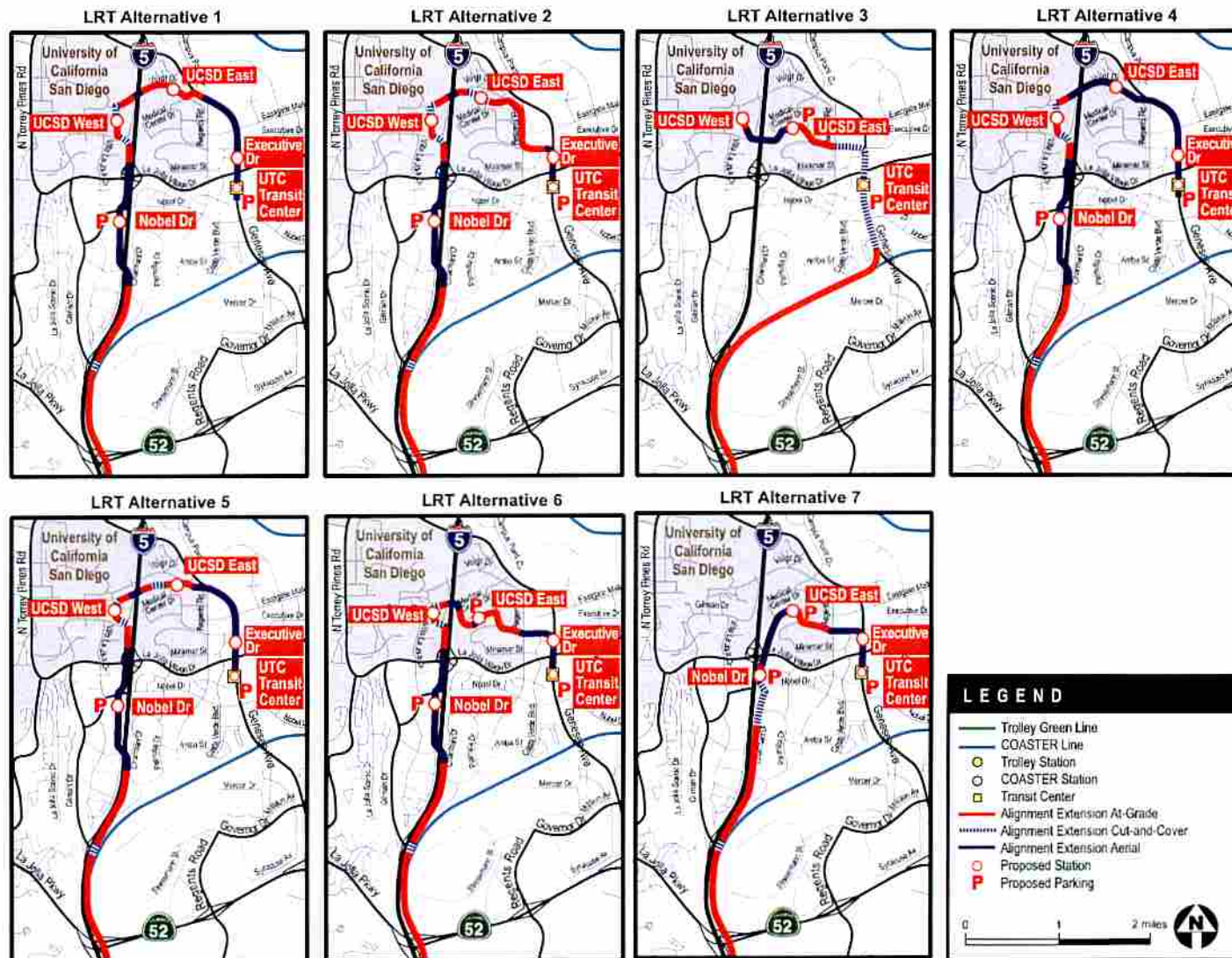




Figure S-6. LRT Alternative Alignments within University City





and off-peak periods. By extending the Trolley Blue Line to University City, the LRT alternatives would connect the major travel markets in University City with Downtown San Diego, South San Diego, and South Bay without a transfer in downtown.

S.4.4 Bus Rapid Transit Alternatives

The BRT alternatives would introduce new high quality bus service operating in exclusive bus lanes, semi-exclusive bus or HOV lanes, and shared lanes from Downtown San Diego north to University City. Four BRT alternatives (BRT Alternatives 1 through 4) were identified, ranging from high to low in the amount of exclusive lane miles, and from high to low in capital costs (Figure S-7 and Figure S-8). The alternatives are approximately 16 miles long and include 15 stations: Broadway at 5th Avenue, State Street, and Kettner Boulevard (the Santa Fe Depot Station); Pacific Highway at Cedar Street, Palm Street, and Enterprise Street; OTTC; Morena Boulevard at Tecolote Road, Clairemont Drive, and Balboa Avenue; Nobel Drive; UCSD West; UCSD East; Executive Drive; and the UTC Transit Center.

BRT Alternative 1 would have the most miles of exclusive bus lanes and would provide the fastest travel times and highest reliability. Exclusive bus lanes would be provided along Pacific Highway from downtown to OTTC, within the MTS/SDNR right-of-way between OTTC and SR 52, and along the I-5 corridor from SR 52 to the UCSD West Campus. From the UCSD West Campus to the UTC Transit Center, exclusive bus lanes also would be provided along Voigt Drive and Genesee Avenue.

BRT Alternative 2 is similar to BRT Alternative 1, except it would have semi-exclusive bus lanes on Pacific Highway from downtown to I-5 and would operate in regular highway lanes to OTTC. From OTTC, buses would operate in regular lanes on Taylor Street, Morena Boulevard, West Morena Boulevard, and Morena Boulevard to Tecolote Road. From this point north to Clairemont Drive, where it would enter the MTS/SDNR right-of-way, BRT Alternative 2 would have semi-exclusive lanes. The alignment north of Clairemont Drive would be the same as BRT Alternative 1.

BRT Alternative 3 would have the fewest miles of exclusive bus lanes. It would follow the BRT Alternative 2 alignment between Downtown San Diego and Clairemont Drive. Instead of constructing new exclusive lanes north of Clairemont Drive, however, buses would operate in semi-exclusive lanes on Morena Boulevard north to Balboa Avenue, and would use the planned I-5 HOV lanes from Balboa Avenue to the I-5/Nobel Drive interchange in University City. This alternative also would include a new DAR at Balboa Avenue to access the I-5 HOV lanes and the proposed Balboa Avenue Transit Center. From Nobel Drive, the alternative would operate in shared lanes to the UCSD West Campus. From the UCSD West Campus to UTC, the alternative would be the same as BRT Alternatives 1 and 2.

BRT Alternative 4 would provide exclusive bus lanes only in Old Town and UTC, the most congested areas of the Corridor outside of Downtown San Diego. In other parts of the corridor, BRT Alternative 4 alignment would be lower-cost, shared or semi-exclusive lanes where BRT buses could operate with traffic at relatively higher speeds.



Figure S-7. BRT Alternatives 1 and 2

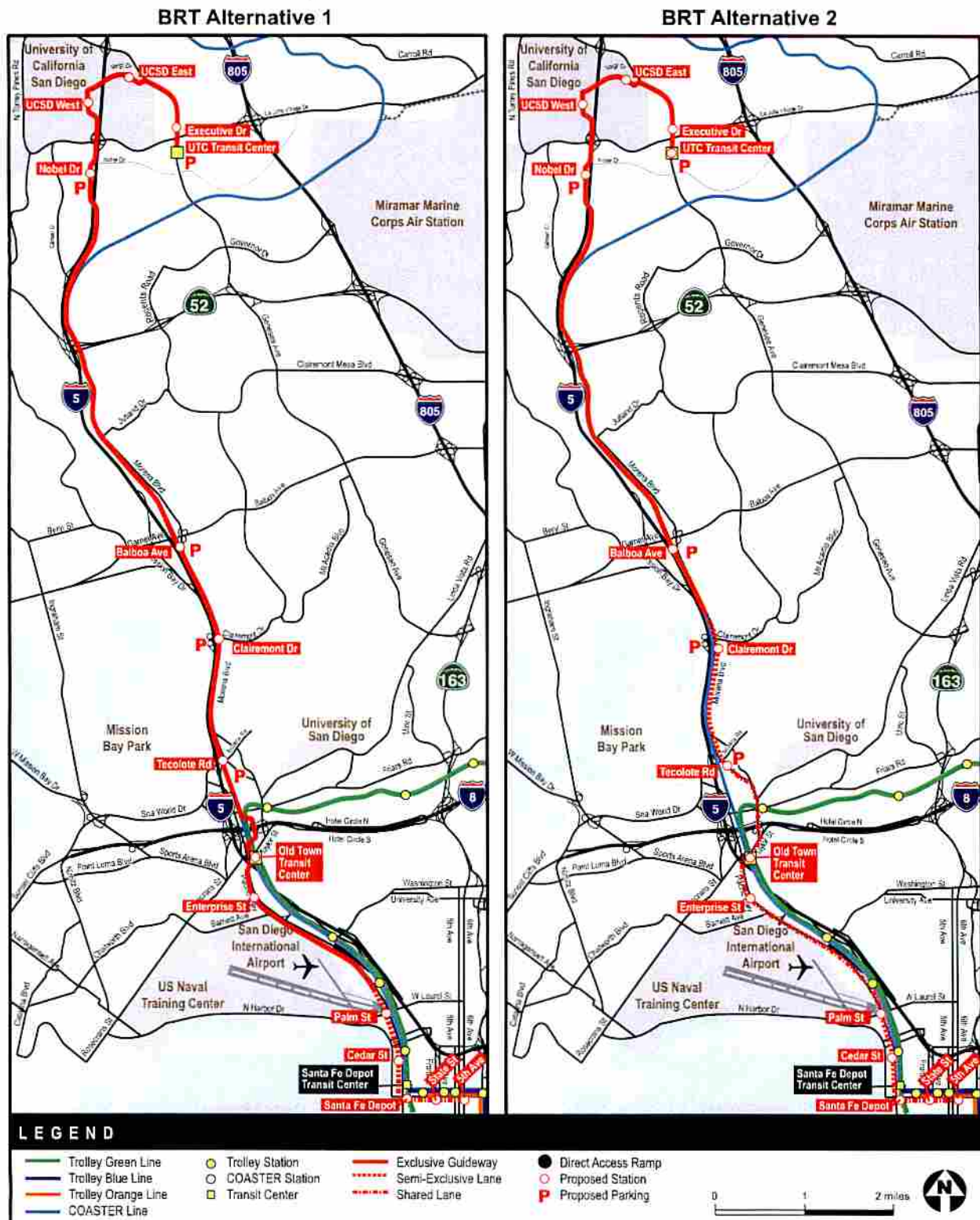
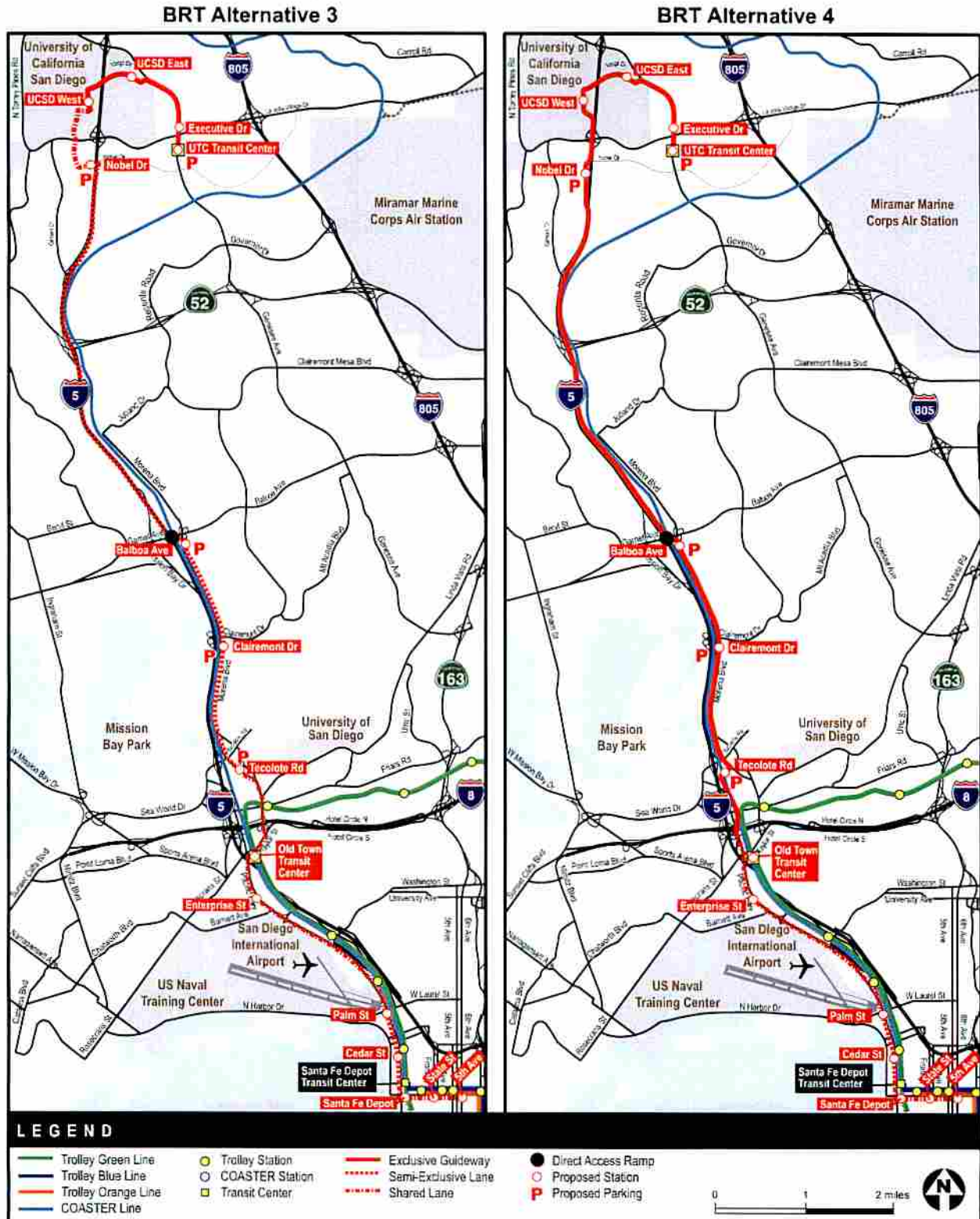




Figure S-8. BRT Alternatives 3 and 4





The BRT alternatives would consist of a new express bus route, overlaid on existing bus services, running between Downtown San Diego and University City. Buses would stop at all intermediate stations. The new BRT service would operate every 7.5 minutes during peak and off-peak periods, the same as the LRT alternatives.

S.4.5 Commuter Rail Alternative

The Commuter Rail Alternative would provide new commuter rail service to the University Center area using existing or planned double tracks in the MTS/SDNR right-of-way to Genesee Avenue. It would require the construction of a tunnel under Genesee Avenue and a deep underground station at the UTC Transit Center. A new station would also be located at Balboa Avenue. The commuter rail service would operate as a shuttle from the Santa Fe Depot in Downtown San Diego to the new station at the UTC Transit Center in University City, as shown in Figure S-9.

The Commuter Rail Alternative would use the existing and/or planned SDNR tracks from the Santa Fe Depot to Genesee Avenue. With the rail double tracking anticipated in the RTP and included in the No Build Alternative, it is anticipated that the Commuter Rail Alternative could operate at an acceptable frequency without hindering the Amtrak, COASTER, or Burlington Northern Santa Fe (BNSF) freight service operations.

The proposed Commuter Rail Alternative operating plan provides for the operation of service between Downtown San Diego and University City, with intermediate stops at OTTC and Balboa Avenue. In 2030, service would operate every 15 minutes during peak periods and every 30 minutes during off-peak periods.

S.5 Analysis and Evaluation of Alternatives

This section summarizes the results of the analysis and evaluation. It presents the results of the ridership forecasting and cost estimating analyses, describes how well the alternatives meet the project purpose and need, and provides information on each alternative's potential environmental and transportation effects, cost effectiveness, and financial feasibility.

The LRT alternatives will attract substantially more "new riders" to transit than would the other modes, and would have the highest mobility benefits. There are a number of reasons for the increase in transit riders and user benefits including elimination of a transfer between the major travel markets of South Bay and University City, improved travel times, and improved reliability of service. Higher ridership translates to fewer automobile trips, fewer pollutant emissions, and less energy consumption. The TSM, BRT, and Commuter Rail alternatives are projected to attract no more than 35 percent of the new riders attracted to the LRT alternatives.

Other than the TSM Alternative, all of the alternatives involve a substantial capital investment. The LRT alternatives would require an investment of more than \$1 billion, as would the Commuter Rail Alternative. The BRT alternatives range in cost from approximately \$740 million to more than \$2 billion. The operations and maintenance (O&M) cost of the BRT alternatives is estimated to be \$10 million per year more than the other alternatives.



Figure S-9. Commuter Rail Alternative

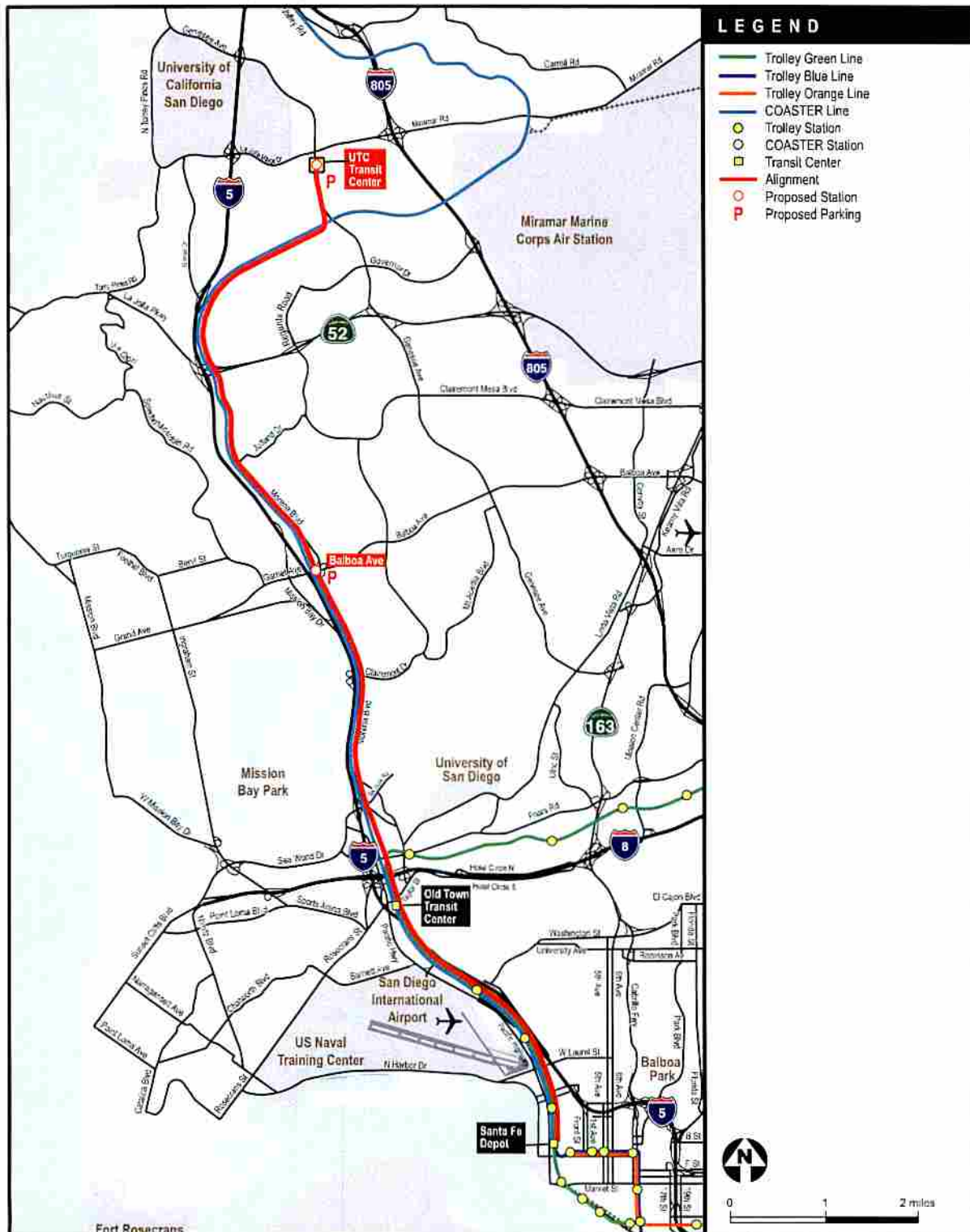




Table S-3 summarizes the evaluation of alternatives. In general, the build alternatives (LRT, BRT and Commuter Rail) would meet the project goals and objectives more effectively than the TSM Alternative. The build alternatives would improve mobility and transportation system accessibility and/or connectivity between major travel markets. They also would provide transit improvements supportive of TOD, economic development, and local community plans. The TSM Alternative would enhance service and be cost-effective, but it would not substantially improve travel time, ridership and reliability. As a consequence, the TSM Alternative would be a less effective catalyst for attracting transit-supportive land uses and economic development to designated smart growth areas.

The LRT alternatives would be more effective than the BRT alternatives or the Commuter Rail Alternative in achieving the project goals and objectives. The greater effectiveness of the LRT alternatives is due to their substantially higher ridership and mobility benefits. The LRT alternatives would offer better connections between the Mid-Coast Corridor and major travel markets, leading to significantly higher benefits for users of the transit system.

Compared to the BRT and Commuter Rail alternatives, the LRT alternatives would be most competitive with auto travel. The Commuter Rail Alternative would not “provide direct transit connections to UCSD” (a project goal) because it would not have a station on the UCSD campus.

The LRT alternatives also would be significantly more cost effective than the BRT or Commuter Rail alternatives. The cost effectiveness of the LRT alternatives would range from \$24.10 to \$26.60, compared to a cost effectiveness of no higher than \$135.20 for the BRT and Commuter Rail alternatives. Only the LRT alternatives are competitive for FTA New Starts funds, giving SANDAG an opportunity to leverage *TransNet* revenues. Although the LRT alternatives would require a substantial local investment, they are financially feasible or well within the range of being financially feasible.

Generally, the LRT alternatives are equally effective in meeting project goals and objectives. One difference is that LRT Alternative 7 would have only one station on the UCSD campus, the UCSD East Station at Thornton Hospital, and would attract fewer riders and produce fewer mobility benefits than the other LRT alternatives which would serve both the UCSD West and East Campuses. Thus, the effectiveness of this alternative in serving UCSD, a major project goal, would be reduced.

Although an alternative may be effective in meeting the project goals and objectives, it may have potential environmental or other impacts that could result in it not being carried forward into scoping. Differences in potential environmental impacts among the LRT alternatives include ecosystems/biological resources and visual and aesthetic considerations. The potential ecological resource impacts would be greater under LRT Alternative 3 than the other LRT alternatives. This alternative would have a greater potential for impacts to sensitive habitat and wetlands. LRT Alternatives 1 through 5, with the most aerial structure, would have the highest potential for visual and aesthetic impacts. LRT Alternative 2 would have greater potential traffic impacts than the other



Table S-3: Summary of Evaluation of Alternatives

Project Need	TSM	LRT 1	LRT 2	LRT 3	LRT 4	LRT 5	LRT 6	LRT 7	BRT 1	BRT 2	BRT 3	BRT 4	CRT
Effectiveness in Goal Achievement													
• Increase the overall capacity of the transportation system serving the study area	●	○	○	○	○	○	○	○	●	●	●	●	●
• Reduce auto-person trips and VMT and VHT	●	○	○	○	○	○	○	○	●	●	●	●	●
• Link study area transit services with existing transit facilities and services to improve regional connectivity and mobility	●	○	○	○	○	○	○	○	●	●	●	●	●
• Increase transit ridership and mode share	●	○	○	○	○	○	○	○	●	●	●	●	●
• Increase transit on-time performance	●	○	○	○	○	○	○	○	●	●	●	●	○
• Reduce the disparity between highway and transit speeds and travel times	●	○	○	○	○	○	○	○	○	●	●	●	●
• Provide fast and efficient transit service to the University City area	●	○	○	○	○	○	○	○	○	○	●	○	○
• Provide direct transit connections to UCSD West Campus	●	○	○	○	○	○	○	○	○	●	●	●	●
• Provide high capacity and quality transit service to those parts of the study area with existing or planned density and other transit friendly characteristics	○	○	○	○	○	○	○	○	○	○	○	○	●
• Help shape local land use planning to help foster TOD near stations	○	○	○	○	○	○	○	○	○	○	○	○	●
• Be consistent with regional and local plans	●	○	○	○	○	○	○	○	●	●	●	●	●
• Reduce GHG emissions	●	○	○	○	○	○	○	○	●	●	●	●	●
• Limit impacts to sensitive habitats	○	●	●	●	●	●	●	●	●	●	○	○	●
• Improve access for low-income, minority, elderly, and disabled persons	○	○	○	○	○	○	○	○	○	○	○	○	●
• Avoid adverse impacts to low-income, minority, elderly, and disabled persons	○	○	○	○	○	○	○	○	○	○	○	○	○
Other Considerations													



• Minimize environmental impacts	☐	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒
• Minimize local traffic impacts	☐	☐	☒	☐	☐	☐	☒	☒	☐	☒	☒	☒	☐
Cost-Effectiveness													
• FTA cost effectiveness	☐	☐	☐	☐	☐	☐	☐	☐	☐	☒	☒	☒	☒
Financial Feasibility													
• Additional funding required above RTIP	☐	☐	☐	☐	☐	☐	☐	☐	☐	☒	☐	☐	☐
• Likelihood of securing FTA New Starts funding	☒	☐	☐	☐	☐	☐	☐	☐	☐	☒	☒	☒	☒

☐ ☒ ☒
 More effective Less effective



LRT alternatives. LRT Alternative 2 would require a gated mid-block crossing of Regents Road, south of Genesee Avenue, and would eliminate two through-traffic lanes on Executive Drive. In addition, this alternative would impact private property access on Executive Drive. LRT Alternatives 6 and 7 would eliminate one traffic lane on Executive Drive and potentially impact property access.

S.6 Recommendations

Of the seven LRT alternatives considered, five are recommended for presentation at CEQA scoping: LRT Alternatives 1, 3, 4, 5, and 6. The five LRT alternatives effectively meet project goals, improve regional mobility, are cost-effective or near cost effective and are anticipated to be competitive for FTA New Starts funding. It also is recommended that LRT Alternatives 1, 4, and 5 be combined into a single alternative with alignment options, as they have similar routes and effectiveness. The two remaining LRT alternatives (LRT Alternatives 2 and 7) are recommended for elimination. LRT 1 and LRT 2 alignments are similar with the exception that LRT 2 is aligned on Regents Road and Executive Drive rather than continuing on Genesee Avenue. While similar, LRT2 is higher in capital costs, lower in user benefits and lower in cost effectiveness than LRT 1. In addition, the alignment on Regents Road and Executive Drive would have greater potential impacts on traffic and property access, therefore LRT 2 is recommended for elimination. LRT Alternative 7 would not be as effective as the other LRT alternatives, as evidenced by ridership and user benefits and travel time savings. LRT Alternative 7 would not provide direct service to the UCSD West Campus, thus, it would less effectively meet an important project goal.

It also is recommended that the TSM Alternative, all four of the BRT alternatives, and the Commuter Rail Alternative be eliminated from further consideration. Compared to the LRT alternatives, these alternatives would not be as effective in meeting the project goals and in improving regional mobility and accessibility. Furthermore, the BRT and Commuter Rail alternatives are not cost effective and are unlikely to be competitive for FTA New Starts funds. As a baseline to address the FTA New Starts criteria, the TSM Alternative would be carried forward into the next phase of the project, but it would no longer be considered a build alternative.

Recommended LRT Alternatives

- LRT 1
(Combines 1, 4 and 5)
- LRT 3
- LRT 6



Transit Center



Transit Station

* UCSD East Station location
differs by alignment

Map not to scale

Stations are for illustrative purposes;
locations are not exact.



25





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Agenda

Item No. C3

JOINT MEETING OF THE EXECUTIVE COMMITTEE
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

SRTP 835

May 6, 2010

SUBJECT:

MTS: MID-CITY RAPID UPDATE (DENIS DESMOND AND ERIC ADAMS OF SANDAG)

RECOMMENDATION:

That the Executive Committee receive a report on the Mid-City Rapid Bus Project and provide feedback.

Budget Impact

None at this time. Capital and operating costs for the service will be covered by a federal New Starts grant and TransNet funds.

DISCUSSION:

Originally an MTDB Transit First Project, the Mid-City Rapid Project will provide 'rapid bus' service between downtown San Diego and San Diego State University via Park and El Cajon Boulevards. The project was included in the TransNet II ordinance for capital and operating costs. In 2007, San Diego Association of Governments (SANDAG) applied for and received a Federal Transit Administration (FTA) Very Small Starts (VSS) New Starts grant to cover 50% of the capital cost.

While the route will replace MTS's existing limited-stop Route 15, it will have improvements that will make the service faster, more attractive, and generate more ridership. These include traffic signal priority (TSP), service to Balboa Park, new buses, electronic real-time passenger information, better frequencies, and branded stations with larger platforms, new shelters, lighting, and landscaping. The service will operate seven days per week, every 15 minutes for most of the day, and every 10 minutes during weekday peak periods.

The design phase of the project is in its final stages, and SANDAG expects to make its engineering submittals to the City of San Diego within the next month. Construction and vehicle procurement is scheduled to take place throughout 2011 and early 2012, with revenue service to start in mid-2012.


Paul C. Jablonski
Chief Executive Officer

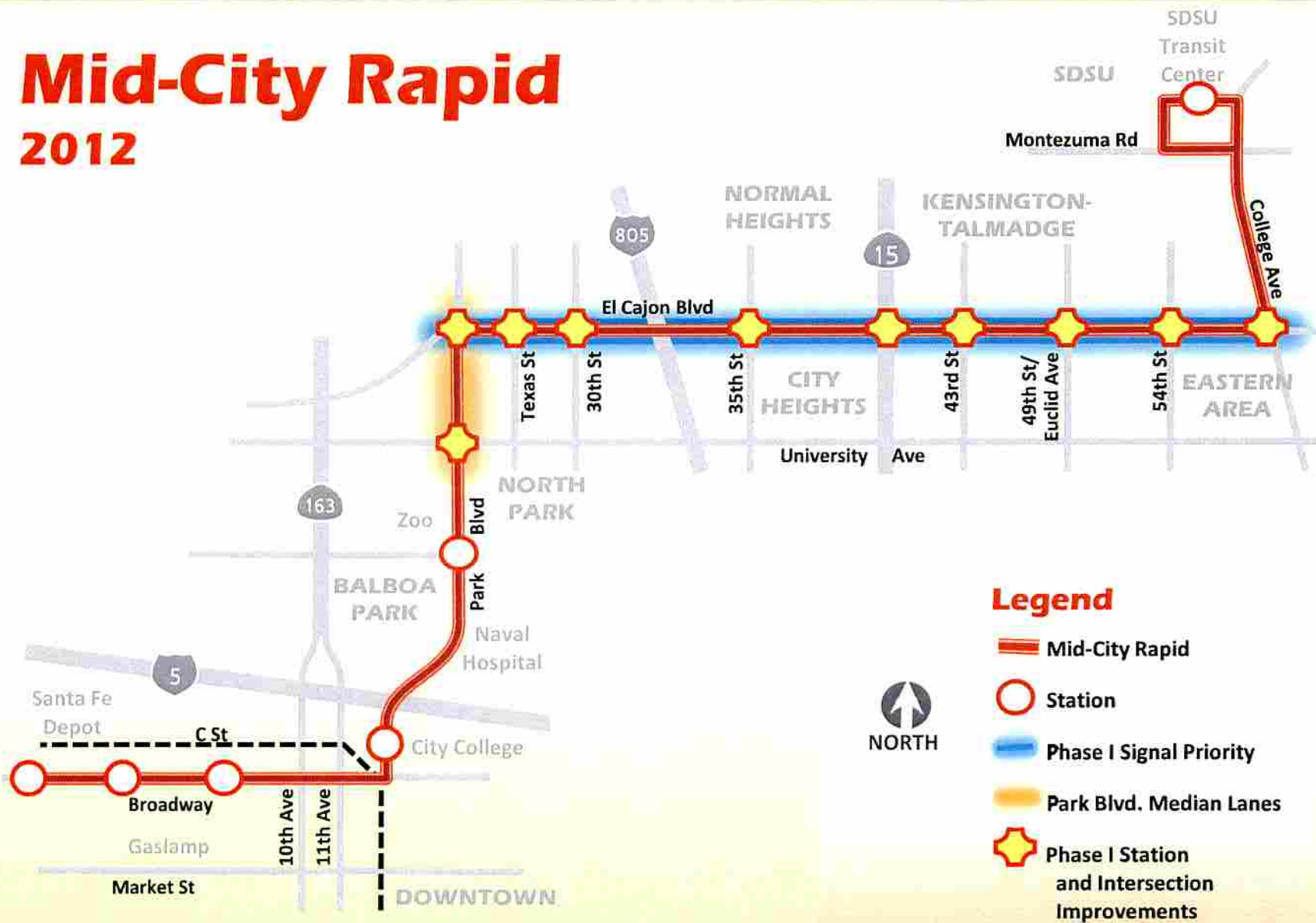
Key Staff Contact: Denis Desmond, 619.515.1929, denis.desmond@sdmts.com

MAY6-10.C3.MIDCITYRAPID.EADAMS SANDAG

Attachment: A. Mid-City Bus Rapid Project Route Map

Mid-City Rapid

2012





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Agenda

Item No. C4

JOINT MEETING OF THE EXECUTIVE COMMITTEE
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

OPS 970.2

May 6, 2010

SUBJECT:

MTS: DISPOSITION OF DECOMMISSIONED LIGHT RAIL VEHICLES (WAYNE TERRY)

RECOMMENDATION:

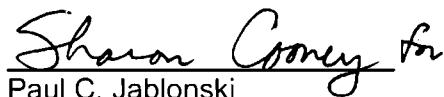
That the Executive Committee receive a report for information.

Budget Impact

None.

DISCUSSION:

MTS completed procurement of light rail vehicles this year. The new vehicles will replace the oldest vehicles (Siemens U-2s) in the fleet beginning in early fiscal year 2012. Staff has begun exploring options for disposition of the U-2s once they are decommissioned. Staff will provide a brief report.

A handwritten signature in dark ink, appearing to read 'Sharon Conney for Paul C. Jablonski'.

Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Wayne Terry, 619.595.4906, wayne.terry@sdmts.com

MAY6-10.C4.DECOMM LRV.TERRY.doc



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DRAFT

Agenda

JOINT MEETING OF THE BOARD OF DIRECTORS

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

May 13, 2010

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 - April 22, 2010 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. | <u>MTS: San Diego and Arizona Eastern (SD&AE) Railway Company Quarterly Reports and Ratification of Actions Taken by the SD&AE Railway Company Board of Directors at its meeting on April 20, 2010.</u>
Action would: (1) receive the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association (Museum), and Carrizo Gorge Railway, Inc. (Carrizo) quarterly reports; and (2) ratify actions taken by the San Diego and Arizona Eastern (SD&AE) Railway Company Board of Directors at its meeting on April 20, 2010. | Ratify |
| 7. | <u>MTS: Increased Authorization for Legal Services - Wheatley Bingham & Baker</u>
Action would authorize the CEO to enter into MTS Doc. No. G1111.15-07 with Wheatley Bingham & Baker for legal services and ratify prior amendments entered into under the CEO's authority. | Approve/
Ratify |
| 8. | <u>MTS: Taxicab Maximum Allowable City and Airport Rates of Fare - Stabilization of Rates for 2010</u>
Action would approve Resolution No. 10-11 stabilizing the 2009 maximum allowable City of San Diego and airport rates of fare for the year 2010. | Approve |
| 9. | <u>MTS: Mincom Annual Support Renewal - Contract Amendment</u>
Action would authorize the CEO to execute MTS Doc. No. G0740.10-02 with Mincom Inc, for annual software support maintenance for the Ellipse financial system and Enterprise Resource Planning (ERP) package. | Approve/ |
| 10. | <u>MTS - GIRO, Inc. Regional Scheduling System (RSS) - Contract Amendment</u>
Action would authorize the CEO to execute MTS Doc. No. G0856.14-03 with GIRO, Inc. to fund the HASTUS Maintenance and Service Support Contract for the Regional Scheduling System (RSS) contract. | Approve |

CLOSED SESSION

- | | | |
|-----|--|--------------------|
| 24. | a. <u>MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION Pursuant to California Government Code section 54956.9(b): (One Potential Case)</u> | Possible
Action |
| | b. <u>SDTI: CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS</u> Pursuant to California Government Code Section 54957.6
Agency-Designated Representative - Jeff Stumbo
Employee Organization - International Brotherhood of Electrical Workers Local 465 | Possible
Action |

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. MTS: Mid-Coast Corridor Transit Project (Sharon Cooney) Approve
Action would support the San Diego Association of Governments' (SANDAG's) Light Rail Transit Alternative 1 as the Locally Preferred Alternative for the Mid-Coast Corridor Transit Project.

REPORT ITEMS

45. MTS: Commuter Express Pilot Project (Mike Daney) Receive
Action would receive a report for information/input.
46. MTS: Mid-City Rapid Bus Transit (Eric Adams of SANDAG and Denis Desmond of MTS) Possible Action
Action would receive a report for information and provide comments.
47. MTS: Service Performance Monitoring Report for January through March 2010 (Devin Braun) Receive
Action would receive a report for information.
60. Chairman's Report Information
61. Audit Oversight Committee Chairman's Report Information
62. Chief Executive Officer's Report Information
63. Board Member Communications
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: May 27, 2010 (9:00 a.m. Finance Workshop also)
66. Adjournment



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Agenda

Item No. 6

JOINT MEETING OF THE BOARD OF DIRECTORS
for the

SDAE 710 (PC 50771)

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

May 13, 2010

**Draft for
Executive Committee
Review Date: 5/6/10**

SUBJECT:

MTS: SAN DIEGO AND ARIZONA EASTERN (SD&AE) RAILWAY COMPANY
QUARTERLY REPORTS AND RATIFICATION OF ACTIONS TAKEN BY THE SD&AE
RAILWAY COMPANY BOARD OF DIRECTORS AT ITS APRIL 20, 2010, MEETING

RECOMMENDATION:

That the Board of Directors:

1. receive the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association (Museum), and Carrizo Gorge Railway, Inc. (Carrizo) quarterly reports (Attachment A); and
2. ratify actions taken by the San Diego and Arizona Eastern (SD&AE) Railway Company Board of Directors at its meeting on April 20, 2010 (Attachment A).

Budget Impact

None.

DISCUSSION:

Quarterly Reports

Pursuant to the Agreement for Operation of Freight Rail Services, SD&IV, Museum, and Carrizo have provided the attached quarterly reports of their operations during the first quarter of calendar year 2010 (Attachment A).

SD&AE Property Matters

Under its adopted policy for dealing with the SD&AE Railway, the MTS Board of Directors must review all property matters acted on by the SD&AE Board. At its meeting of April 20, 2010, the SD&AE Board:

- approved a revised alignment on Segments 7 and 8A of the Bayshore Bikeway Project; and
- approved easements for San Diego Gas & Electric's (SDG&E's) proposed Sunrise Powerlink Project crossing the Desert Line at Jacumba, Ocotillo, and Plaster City contingent upon staff requesting SDG&E's authorization to revise the agreement to allow SD&AE future development rights along its right-of-way.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Tiffany Lorenzen, 619.557.4512, tiffany.lorenzen@sdmts.com

MAY13-10.6.SDAE RPTS.TLOREN.doc

Attachment: A. SD&AE Meeting Agenda & Materials **(Board Only Due to Volume)**



AGENDA

San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting

SDAE 710.1
(PC 50771)

San Diego & Arizona Eastern
Railway Company

A Nevada Nonprofit
Corporation

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

BOARD OF DIRECTORS
Don Seil, Chairman
Bob Jones
Paul Jablonski

OFFICERS
Paul Jablonski, President
Bob Jones, Secretary
Linda Musengo, Treasurer

OF COUNSEL
Tiffany Lorenzen

April 20, 2010

9:00 a.m.

Executive Committee Room
James R. Mills Building
1255 Imperial Avenue, 10th Floor

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		RECOMMENDED ACTION
1.	<u>Approval of the Minutes of January 19, 2010</u> Action would approve the SD&AE Railway Company minutes of January 19, 2010.	Approve
2.	<u>Statement of Railway Finances (Linda Musengo)</u> Action would receive a report for information.	Receive
3.	<u>Report on San Diego and Imperial Valley (SD&IV) Railroad Operations (Jose Ramos)</u> Action would receive a report for information.	Receive
4.	<u>Report on Pacific Southwest Railway Museum (Diana Hyatt)</u> Action would receive a report for information.	Receive
5.	<u>Report on the Desert Line (Armando Freire)</u> Action would receive a report for information.	Receive
6.	<u>Real Property Matters (Tim Allison)</u>	
a.	<u>Summary of SD&AE Documents Issued Since January 19, 2010</u> Action would receive a report for information.	Receive
b.	<u>Bayshore Bikeway Project – Segment North of the Salt Works</u> Action would receive a report on Segments 7 and 8A of the Bayshore Bikeway Project and approve the revised alignment	Approve

c. Request for Easements – SDG&E's Sunrise
Powerlink Project

Approve

Action would approve easements for the proposed
Sunrise Powerlink Project crossing the Desert
Line at Jacumba, Ocotillo, and Plaster City.

7. Old Business
8. New Business
9. Public Comments
10. Next Meeting Date: July 20, 2010
11. Adjournment

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A-SDAE-APRIL20-10.doc

DRAFT

MINUTES

BOARD OF DIRECTORS MEETING OF THE SAN DIEGO & ARIZONA EASTERN RAILWAY COMPANY

January 19, 2010

A meeting of the Board of Directors of the San Diego & Arizona Eastern (SD&AE) Railway Company, a Nevada corporation, was held at 1255 Imperial Avenue, Suite 1000, San Diego, California 92101, on January 19, 2010, at 9:00 a.m.

The following persons, constituting the Board of Directors, were present: Don Seil, Bob Jones, and Paul Jablonski. Also in attendance were:

MTS staff:	Tiffany Lorenzen, Tim Allison, Wayne Terry
SD&IV staff:	Matt Domen
Pacific Southwest Railway Museum:	Diana Hyatt, Bob Rechs
Carrizo Gorge Railway, Inc. (Carrizo):	Chas McHaffie, Armando Freire
Tierra Madre Railway:	R. Mitchell Beauchamp
Burlington Northern Santa Fe (BNSF):	John Hoegemeier
International Border Rail Institute:	Richard Borstadt
San Diego & Midwestern Railway Partners LLC:	Ed Kravitz

1. Approval of Minutes

Mr. Jablonski moved to approve the Minutes of the November 3, 2009, SD&AE Railway Board of Directors meeting. Mr. Jones seconded the motion, and it was unanimously approved.

2. Statement of Railway Finances

The Financial Statement for the 4th quarter of 2009 was attached to the agenda item. (Linda Musengo was not present at the meeting.)

Action Taken

Mr. Jones moved to receive the report for information without the staff report. Mr. Jablonski seconded the motion, and it was unanimously approved.

3. Report on SD&IV Operations

Matt Domen presented the Periodic Report of the SD&AE Railway Company for activities for the 4th quarter of 2009 (attached to the agenda item).

Action Taken

Mr. Jablonski moved to receive the report for information. Mr. Jones seconded the motion, and it was unanimously approved.

4. Report on Pacific Southwest Railway Museum Operations

Diana Hyatt presented the 4th quarter report for the calendar year (attached to the agenda item). Tiffany Lorenzen requested copies of the FRA report and stated that those reports are due to the Board within 48 hours of receiving them.

Board members discussed the Simon Wong bridge inspection letter and the Museum's request to resume passenger operations over the bridge at mile post 66.77. It was agreed that only rail buses should operate, and any breach of that clause would result in default of the operating agreement. The Board also agreed that semiannual inspections must be conducted to ensure that the status of the line is acceptable.

Ms. Hyatt agreed to forward a new letter from Mark Creveling, Engineer with Simon Wong, to Ms. Lorenzen showing that his engineering stamp is current (the last letter showed that Mr. Creveling's stamp had expired in December).

Action Taken

Mr. Jablonski moved to: (1) receive the quarterly report for information; and (2) allow the Museum to open the bridge at milepost 66.77 for rail bus passenger service operations only with semiannual inspections due in July and January. Mr. Jones seconded the motion, and it was unanimously approved.

5. Report on the Desert Line

Armando Freire reviewed the report for the 4th quarter of 2009. Mr. Freire described the damage from the fire in Tunnel 3 in Mexico.

Public Speaker

- Rich Borstadt – Mr. Borstadt reported that the Three Kings train to Tecate was a success and noted that Margaret Coval was the primary organizer. Mr. Borstadt discussed the tunnel closure and embargo expiration in a few months. He also reported that Senator Mills is in the hospital.

Action Taken

Mr. Jones moved to receive the report for information. Mr. Jablonski seconded the motion, and it was unanimously approved.

6. Real Property Matters

a. Summary of SD&AE Documents Issued Since November 3, 2009

- S200-10-422: Right of Entry Permit to Bock Company for an underground electrical installation at 28th Street in San Diego.
- S200-10-429: Right of Entry Permit to Ayala Boring, Inc. for an underground electrical installation at 28th Street in San Diego.
- S200-10-433: Right of Entry Permit to West Tech Contracting to construct the Otay Valley Regional Park Trail in the City of San Diego north of the Palm Avenue Station.
- S200-10-434: Lease with Clear Channel Outdoor for a billboard at Sigsbee in the City of San Diego.
- S200-10-435: Lease with Clear Channel Outdoor for a billboard at 22nd Street in the City of National City.
- S200-10-436: Lease with Clear Channel Outdoor for a billboard at 8th Street in National City.

Action Taken

Mr. Jablonski moved to receive the report for information. Mr. Jones seconded the motion, and it was unanimously approved.

b. Request for a Public At-Grade Crossing at H Street on the Coronado Branch in the City of Chula Vista

Tim Allison reviewed a request by the Port of San Diego for a public at-grade crossing at H Street. Mr. Allison stated that no record of a public crossing has been found and that the only record is a license for a private crossing issued to Rohr. Mr. Allison explained that H Street terminates east of SD&AE's tracks on the west side of Interstate 5. The Port of San Diego wants to extend H Street and has asked for permission to pave over or remove the tracks and enter into a deferred improvement agreement if and when rails are needed on that track. Mr. Allison added that the easement would be appraised at fair market value.

Mr. Allison expressed concern that the current crossing could not handle adding any additional traffic. He recommended either requiring a full reconstruction of the crossing or allowing the Port of San Diego to pave over or remove the tracks.

Board members discussed the liability and agreed that there should be a stipulation that the Port of San Diego would be responsible for the cost to ensure that an appropriate crossing is installed. It was also agreed that a provision should be included that the Port of San Diego would restore the rail at SD&AE's discretion.

Ms. Lorenzen suggested requiring the Port of San Diego to maintain a capital improvement fund in its budget in perpetuity until such time that it becomes necessary to reinstall the crossing at the Board's discretion. Discussion ensued regarding construction time lines, cost estimates, and PUC requirements.

Public Speaker

- Ed Kravitz – Mr. Kravitz commented that he has been coming to the SD&AE Board for 11 years regarding the Coronado Belt Line. He gave a history of his efforts to help to preserve the line and added that his interest is sharing the railroad right-of-way with the bike trail. His expressed displeasure due to unsuccessful attempts to preserve the line and feels that there is fraud and criminal intent in destroying it because development is more important.

Action Taken

Mr. Jablonski moved to approve a new at-grade crossing of the Coronado Branch at H Street in the City of Chula Vista with the following stipulations:

1. Staff will prepare an agreement to include liability provisions.
2. The Port of San Diego will maintain a capital improvement fund in perpetuity in the event that the crossing needs to be reconstructed at a future date at the Board's discretion (whether or not service will be implemented).
3. The Port of San Diego will be the lead agency responsible for all environmental requirements.

Mr. Jones seconded the motion, and it was unanimously approved.

- c. CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS
PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8
Property: Various locations in the cities of San Diego, National City, and Chula Vista
Agency Negotiators: Tiffany Lorenzen and Tim Allison
Negotiating Parties: Billboard Property Group
Under Negotiation: Price and Terms of Compensation

Oral Report of Final Actions Taken in Closed Session

The Board received a report and gave direction to agency negotiators. (This item was taken out of order at the end of the meeting after Agenda Item No. 10.)

7. Old Business

No old business.

8. New Business

No new business.

9. Public Comments

No public comments.

10. Next Meeting Date

The next meeting of the SD&AE Board of Directors is on April 20, 2010.

11. Adjournment

The meeting was adjourned at 10:00 a.m.

President

Of Counsel

JGardetto/
SDAE Minutes 1-19-10.doc

REVISED

Agenda

Item No. 2

San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting

SDAE 710.1 (PC 50771)

April 20, 2010

SUBJECT:

STATEMENT OF RAILWAY FINANCES

RECOMMENDATION:

That the SD&AE Board of Directors receive a financial report for the quarter ending on March 31, 2010.

Budget Impact

None.

DISCUSSION:

| ~~As we discussed,~~ in the second quarter financial report, lease revenue ~~would~~ shows a significant decrease in the third quarter resulting from adjustments to reflect annual lease payments received during the second quarter. Year-to-date lease income has increased over the prior year due to favorable adjustments to some lease rates.

2-RAILWYFINANCES.doc

| Attachment: SD&AE 1st-3rd Quarter 2010 Financial Report

SD&AE operating statement FY 2010-2009

	Q1 2010	Q2 2010	Q3 2010	YTD 2010	Q1 2009	Q2 2009	Q3 2009	YTD 2009
Revenue								
Right of entry permits	\$ 21,619	\$17,400	\$ 8,500	\$47,519	30,178 #	10,900	13,113	54,191
Lease income	25,871	43,341	819	70,031	9,820 #	14,783	16,677	41,280
SD&IV 1% freight fee	-	-	-	-	- #	-	-	-
Carrizo Gorge	-	-	-	-	213 #	99	-	312
Sale of real property	-	-	-	-	- #	-	-	-
Other income	-	-	-	-	- #	-	-	-
Total revenue	47,490	60,741	9,319	117,550	40,211	25,782 #	29,790	95,783
Expense								
Personnel costs	22,734	26,334	19,540	68,608	18,777 #	15,793	21,304	55,874
Outside services	12,031	5,989	5,147	23,167	7,196 #	13,273	1,026	21,495
Energy costs	-	-	-	-	- #	-	-	-
Risk management	8,486	8,486	8,403	25,376	9,114 #	8,783	8,974	26,870
Misc operating expenses	20,474	(18,913)	25	1,586	6,666 #	1,772	337	8,775
Depreciation	-	-	-	-	- #	-	-	-
Total expense	63,725	21,897	33,115	118,737	41,753	39,620 #	31,641	113,014
Net income/(loss)	\$ (16,235)	\$38,845	\$(23,796)	\$ (1,187)	\$(1,542)	\$(13,838) #	\$(1,852)	\$(17,231)

Misc operating expense includes \$20,416 paid to Baker & Miller, partially offset by \$19,150 cost reimbursement from CZRY
Outside services includes \$16,344 paid to LAN Engineering and \$6,823 paid to Kimley Horn for services related to right of way

Reserve balance 2009 - final	\$892,163
Allocated interest earnings - estimated	1,252
Operating profit (loss)	(1,187)
Improvement expense 2010	
Reserve balance 2010- estimated	\$892,228

Agenda

Item No. 3

San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting

SDAE 710.1 (PC 50771)

April 20, 2010

SUBJECT:

REPORT ON SAN DIEGO AND IMPERIAL VALLEY (SD&IV) RAILROAD OPERATIONS

RECOMMENDATION:

That the SD&AE Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

An oral report will be given during the meeting.

Attachment: Periodic Report for the 1st Quarter of 2010



April 8, 2010

SD&AE Board
C/O MTS
1255 Imperial Avenue, Suite 1000
San Diego, California 92101

Periodic Report

In accordance with Section 20 of the Agreement for Operational Freight Service and Control through Management of the San Diego and Arizona Eastern Railway Company; activities of interest for the 1st Quarter of 2010 are listed as follows:

1. Labor

At the end of March 31, 2010 the San Diego & Imperial Railroad had 12 employees:

- 1 General Manager
- 1 Trainmaster
- 1 Asst. Trainmaster
- 1 Manager - Marketing & Sales
- 1 Office Manager
- 1 Mechanical Officer
- 1 Roadmaster
- 1 Maintenance of Way Employee
- 4 Train Service Employees

2. Marketing

During the 1st Quarter of 2010 versus 2009, the SDIVs online customers experienced an increase movement specifically in paper and abrasive materials and finished with a strong first quarter. Our Mexican bridge traffic for the Baja region remained steady specially LPG and we experienced a slight increase in grain material.

3. Reportable Injuries/Environmental

Days through year to date, March 31, 2010, there were no FRA Reportable injuries or environmental incidents on the SDIV Railroad.

Days FRA Reportable Injury Free: 3,838

4. Summary of Freight

	2010	2009	2008
Total rail carloads that moved by SDIY Rail Service in the quarter.	1,515	1,526	1,792
Total railroad carloads Terminating/Originating Mexico in the quarter.	1,222	1,209	1,482
Total railroad carloads Terminating/Originating El Cajon, San Diego, National City, San Ysidro, California in the quarter.	293	317	310
Total customers directly served by SDIY in the quarter	12	12	12
Regional Truck trips that SDIY Railroad Service replaced in the quarter	5,302	5,341	6,272

Respectfully,

Don Seil-

General Manager

Agenda

Item No. 4

San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting

SDAE 710.1 (PC 50771)

April 20, 2010

SUBJECT:

REPORT ON PACIFIC SOUTHWEST RAILWAY MUSEUM

RECOMMENDATION:

That the SD&AE Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

A report will be presented during the meeting.

Attachment: First Quarter Report for 2010



Pacific Southwest Railway Museum

La Mesa Depot 4695 Nebo Drive La Mesa, CA 91941 619-465-7776

April 12, 2010

SD&AE Board
c/o Metropolitan Transit System
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

Re: First Quarter, 2010 report

Dear SD&AE Board:

During the first quarter of 2010, the Pacific Southwest Railway Museum operated a total of 12 Golden State trains, which includes four special event Bunny Trains and sixteen days operating the Santa Maria Valley Railbus within Campo Valley yard limits, carrying 1,006 passengers with no FRA reportable accidents or injuries. Total income from SD&AE property for first quarter 2010 is \$17,150.12. A check for \$343.00 will be mailed under separate cover. By comparison, during the first quarter of 2009, we operated a total of 44 Golden State passenger trains, 1 Three Kings Train, 3 Tecate trains and 1 Garcia Adventure carrying 2,483 passengers with no FRA reportable accidents or incidents.

As you are aware, on December 25, 2009 tunnel three in Mexico caught fire twice. The remaining extent of the redwood lining burned including the west end tunnel portal which collapsed. To our knowledge, Mexican officials have made no efforts to remove the dirt and debris and have not enacted plans for its repair; perhaps Carrizo Gorge Railway can offer further insight.

Several motorcar inspection trips have been made of the ROW between Division and Miller Creek during the quarter; including since the earthquake on April 4, 2010. This fourteen mile portion of the railroad remains in good condition and compliant with vegetation abatement requirements. Several MOW trips will take place during the second quarter for the purpose of eliminating new growth and clearing vegetation and debris beyond the clearance limits.

As I mentioned in the fourth quarter, 2009 report, the County of San Diego awarded a grant of \$10,500 to PSRM to be applied towards the replacement of the wood sheathing and shingles on

the Campo Depot roof. Additional funds were necessary to complete the task and were provided from PSRM's general fund. This work is now complete.

Restoration work continues on the downstairs interior of the Campo Depot. The eight new windows have been installed, all load bearing walls have been reinforced with additional bracing and the exterior siding has been replaced and painted. Most of the electrical work has been completed and all old wiring has been removed. Lane Stanton Vance Lumber Company has donated the hardwood and the labor to custom mill it into tongue and groove boards that will cover the interior walls and ceiling. We are aiming for a completion date within the third quarter of 2010.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read "Diana Hyatt". The signature is fluid and cursive, with the first name "Diana" being more prominent than the last name "Hyatt".

Diana Hyatt
President

Agenda

Item No. 5

San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting

SDAE 710.1 (PC 50771)

April 20, 2010

SUBJECT:

REPORT ON THE DESERT LINE

RECOMMENDATION:

That the SD&AE Board of Directors receive a report for information and an update on the status of rail operations.

Budget Impact

None.

DISCUSSION:

A report will be presented during the meeting.

5-DESERTLINE.doc

Attachment: No Fourth Quarter Report submitted at the time of mail-out

Carrizo Gorge Railway First Quarter 2010 Report

(Submitted after materials were mailed out)



Carrizo Gorge Railway

Periodic Report

To The San Diego & Arizona Eastern Railway Company

First Quarter 2010

The periodic Report to the SD&AE Railway Company is produced quarterly by the Carrizo Gorge Railway, Inc for the SD&AE Board, in fulfillment of contractual requirements and to document activity in the restoration of the line to regional service along with its ongoing improvement for future generations.

Accomplishments during First Quarter 2010

- Weed Abatement.
- Bridge rehabilitation.
- Clean up and reorganization in Jacumba yard.
- Desert Line Spur Maintenance.

CARRIZO GORGE RAILWAY, INC.

CONTENTS

FIRST QUARTER 2010 ACTIVITY

Appendix A- MOW Summary

Appendix B- Desert Line Track Rehabilitation
Offset Financial Summary

Appendix C- Desert Line Freight Revenues
Financial Summary

CARRIZO GORGE RAILWAY, INC.

First Quarter 2010

Metropolitan Transit Development Board
San Diego & Arizona Eastern Railway Board
1255 Imperial Avenue 10th floor
San Diego, California 92101

Pursuant to reporting agreement, here is the summary of First Quarter activity for 2010.

I. Labor

As of March 31th, 2010, Carrizo Gorge Railway has **20** employees to cover overall administration of the road and operations in the U.S. on the Desert Line.

- 4 Administration
- 1 Marketing
- 1 Purchasing Agent
- 1 DSL (contractor)
- 1 Train Master
- 2 Track Maintenance
- 1 Division Engineer
- 2 Locomotive engineers
- 1 Track Inspector
- 2 Conductors
- 3 Railroad police
- 1 Railroad police chief

II. Marketing

Carrizo Gorge Railway continued to work with its marketing plan to increase revenues once the Desert Line rehabilitation is concluded.

Carrizo Gorge Railway continued working to improve relations with Admicarga in an effort to increase revenues as well as the improvement of service to the shipping community in the region.

III. Desert Line

Carrizo Gorge Railway is the rail freight operator on the Desert Line by contractual agreement with Rail America/ SD&IV and with the approval of SD&AE/ MTDB.

In this quarter we focused primarily in all the rockslides accounted for, with the intent of restoring and providing maintenance to the sections of tracjs that were affected by any of the rockslides. The restoration/maintenance program began February and it's

CARRIZO GORGE RAILWAY, INC.

still being carried out till this date. In the month of January the focus remained on the clearance of vegetation but was brought to halt once the rockslides courred. For the month of January we cleared vegetation from MP 107.0 to MP 111.0, a total of four miles with CAL Fire standards being met throughout the way.

IV. Reportable Injuries / Environmetal Incidents

There were no reportable injuries in the first quarter of 2010.

There were no reportable accidents in the first quarter of 2010.

There were was one (1) enviromental incidents in the first quarter of 2010.

V. Freight Activity

No freight activity in the 1st quarter of 2010 due to the embargo with the purpose to star a rehabilitation program to improve safety, capacity and reliability on the Desert Line. We are still continuing to store empties, with an approxiamate amount of 125 GE cars located in various sidings and spurs as of this date. The majority of the cars (76) are new covered hoppers with the remianing cars (49) being old boxcars.

MOW Sand carloads moved on the Desert Line	0
Revenue Sand carloads moved on the Desert Line	0
Revenue Freight carloads moved to/from Seeley Via interchange with UPRR, on the Desert Line	0
Non-Revenue Freight carloads moved from UPRR and USG, on the Desert Line	0
Revenue Freigh carloads terminating/originating in Mexico to/from San Ysidro via interchange with SD&IV Railroad	0
Total overall first quarter 2010 Carloads Moved	0
Revenue Empties	157
Revenue Storage	330

CARRIZO GORGE RAILWAY, INC.

VI. Mexican Railroad

Carrizo Gorge Railway is the rail freight operator for the State of Baja California, Mexico and continues to employ the following personnel dedicated to freight service south of the border.

Here is an update of Carrizo Gorge Railway, Inc. Mexico's Operation.

CURRENT MEXICO PERSONNEL

- | | |
|---|--------------------------|
| 1 | Director of Operations |
| 1 | Supervisor of Operations |
| 3 | Dispatchers |
| 3 | Train Engineers |
| 6 | Conductors |
| 1 | Mechanic |
| 1 | Division Engineer |
| 1 | Track Inspector |
| 2 | Track Supervisor |
| 8 | Track laborer |

CARRIZO GORGE RAILWAY, INC.

Appendix A

M.O.W. SUMMARY

DESERT LINE

TRACK

Ties Installed (6" x 8" x 8')	0	each
(7" x 9" x 9")	0	each
Stringers	0	each
90 lb/yd Rail Change Out	0	ft.
113 lb. rail Change Out	0	ft.
Repair Open Joints	0	each
Track Regaging	0	each
Separator Rails (4" x 8" x 20")	0	each
Replace Missing Track Bolts	2	each
Rail Anchors Replaces	0	each
Repair Broken angle bars (60 lb.)	0	each
(75 lb.)	0	each
(90 lb.)	0	each
Track Surfaced	0	ft
Track Spikes Used (new)	0	each
Switch Ties Installed	0	each

CARRIZO GORGE RAILWAY, INC.

Appendix B

OFFSET FINANCIAL SUMMARY

DESERT LINE SAND OPERATION

There was no production or commercial sale of sand from M.O.W. activity on the Desert Line during First Quarter of 2010.

CARRIZO GORGE RAILWAY, INC.

Appendix C

FINANCIAL SUMMARY

DESERT LINE

REVENUE FREIGHT HAULED

Railcar loads to/from UP Interchange, Seeley /Plaster City	0
--	---

Railcar loads revenue sand from Dixie (Plaster City) to Campo	0
---	---

Non-revenue Freight
USG Cars

Total	0
--------------	----------

Track Use Fees:

Interchange freight to/from UPRR over the Desert Line

SD&AE / MTS 1% payment	157.00
SD&IV / Rail America payment 6.9 (157 Railcars Empties and 330 Railcars Storage)	1,611.70

Revenue Sand from Dixie to Campo

SD&AE / MTS 1% payment	0.00
SD&IV RailAmerica payment(0cars at \$0.00 each)	0.00

Agenda

Item No. 6a

San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting

SDAE 710.1 (PC 50771)

April 20, 2010

SUBJECT:

SUMMARY OF SD&AE DOCUMENTS ISSUED SINCE JANUARY 19, 2010

RECOMMENDATION:

That the SD&AE Railway Company Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

Since the January 19, 2010, SD&AE Railway Company Board of Directors meeting, the documents described below have been processed by staff.

- S200-10-424: License to SES Solar Two LLC for a private crossing of the Desert Line west of Plaster City.
- S200-10-431: License to Cox Communications for an aerial fiber crossing at Palm Avenue in the City of El Cajon.
- S200-10-432: Easement to the City of San Diego for a sewer crossing at 54th Street in the City of San Diego.
- S200-10-437: Right of Entry Permit to Nolte Associates, Inc. to perform land surveying at the 47th Street Trolley Station in the City of San Diego.
- S200-10-438: Right of Entry Permit to Melchior Land Surveying to perform land surveying at the San Ysidro Yard in the City of San Diego.
- S200-10-439: Easement to Helix Water District for a fire hydrant installation at the Grossmont Trolley Station in the City of La Mesa.
- S200-10-440: Right of Entry Permit to Roel Construction Company for building construction at 15th Street and Commercial Street in the City of San Diego.

- S200-10-441: License to the Motor Transport Museum for use of railroad property east of Campo in the County of San Diego.
- S200-10-442: Right of Entry Permit to Kimley-Horn & Associates, Inc. to perform engineering investigations at the San Ysidro Yard in the City of San Diego.
- S200-10-443: Right of Entry Permit to Aguirre & Associates to perform land surveying at the San Ysidro Yard in the City of San Diego.

APRIL20-10.6a.DOCS ISSUED.TALLISON.doc

Agenda

Item No. 6b

San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting

SDAE 710.1

April 20, 2010

SUBJECT:

BAYSHORE BIKEWAY PROJECT – SEGMENT NORTH OF THE SALT WORKS

RECOMMENDATION:

That the SD&AE Railway Board of Directors receive a report on Segments 7 and 8A of the Bayshore Bikeway Project and approve the revised alignment.

Budget Impact

Processing fees would be reimbursed.

DISCUSSION:

The San Diego Association of Governments (SANDAG) (in coordination with the County of San Diego and the cities of Chula Vista, National City, and San Diego) is developing the project for approximately a seven-mile segment of the Bayshore Bikeway. The Bayshore Bikeway is a designated 24-mile bikeway loop route around the San Diego Bay and consists of approximately 12 miles of off-street bicycle paths (Class 1) and 12 miles of on-street sections designated as either bicycle lanes or bicycle routes (Class 2 or 3). The Bayshore Bikeway route extends from the Broadway Pier in San Diego to the Coronado Ferry Terminal in Coronado. The route traverses the cities of San Diego, National City, Chula Vista, Imperial Beach, and Coronado.

On May 1, 2009, the SANDAG Transportation Committee adopted the Mitigated Negative Declaration for Segments 4, 5, 7, and 8A of the Bayshore Bikeway and authorized final design. Segments 4, 5, 7, and 8A of the Bayshore Bikeway are located along the eastern San Diego Bay in the cities of San Diego, National City, and Chula Vista. The proposed alignment for this portion of the bikeway would extend from 32nd Street in the City of San Diego along Harbor Drive; through the City of National City along Civic Center Drive, Tidelands Avenue, and West 32nd Street; and within the City of Chula Vista from H Street to Stella Street.

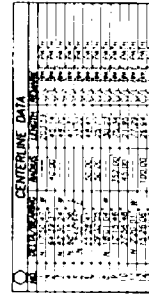
Segments 7 and 8A are in the final design. The proposed alignment has been changed compared to the alignment approved by the Board at its November 3, 2009, meeting. That alignment crossed the SD&AE Coronado Branch tracks at J Street (Marina Way); ran westerly of the right-of-way on the SDG&E easement until approximately L Street;

crossed the tracks again at this location; then ran within the right-of-way until it exits onto Bay Boulevard right-of-way at approximately the Interstate 5 on- and off-ramps. The revised alignment crosses the Coronado Branch at J Street (Marina Way), but then remains easterly of the tracks within the SD&AE right-of-way until it exits onto Bay Boulevard as previously proposed. The previous alignment was determined to be problematic by SANDAG staff. (Page 6b3 shows the revised alignment.)

Board approval is requested for the alignment change.

APRIL20-10.6b.BAYSHORE BIKEWAY REVISED ALIGNMT.TALLISON.doc

Attachments: Proposed Alignment
Project Typical Cross Sections



CONSTRUCTION NOTES:

- ① SMOOTH AND REMOVE EXIST ASPH TO 8" DEPTH. PREPARE SUBGRADE TO BE INSTALLED. SET 1" CHAIN LINK PER THICKNESS.
- ② SLOPE AND STRENGTH FOR BENT MAIN. PER SPEDS 20-33.
- ③ CONTRACT BENT MAIN PER THICK. SECTIONS SET 2" CHAIN LINK PER THICK.
- ④ REMOVE 1" OF EXIST ASPH CONTAINED ON MAIN AND SET NEW POSTS PER ASS 8-4.
- ⑤ INSTALL CURBED BENT PER
- ⑥ INSTALL 8" CHAIN LINK PER THICK.
- ⑦ INSTALL 1" CHAIN LINK PER THICK.

GRAPHIC SCALE

"ENGINEER OF WORK CERTIFICATE"

10

CHULA VISTA DEPARTMENT OF PUBLIC WORKS ENGINEERING	DATE REC'D
ROUTE NO.	
BIKeway-SEGMENTS 7 AND 8A PROJECT	X
SOUTH BAY POWER PLANT - CHULA VISTA	CP / 11/27/80

NOTE:
CONTRACTOR TO VERIFY LOCATION
AND ELEVATION OF ALL EXISTING
UTILITIES BY POCKETING AND
MARKING PRIOR TO EXCAVATIONS.

AS BUILT

CITY	
STATE	BAY
DATE	
TIME	08:00

WARNING
EXTENDING HIGH PRESSURE
CABLE LINE TO REMAIN
IN PLACE
DO NOT ATTEMPT TO DISCONNECT CABLES AT THIS
TOWER. PROCEED TO DISCONNECT
CABLES AT THE NEXT TOWER.

PLANS ORDERED BY: _____	DATE: _____	APPROVED: _____
SENOR ORAL DIAGNOSTIC		REPLY: _____

San Diego Gas & Electric
Company

DATE _____
A.C.F. no. _____

NOTE
[PLANS ARE PLOTTED FROM
LOCATIONS. LOCATIONS
WITHIN REPORTED OR ARE NOT
THE LOCATION OF ALL PROJECTS
PART OF CONSTRUCTION

PLANS PREPARED BY:	X
--------------------	---

UTILITY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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SAND

SECRET

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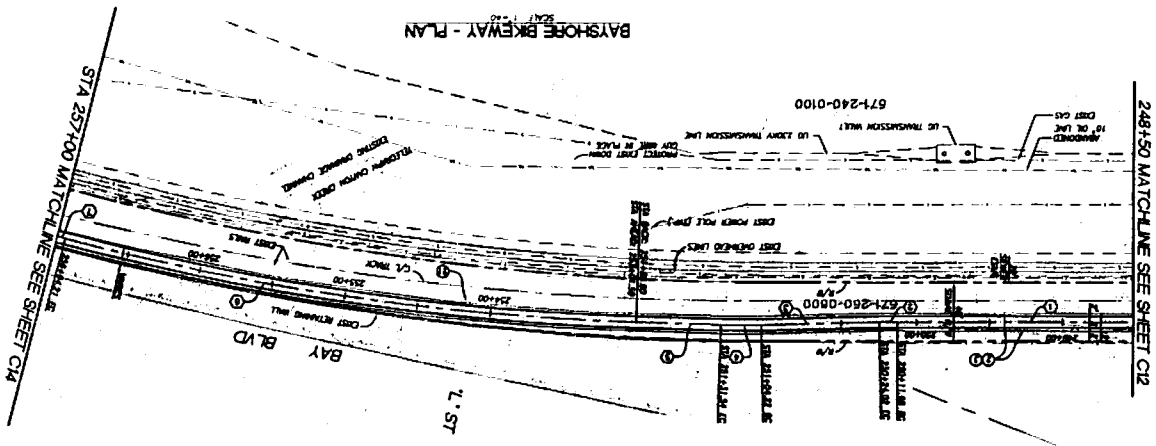
Bureau Vertices North America
11980 Ward Boulevard Court Suite 11
San Diego, CA 92127-1824
Tel: (619) 451-4100 Fax: (619) 451-
www.usa.bureauvertices.com



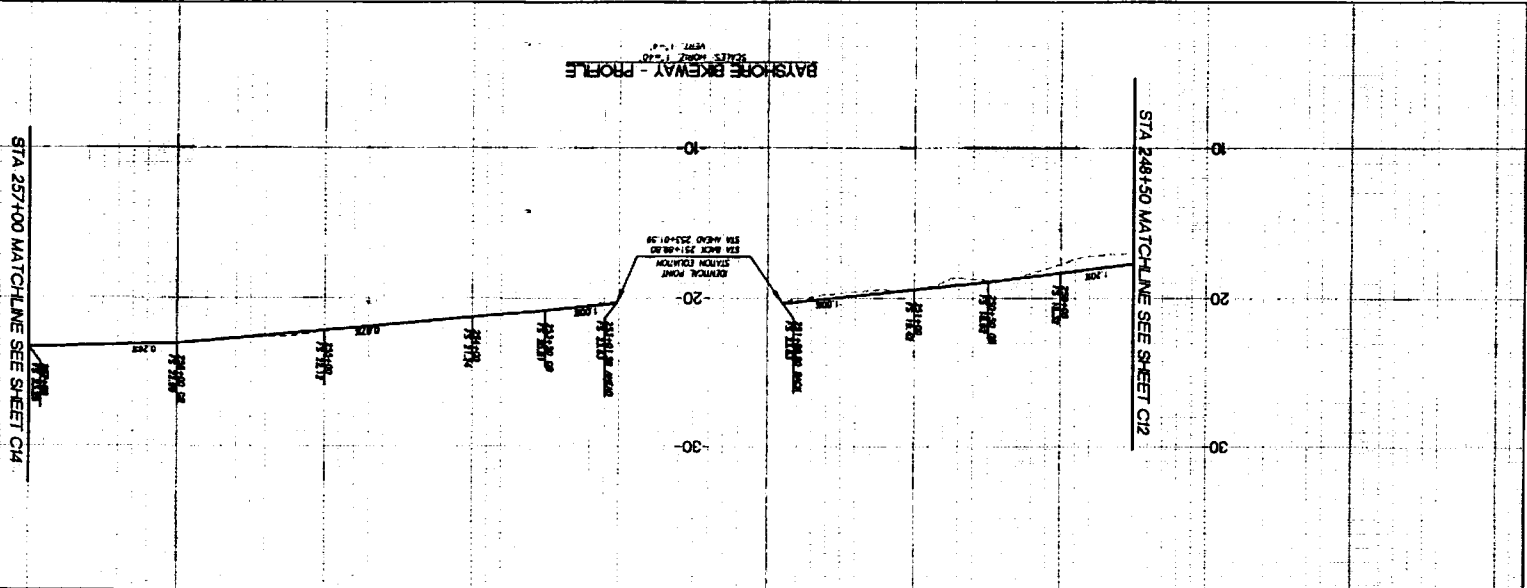
ಕರ್ನಾಟಕ ಸರ್ಕಾರ

A

ENGINEER OF WORK CERTIFICATE I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SHOWN ON THIS SET OF PLANS (SHEET C-3) IS TRUE AND CORRECT, AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA.		UTILITY NOTE ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE PLOTTED FROM RECORD DATA AT THE NEAREST AVAILABLE LOCATION. UNDEGROUND UTILITIES SHALL BE LOCATED BY THE CONTRACTOR OR HIS SUB PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES THAT ARE NOT SHOWN ON THESE PLANS.		CONTRACTOR'S RECORD DATE: _____ BY: _____ CHECKED BY: _____ DATE: _____		DESIGNER'S RECORD DATE: _____ BY: _____ CHECKED BY: _____ DATE: _____		APPROVED BY: _____ DATE: _____		PROJECT DATA PROJECT NO.: _____ SHEET NO.: _____ TOTAL SHEETS: _____	
--	--	--	--	--	--	--	--	--	--	--	--



249+00 250+00 251+00 254+00 255+00 256+00 257+00

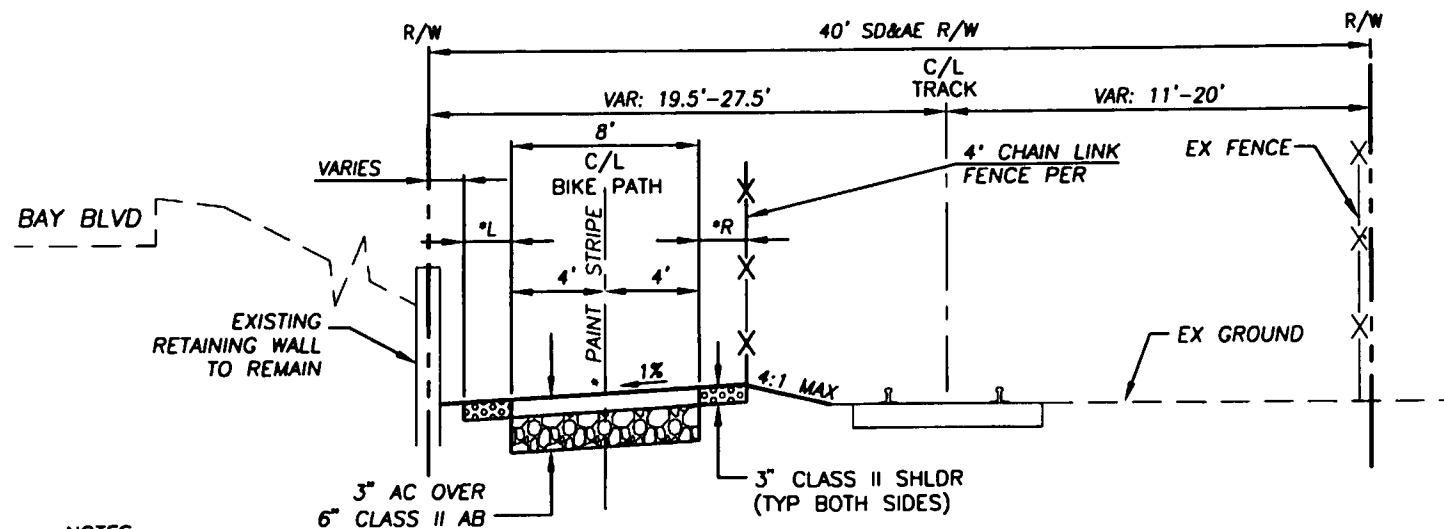


- CONSTRUCTION NOTES**
1. EXISTING AND PROPOSED SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE BIKEWAY.
 2. EXISTING AND PROPOSED SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE BIKEWAY.
 3. EXISTING AND PROPOSED SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE BIKEWAY.
 4. EXISTING AND PROPOSED SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE BIKEWAY.
 5. EXISTING AND PROPOSED SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE BIKEWAY.

INTERLINE DATA

STATION	ELEVATION	REMARKS
249+00	10.00	START OF VERTICAL CURVE
250+00	10.00	START OF VERTICAL CURVE
251+00	10.00	START OF VERTICAL CURVE
254+00	10.00	START OF VERTICAL CURVE
255+00	10.00	START OF VERTICAL CURVE
256+00	10.00	START OF VERTICAL CURVE
257+00	10.00	START OF VERTICAL CURVE

PRELIMINARY - 90% SUBMITTAL



NOTES:

*= PAINT STRIPE PER STRIPING SHEETS 30-33

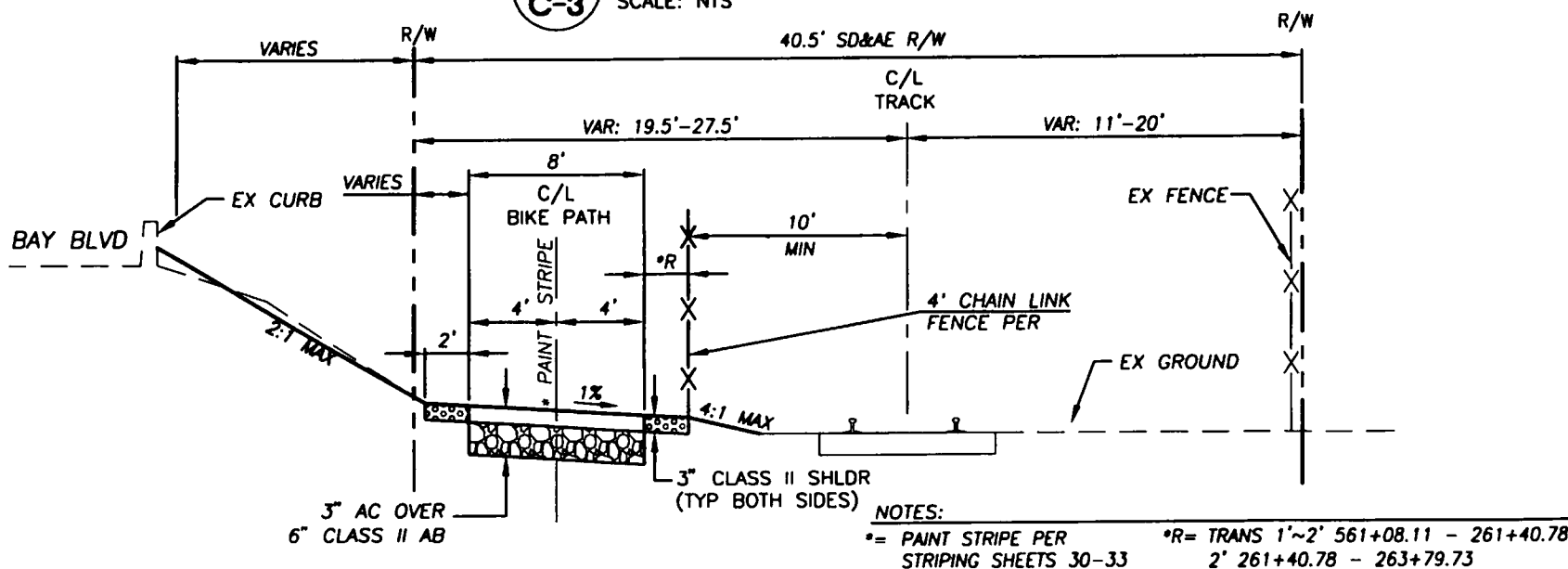
*L= 2' 253+65.41 - 257+19.86
TRANS 2~1' 257+19.86 - 258+02.77
1' 258+02.77 - 259+19.37
TRANS 1~2' 259+19.37 - 259+48.38
2' 259+48.38 - 261+08.11

*R= 2' 253+64.41 - 256+11.59
TRANS 2~1' 256+11.59 - 257+08.00
1' 257+08.00 - 261+08.11

E
C-3

TYPICAL SECTION: STA 253+65.41 - STA 261+08.11

SCALE: NTS



NOTES:

*= PAINT STRIPE PER STRIPING SHEETS 30-33

*R= TRANS 1~2' 561+08.11 - 261+40.78
2' 261+40.78 - 263+79.73

F
C-3

TYPICAL SECTION: STA 261+08.92 - STA 261+90.13

SCALE: NTS

Agenda

Item No. 6c

San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting

SDAE 710.1

April 20, 2010

SUBJECT:

REQUEST FOR EASEMENTS – SDG&E'S SUNRISE POWERLINK PROJECT

RECOMMENDATION:

That the SD&AE Railway Company Board of Directors approve easements for the proposed Sunrise Powerlink Project crossing the Desert Line at Jacumba, Ocotillo, and Plaster City.

Budget Impact

Easements would be granted at market value based on an appraisal of \$9,000.

DISCUSSION:

San Diego Gas & Electric (SDG&E) is proposing the Sunrise Powerlink Project that would cross the Desert Line at three locations. The project would construct a new transmission corridor for the San Diego region. The three locations are:

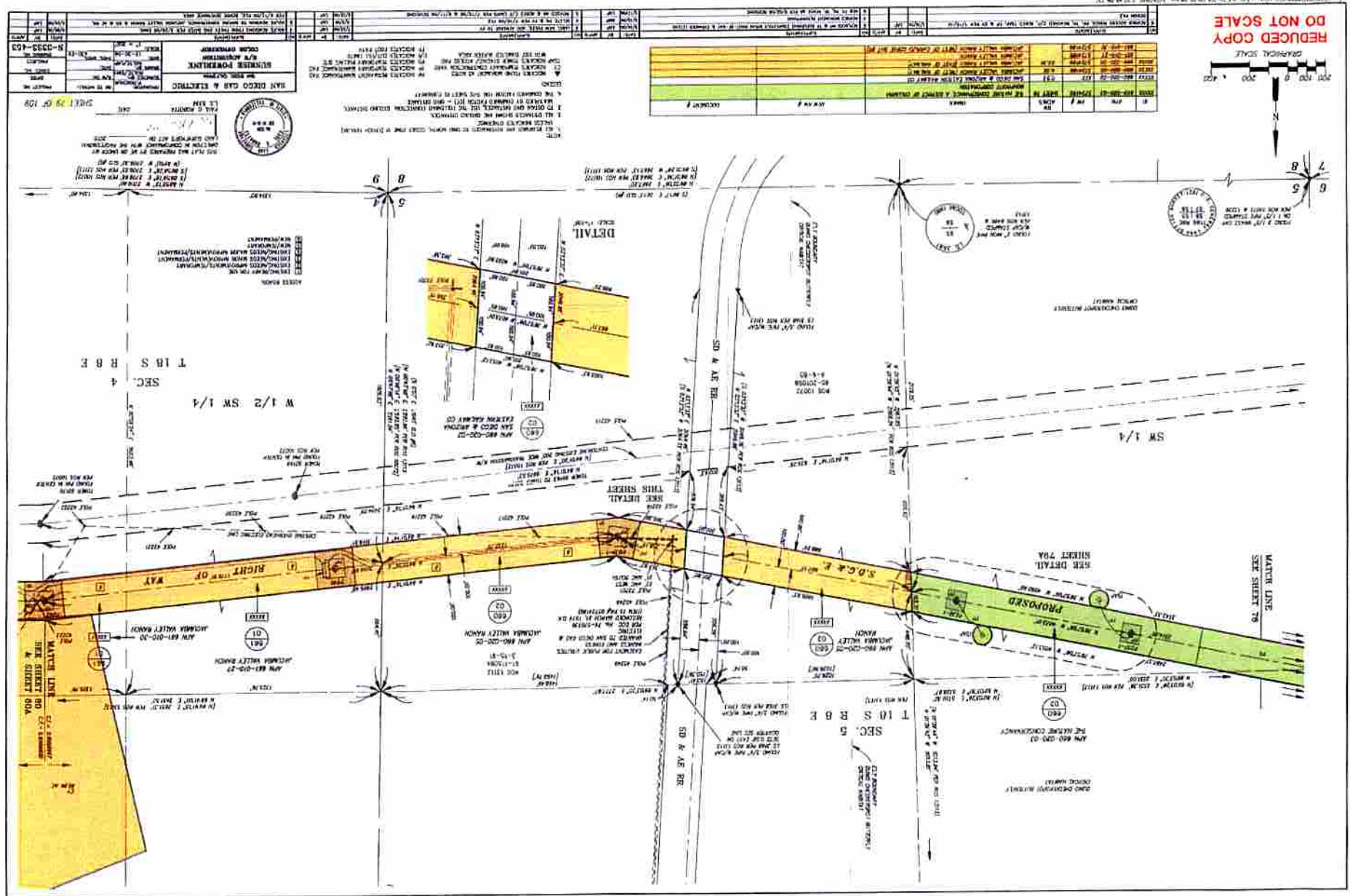
1. east of Jacumba near Titus
2. west of Ocotillo near Sugar Loaf
3. west of Plaster City

Each crossing would be 200' wide. There would only be aerial transmission lines crossing the tracks with no other infrastructure (such as towers or vaults) proposed.

The attachments show the proposed locations and areas affected. The Sugar Loaf crossing may move laterally depending on the final alignment of the corridor.

APRIL20-10.6c.SDGE SUNRISE
POWERLINK PROJ.TALLISON.doc

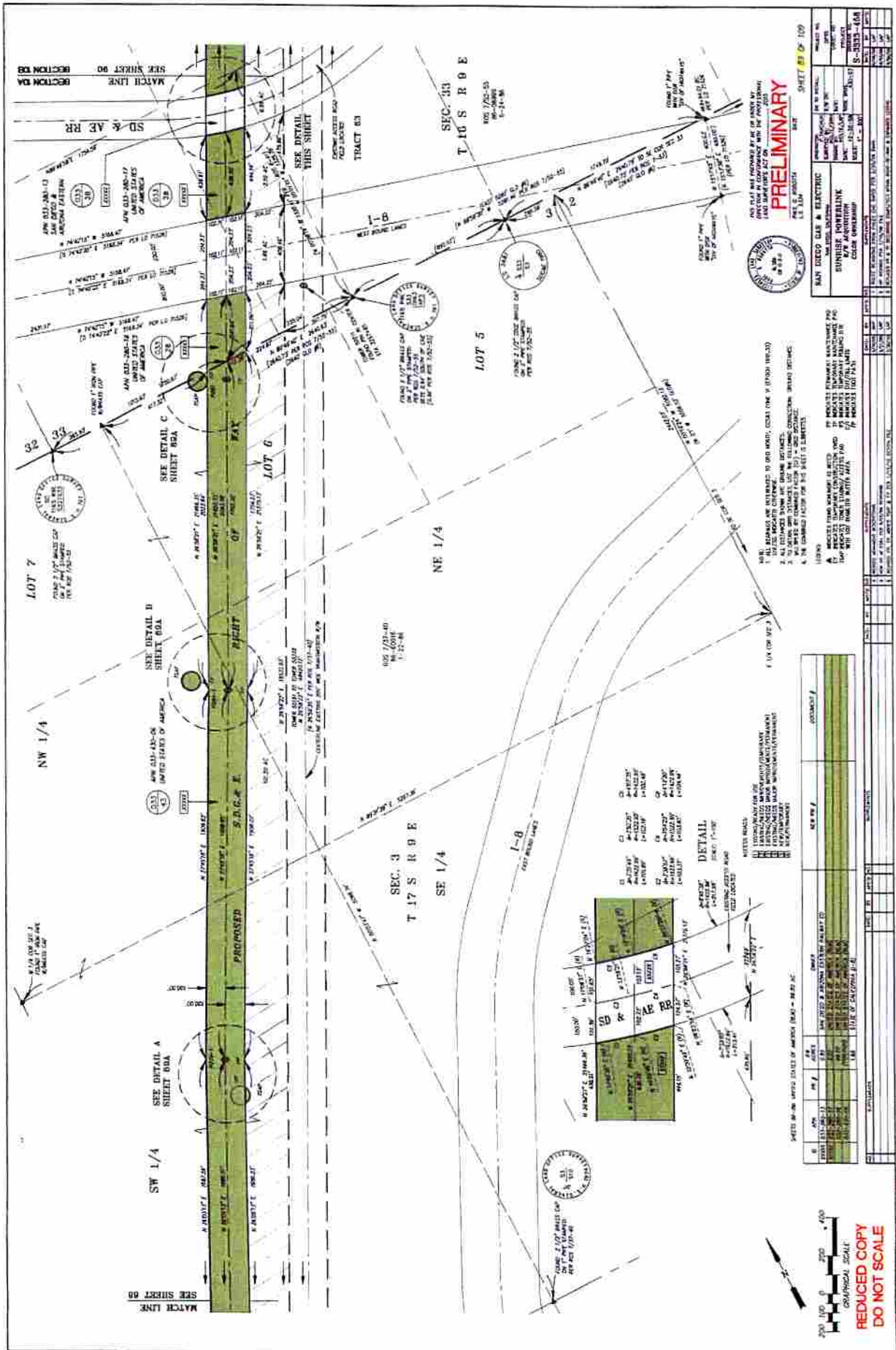
Attachments: Proposed locations and areas affected



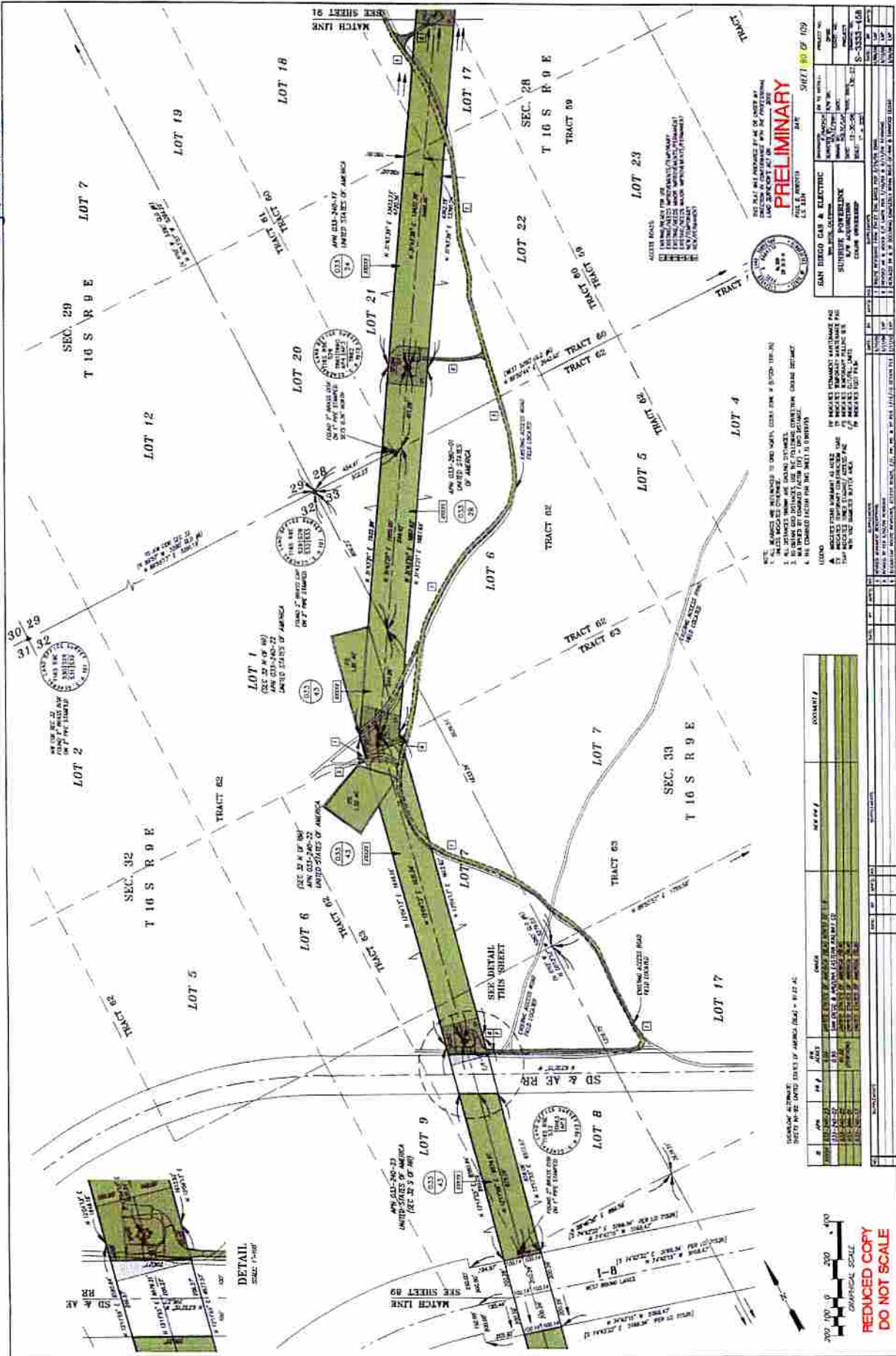
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DO NOT SCALE



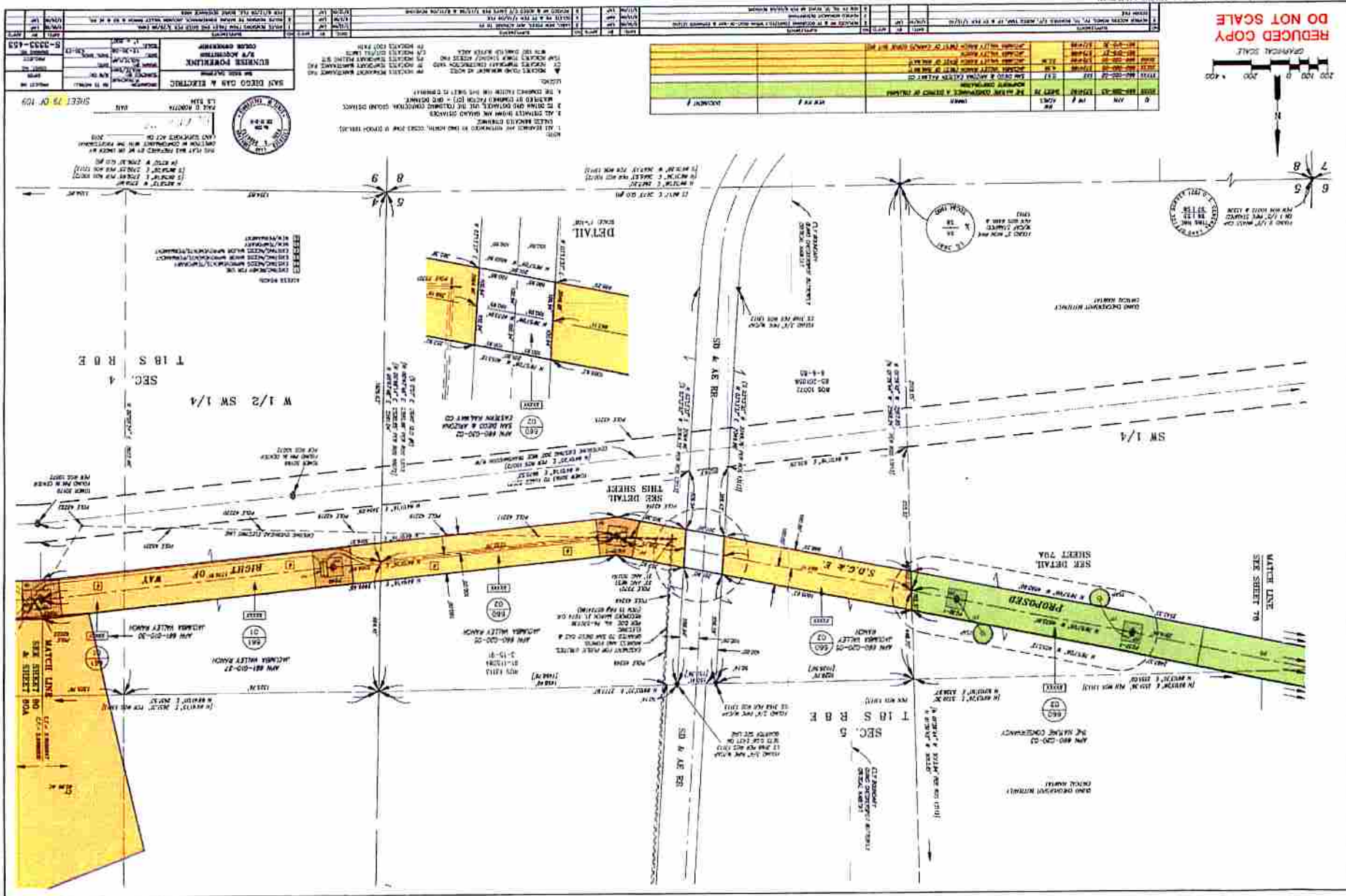


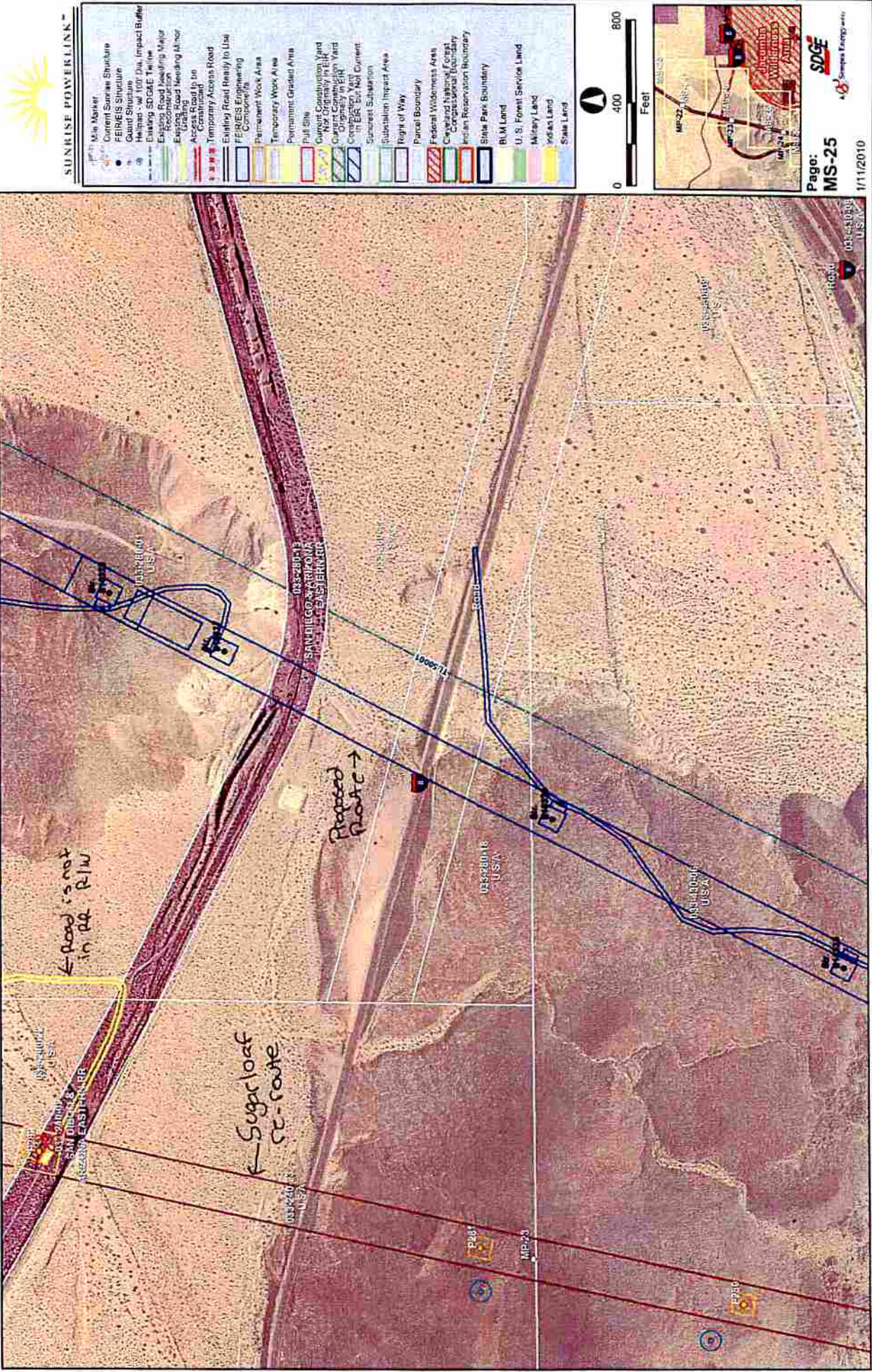


Sugarloaf re-route





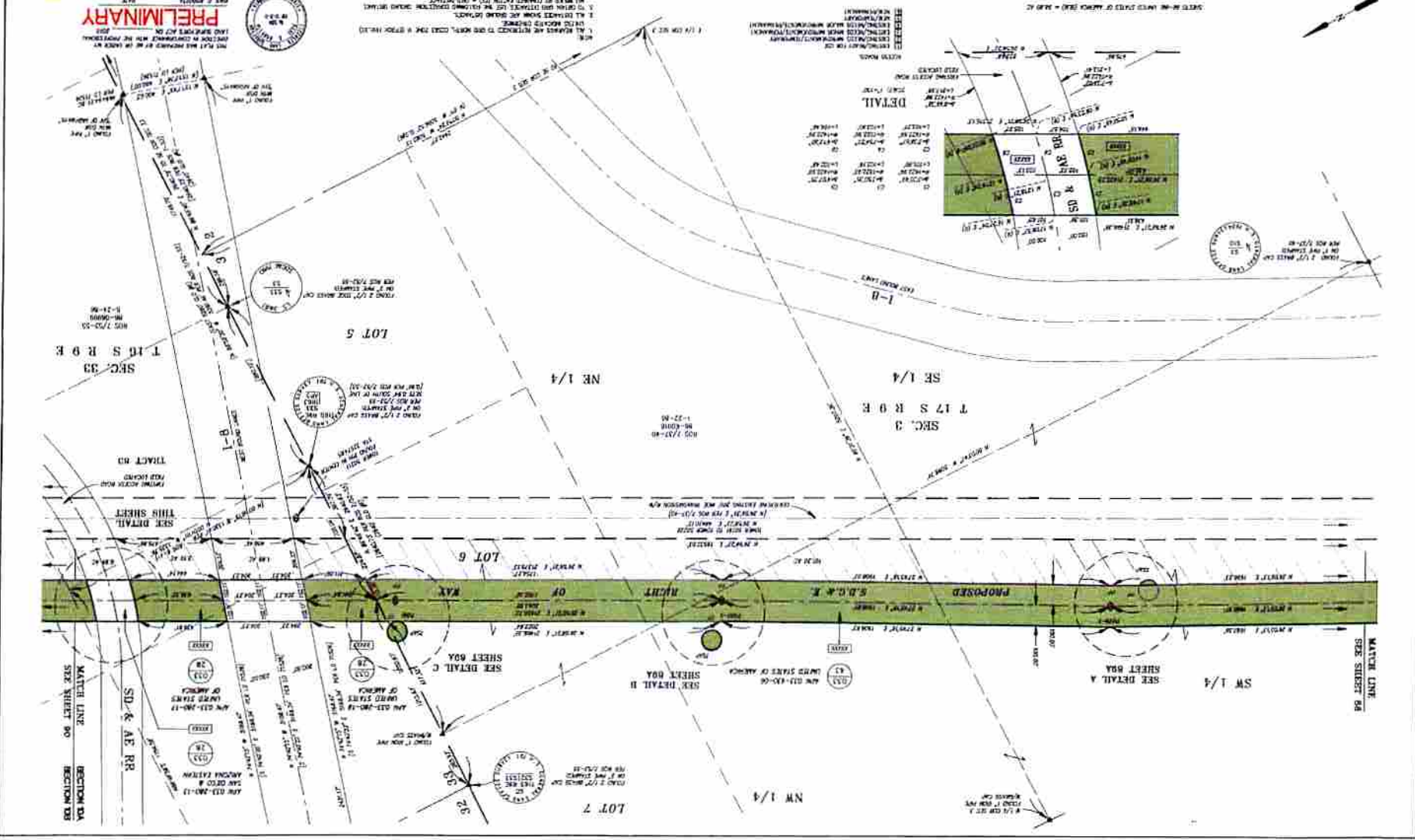




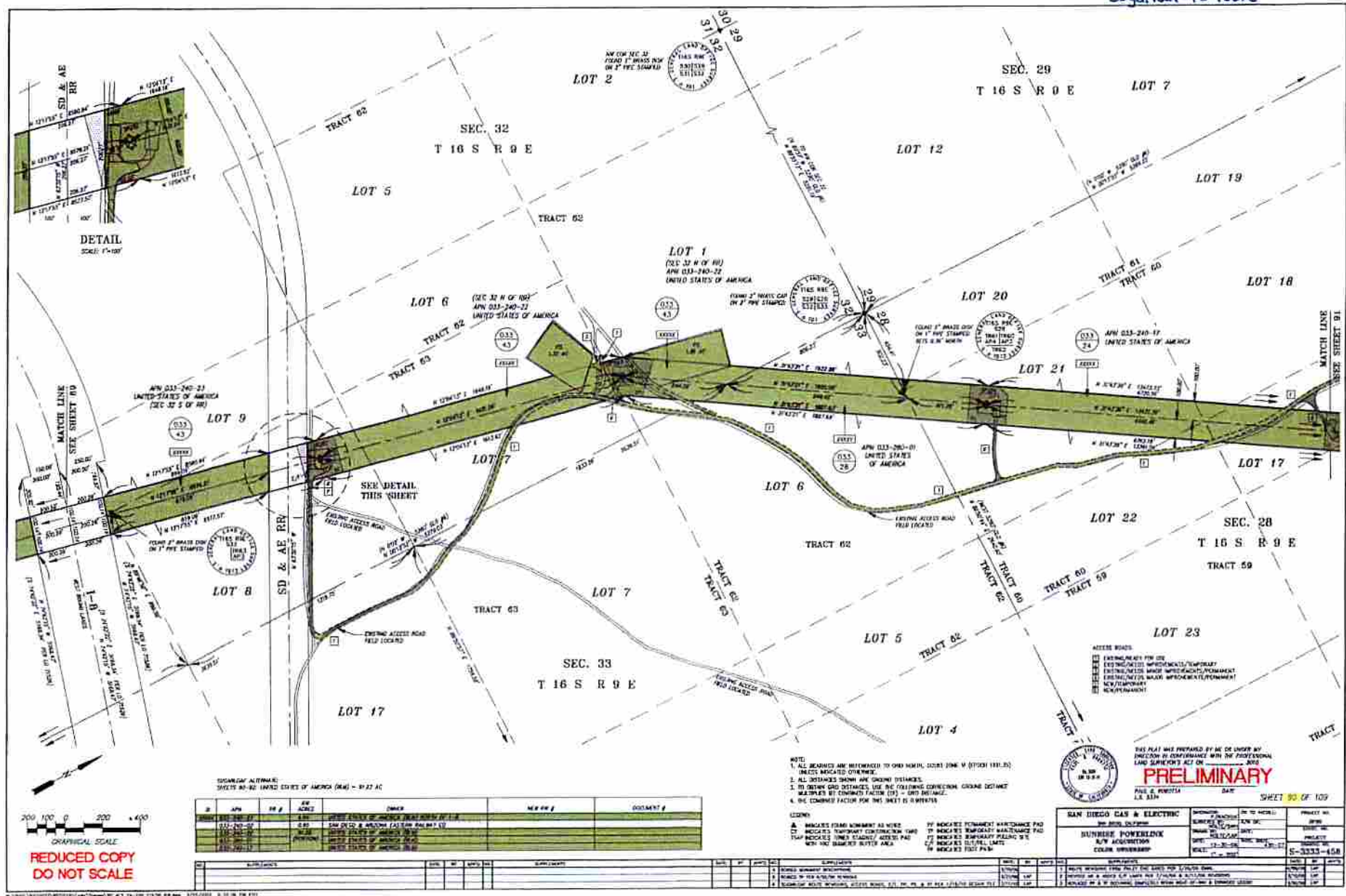


NO.	DATE	BY	REVISION
1	10-1-80	W. J. ...	INITIAL DESIGN
2	10-1-80	W. J. ...	REVISED DESIGN
3	10-1-80	W. J. ...	REVISED DESIGN
4	10-1-80	W. J. ...	REVISED DESIGN
5	10-1-80	W. J. ...	REVISED DESIGN
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7	10-1-80	W. J. ...	REVISED DESIGN
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10	10-1-80	W. J. ...	REVISED DESIGN

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1	10-1-80	W. J. ...	INITIAL DESIGN
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9	10-1-80	W. J. ...	REVISED DESIGN
10	10-1-80	W. J. ...	REVISED DESIGN



Sugarloaf re-route



SUGARLOAF ALTERNATE:
TRACTS 60-62, UNITED STATES OF AMERICA (U.S.A.) - 10 27 AC

APN	TR #	AC	OWNER	REMARKS	DOCUMENT #
033-240-23	23	0.33	UNITED STATES OF AMERICA (U.S.A.)		
033-240-24	24	0.33	UNITED STATES OF AMERICA (U.S.A.)		
033-240-25	25	0.33	UNITED STATES OF AMERICA (U.S.A.)		
033-240-26	26	0.33	UNITED STATES OF AMERICA (U.S.A.)		
033-240-27	27	0.33	UNITED STATES OF AMERICA (U.S.A.)		

NOTE:
1. ALL BEARINGS ARE REFERENCED TO GRID NORTH, COORDINATE ZONE 18N (UTM 18N).
2. ALL DISTANCES SHOWN ARE GROUND DISTANCES.
3. TO OBTAIN GRID DISTANCES, USE THE FOLLOWING CONVERSION: GROUND DISTANCE
MULTIPLIED BY CORRECTION FACTOR (1.000000) = GRID DISTANCE.
4. THE CORRECTION FACTOR FOR THIS SHEET IS 0.999999.

THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECTORSHIP IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT OF 1907.

PRELIMINARY

DATE: 10-26-2000 SHEET 90 OF 109

PAUL R. RUSTEN
J.L. 3334

SAN DIEGO GAS & ELECTRIC		SUNSHINE POWERLINK	
PROJECT NO.	033-240-23	PROJECT NO.	033-240-23
DATE	10-26-2000	DATE	10-26-2000
BY	PAUL R. RUSTEN	BY	PAUL R. RUSTEN
CHECKED BY	PAUL R. RUSTEN	CHECKED BY	PAUL R. RUSTEN
APPROVED BY	PAUL R. RUSTEN	APPROVED BY	PAUL R. RUSTEN



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San Diego, CA 92101-7490
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Agenda

Item No. 7

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

LEG 491

May 13, 2010

**Draft for
Executive Committee
Review Date: 5/6/10**

SUBJECT:

MTS: INCREASED AUTHORIZATION FOR LEGAL SERVICES - WHEATLEY
BINGHAM & BAKER

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to enter into MTS Doc. No. G1111.15-07 (in substantially the same form as Attachment A) with Wheatley Bingham & Baker for legal services and ratify prior amendments entered into under the CEO's authority.

Budget Impact

Not to exceed \$95,000 for Wheatley Bingham & Baker's legal services. Recommended amounts should be contained within FY 2010/2011 budgets.

DISCUSSION:

On January 18, 2007, the Board approved a list of qualified attorneys for general liability and workers' compensation for use by MTS, San Diego Trolley, Inc. (SDTI), and San Diego Transit Corporation (SDTC) (hereinafter referred to as the Agencies) staffs on an as-needed basis. Thereafter, MTS began to contract with approved attorneys for various amounts depending upon current and anticipated needs.

Pursuant to Board Policy No. 52 (Procurement of Goods and Services), the CEO may enter into contracts with service providers for up to \$100,000. The Board must approve all agreements in excess of \$100,000. All attorneys listed have multiple cases that are

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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.

scheduled to proceed to trial, and the total cost of their legal services will exceed the CEO's authority.

Wheatley Bingham & Baker is currently under contract with the Agencies for \$1,330,000. Attorney Roger Bingham has successfully defended the Agencies in a number of tort liability matters. Pending future invoices for two open matters heading for trial along with past billings are anticipated to exceed current contract authority.

The CEO has approved contracts up to the \$100,000 authority level. Staff is requesting Board approval of MTS Doc. No. G1111.15-07 with Wheatley Bingham & Baker for legal services and ratification of prior contracts/amendments entered into under the CEO's authority.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: James Dow, 619.557.4562, jim.dow@sdmts.com

MAY13-10.7.LEGAL SVCS WHEATLEY.JDOW.doc

Attachment: A. MTS Doc. No. G1111.15-07

DRAFT

May 13, 2010

MTS Doc. No. G1111.15-07
LEG 491 (PC 50633)

Mr. Roger Bingham
Wheatley Bingham & Baker
1201 Camino Del Mar, Suite 201
Del Mar, CA 92014-2569

Dear Mr. Bingham:

Subject: AMENDMENT NO. 15 TO MTS DOC. NO. G1111.0-07: LEGAL SERVICES - GENERAL
LIABILITY

This letter will serve as Amendment No. 15 to MTS Doc. No. G1111.0-07. This contract amendment authorizes additional costs not to exceed \$95,000 for professional services. The total value of this contract, including this amendment, is \$1,425,000. Additional authorization is contingent upon MTS approval.

If you agree with the above, please sign below, and return the document marked "Original" to the Contracts Specialist at MTS. The other copy is for your records.

Sincerely,

Accepted:

Paul C. Jablonski
Chief Executive Officer

Roger Bingham
Wheatley Bingham & Baker

MAY13-10.7.AttA.LEGAL SVCS
WHEATLEY G1111.15-07.JDOW.doc

Date: _____



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(619) 231-1466 • FAX (619) 234-3407

Agenda

Item No. 8

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

TAXI 570.1, 590.10
(PC 50761)

May 13, 2010

**Draft for
Executive Committee
Review Date: 5/6/10**

SUBJECT:

MTS: TAXICAB MAXIMUM ALLOWABLE CITY AND AIRPORT RATES OF FARE -
STABILIZATION OF RATES FOR 2010

RECOMMENDATION:

That the Board of Directors approve Resolution No. 10-11 (Attachment A) stabilizing the 2009 maximum allowable City of San Diego (City) and airport rates of fare for the year 2010.

Budget Impact

None.

DISCUSSION:

As part of the MTS Taxicab Committee meeting on March 18, 2010, a public hearing was held regarding taxicab rates of fare for the airport and the maximum allowable City rates of fare.

MTS Ordinance No. 11, Section 2.2 (b) states, "*Taxicab trips from San Diego County Regional Airport (SDCRA) shall be at a uniform rate of fare.*" MTS Policies and Procedures No. 34, Section 34.5.1 (Attachment B), provides that "*Airport rates shall be adjusted ... in accordance with the change in the Annual All Urban Western Transportation Consumer San Diego Price Index*" (Attachment C).

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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.

For rates of fare for taxicab trips that do not originate at the San Diego County Regional Airport, MTS Ordinance No. 11, Section 2.2, and Policies and Procedures No. 34, Section 34.4, provides that all MTS taxicab permit holders file rates of fare that do not exceed 20 percent above the average rates on file for all taxicab vehicles, except for trips originating at the airport, and provided that they are consistent with the rates of their radio service.

Both airport and nonairport rates of fare are calculated annually. The last time airport rates of fare were calculated was in 2009. Therefore, staff is required to recalculate rates this year. Current rates, as well as results of staff's calculations of the rates of fare for 2010 for the airport, are as follows:

<u>2009</u>	<u>2010</u>
\$ 2.50 flag drop 1/9 of a mile	\$ 2.30 flag drop 1/25 of a mile
\$ 2.70 per mile	\$ 2.50 per mile @ \$0.10 per 1/25 -or-
\$ 22.00 per-hour waiting time/traffic delay	1/5 of a mile @ \$0.50 per 1/5
	\$19.00 per-hour waiting time/traffic delay

Maximum allowable City rates of fare are as follows:

<u>2009</u>	<u>2010</u>
\$ 2.90 flag drop 1/31 of a mile	\$ 3.00 flag drop 1/16 of a mile
\$ 3.10 per mile	\$ 3.20 per mile @ \$0.20 per 1/16 -or-
\$ 24.00 per-hour waiting time/traffic delay	1/8 of a mile @ \$0.40 per 1/8
	\$26.00 per-hour waiting time/traffic delay

As staff calculations have determined that taxicab rates for the airport will drop for 2010, but will rise for the maximum allowable City rate, the Taxicab Committee membership is concerned that taxicabs would charge more when operating in the City. This would require many operators to use dual rates of fare.

The Taxicab Committee membership has requested that for 2010, MTS stabilize both the airport rates of fare and maximum allowable City rates of fare at the 2009 level until recalculated in approximately March 2011. Staff sees the benefits of the Taxicab Committee's request of potentially avoiding city passengers paying more eliminating many companies going to dual rates. Additionally, in the past by resolutions, the Taxicab Committee and the MTS Board agreed to stabilize taxicab rates of fare for the Republican National Convention in 1996 and for Super Bowls in 1988 and 1997.

As taxicab dispatch services set the rates of fare for all MTS-regulated taxicabs, prior to coming to the MTS Board, staff obtained assurances from 16 of 17 radio service providers that in the event that the Board stabilizes the current taxicab rates of fare, those that are currently charging rates equal to or less than the current airport rates will not go to dual rates, or raise rates above the current airport rate of fare. Those that are currently charging more than the airport rate will hold to their current rates of fare. Staff has advised the one radio service (53 total vehicles = 5.35% of the industry) that should the Board approve this request, it will not be permitted to raise its rates of fare until they are recalculated in 2011.

Staff, with full Taxicab Committee support, is requesting that the MTS Board approve Resolution No. 10-11 to freeze the current maximum allowable City and airport rates of fare until approximately March 2011.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: John A. Scott, 619.595.7034, john.scott@sdmts.com

MAY13-10.8.STABLIZE TAXI RATES.JSCOTT.doc

Attachments: A. Resolution No. 10-11
B. MTS Policy No. 34
C. Consumer Price Index

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 10-11

A Resolution Approving Stabilizing the Rates of Fare for the San Diego International Airport
and the Maximum Allowable Rates of Fare for the City of San Diego
at the Amounts Presently in Effect Until Recalculation in 2011

WHEREAS, current policy, process, and general taxicab rates of fare are regulated by the MTS Board of Directors in accordance with MTS Ordinance No. 11 and Policy No 34; and

WHEREAS, the 2010 calculation of rates of fare for the San Diego International Airport (airport) have determined that taxicab rates for the airport will decrease; and

WHEREAS, the 2010 calculation of rates of fare for the City of San Diego (City) have determined that taxicab rates for the City will increase; and

WHEREAS, the MTS Taxicab Advisory Committee has requested that MTS freeze the rates of fare for taxicabs operating at the airport and the maximum allowable City rates of fare; NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the MTS Board of Directors does hereby freeze the taxicab rates of fare for the airport and the maximum allowable rates of fare for the City at the amounts in currently in effect until recalculation in March 2011.

PASSED AND ADOPTED by the Board of Directors this 13th day of May 2010 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

Chairperson
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

Clerk of the Board
San Diego Metropolitan Transit System

Office of the General Counsel
San Diego Metropolitan Transit System

2010-5-13.8.AltA.RESO 10-11.STABILIZE
TAXI RATES FARE.JSCOTT.doc

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
619/231-1466
FAX 619/234-3407

Policies and Procedures

No. 34

SUBJECT:

Board Approval: 07/17/08

FOR-HIRE VEHICLE SERVICES

PURPOSE:

To establish a policy with guidelines and procedures for the implementation of MTS Ordinance No. 11.

BACKGROUND:

Regulation of for-hire vehicle service is in the interest of providing the citizens and visitors to the MTS region and particularly the Cities of El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, and Santee, with a good quality local transportation service. Toward this end, MTS finds it desirable to regulate the issuance of taxicab permits, to establish maximum rates of fare, and to provide for annual review of cost-recovery regulatory fees.

POLICY:

34.1 City of San Diego Entry Policy

34.1.1 MTS will periodically establish the maximum number of taxicab permits to be issued for the City of San Diego.

34.1.2 New City of San Diego permits will be issued in accordance with amended City Council Policy No. 500-2, "Taxicab Permits," adopted on August 6, 2001.

34.2 City of San Diego Entry Policy Implementation

The following guidelines should be observed with respect to the issuance of taxicab permits when the formula yields an increase of at least 40 permits.

10

34.2.1 The percentage of growth in population divided by 2 plus the percentage of growth in hotel room nights occupied times the current number of permits. All changes are to be calculated on a two-year rolling average.

34.2.2 The process through which permits are issued will limit the concentration of permits. No permit will be issued or transferred to any person, partnership, corporation, association, or other entity if such issuance or transfer would result in any permit holder having an interest in more than 40 percent of the existing permits. New permits shall not be transferred for a period of five years after issuance.

34.2.3 No single permit will be issued or transferred to any person, company, business, corporation, or other entity if such issuance or transfer would result in single permit holders in aggregate having interest in more than 40 percent of the existing permits.

34.3 City of San Diego Entry Policy Exclusions

This policy is not intended to govern the issuance of limited permits as authorized by Section 1.7 of MTS Ordinance No. 11.

34.4 Maximum Fare Policy

Pursuant to MTS Ordinance No. 11, Section 2.2(a) and after a duly noticed and open public hearing, MTS determined that the maximum rate of fare for exclusive ride and group ride hire of taxicabs shall be that fare that does not exceed twenty percent (20%) more than the weighted average of fares as established in accordance with this policy.

34.4.1 Maximum Fare Determination

The weighted average of fares shall be computed by the Chief Executive Officer and duly promulgated in writing upon the passage of this policy and thereafter each year by averaging each segment of the fare structure of all MTS taxicab permit holders. The fare structure shall consist of the dollar amounts charged by said permit holders for the flag drop, the per-mile charge, waiting-time charge, first zone, and each additional zone charge. The weighted average of these charges shall be arrived at by adding each segment of each respective charge and dividing it by the total number of taxicabs holding effective permits.

34.4.2 The Chief Executive Officer will use his discretion when the maximum rates of fare and the uniform rates of fare for trips from Lindbergh Field airport are incompatible. The Chief Executive Officer may adjust the maximum rates of fare so that the uniform rates of fare, based on the change in the Annual All Urban Western Transportation Consumer Price Index, do not exceed the maximum rates allowed in accordance with Section 34.4.1.

34.5 Airport Taxicab Fare Policy

Rates of fare for trips from Lindbergh Field Airport shall be uniform.

In the event an owner chooses a different rate for nonairport trips for taxicabs authorized to service the airport, two meters or a multirate meter shall be installed and identified. The meter(s) shall be activated according to the proper rate for the trip's origin, and it shall be clearly visible to the passenger which rate is being charged.

34.5.1 The uniform rates of fare for taxicab trips from Lindbergh Field Airport are initially established at \$1.40 flag drop, \$1.50 per mile, and \$12.00 per hour, effective June 1, 1990.

The airport rates shall be reviewed annually, beginning in January 2009, by the Chief Executive Officer. Airport rates shall be adjusted based on the 1990 amounts, in accordance with the change in the Annual All Urban Western Transportation Consumer Price Index/ San Diego. Adjustments shall be rounded up or down, as appropriate, to the nearest even \$0.10 increment.

34.6 Regulatory Fee Review

The following procedures will be utilized for the establishment of for-hire vehicle regulatory fees.

34.6.1 In accordance with State of California Public Utilities Code Section 120266, MTS shall fully recover the cost of regulating the taxicab and other for-hire vehicle industry. Pursuant to MTS Ordinance No. 11, Sections 1.3(b), 1.4(b), and (d), and 1.5(d), the Chief Executive Officer establishes a fee schedule to effect full-cost recovery and notify affected permit holders of changes in the fee schedule.

34.6.2 The procedure for establishing a regulatory fee schedule will include an annual review of the audited expenses and revenue of the previous fiscal year associated with MTS for-hire vehicle activities. The revised fee schedule will be available for review by interested parties in November each year and is subject to appeal as provided for in Ordinance No. 11, Section 1.5(d).

34.6.3 A fee schedule based on previous year expenses and revenue amounts will be put into effect each January.

DDarro/SClamp/JGarde/DSundholm
POLICY.34.FOR-HIRE VEHICLE SERVICES
7/21/08

This policy was originally adopted on 12/8/88.
This policy was amended on 7/26/90.
This policy was amended on 5/9/91.

This policy was amended on 6/13/91.
This policy was amended on 1/28/93.
This policy was amended on 5/11/95.

This policy was amended on 10/31/02.
This policy was amended on 4/24/03.
This policy revised on 3/25/04.
This policy was amended on 4/26/07.
This policy was amended on 7/17/08.



Att. C, AI 8, 5/13/10

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Data extracted on: April 23, 2010 (12:01:32 PM)

Consumer Price Index - All Urban Consumers

Series Id: CUUSA424SAT

Not Seasonally Adjusted

Area: San Diego, CA

Item: Transportation

Base Period: 1982-84=100

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
1999													152.1	150.8	153.3
2000													162.4	159.6	165.2
2001													164.9	166.5	163.2
2002													163.0	161.2	164.7
2003													168.0	168.8	167.1
2004													175.6	174.0	177.2
2005													185.5	182.5	188.4
2006													190.4	189.4	191.5
2007													193.218	192.918	193.518
2008													200.721	205.196	196.246
2009													184.717	177.071	192.364

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C-1



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Agenda

Item No. 9

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

**Draft for
Executive Committee
Review Date: 5/6/10**

May 13, 2010

SUBJECT:

MTS: MINCOM ANNUAL SUPPORT RENEWAL – CONTRACT AMENDMENT

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G0740.10-02 (in substantially the same format as Attachment A) with Mincom Inc, for annual software support maintenance for the Ellipse financial system and Enterprise Resource Planning (ERP) package.

Budget Impact

Funding for Amendment No. 10 would be paid from MTS project code 53910 in an amount not to exceed for \$114,410.25 for the support coverage period of July 1, 2010, to June 30, 2011.

DISCUSSION:

MTS uses Mincom's Ellipse software application for rail and bus daily processing activities for materials, storerooms, procurements, financial accounting, and human resources. Mincom was awarded a contract in August 2002 for its Enterprise Asset Management System (Ellipse), which was implemented in July 2003. Mincom is the sole provider of support and licensing renewal for the Ellipse application.

Staff is requesting execution of contract Amendment No. 10 with Mincom Inc. for an amount not to exceed \$114,410.25. This amendment is necessary for the annual support fee and renewal for the Ellipse application, which is now due for the period of July 1, 2010, through June 30, 2011. The funding has been budgeted for fiscal year 2010/2011. Renewal of the support service contract would provide technical support via phone or e-mail and compliance with software licensing with Mincom, Inc.

The adjusted amount of the entire contract, including this amendment, would be \$3,747,656.07. Therefore, staff recommends Board approval of Amendment No. 10 as stated above.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contacts: Stevan White, 619.238.0100, Ext. 6412, stevan.white@sdmnts.com
Daniel Bossert, 619.238.0100, Ext. 6445, daniel.bossert@sdmnts.com

MAY13-10.9.MINCOM SPPT RENEWAL.SWHITE.doc

Attachment: A. Draft MTS Doc. No. G0740.10-02

DRAFT

Att. A, AI 9, 5/13/10

May 13, 2010

Doc. No. G0740.10-02
PC 50661

Mr. Rick Rogers
President
Mincom Incorporated
6455 South Yosemite Street, Suite 800
Greenwood Village, CO 80111

Dear Mr. Rogers:

Subject: MTS DOC. NO. G0740.10 - SERVICES SUPPORT AGREEMENT

This shall serve as our agreement for continuance of maintenance support services for Mincom and Third-party software, as further described below and referenced as Mincom Amendment No. 12 and MTS Amendment No. 10 to G0740.0-02.

STATEMENT OF WORK

Mincom agrees to continue support services for Mincom software and the third-party software identified as Microfocus Cobol; IBM CICS; BSI Tax Factory; BSI Report Factory and Mincom software, which includes Ellipse, Output Designer, Fuel & Oil interface, and Mincom scheduler in accordance with the terms and conditions as stated on Mincom's Amendment No. 12 dated April 20, 2010 (attached).

SCHEDULE

Support services coverage period is July 1, 2010, through June 30, 2011.

PAYMENT

The total payment shall not exceed \$114,410.25, which includes California State Sales tax in the total cost Mincom's Amendment No.12. Payments will be made in two equal installments of \$57,205.12 on July 1, 2010, and January 1, 2011. The total value of this contract including this amendment shall not exceed \$3,747,656.07.

All previous conditions remain in effect. If you agree with the above, please sign and return the copy marked "original" to the Contracts Specialist at MTS. The remaining copy is for your records.

Sincerely,

Agreed:

Paul C. Jablonski
Chief Executive Officer

Rick Rogers
President

MAY13-10.9.AttA.G0740.10-02.MINCOM.SWHITE.doc

Date: _____

Attachment: Mincom Amendment No. 12

AMENDMENT TO MTS DOCUMENT NO. G0740.0-02

Mincom Amendment No. 12; Customer Amendment No. 10 ("Amendment No. 12/10")

SERVICES

This Services Amendment No. 12/10 is made as of _____, 2010 by and between Mincom, Inc. ("Mincom") and the "Customer" identified below.

Customer: Metropolitan Transit System	Contact: Michele Giovinazzo
Address: 1255 Imperial Ave., Suite 1000, San Diego, CA 92101-7490	Phone: 619-231-1466
State/Country of Incorporation: California	Fax: 619-234-3407
	E-Mail:

Customer Contract:

By execution of this Amendment, the parties will form a Customer Contract for the provision of the Services to the Customer by Mincom incorporating the terms and conditions of Agreement No. G0740.0-02 (the "Agreement") and this Amendment. Once signed, any reproduction of this Amendment made by reliable means (for example, photocopy or facsimile) is considered an original and all Services ordered under this Amendment will be subject to it. Except for those incorporated in this Amendment for Services, any different or additional terms of a purchase order, confirmation, or other form signed by the parties after the date hereof shall have no force or effect.

Mincom shall perform the Services outlined in the Statement of Work in accordance with this Services

Amendment and the Agreement.

Special Conditions:

1. **Support Fee.** Support Services are subject to the terms and conditions set forth in the Agreement. Customer's Support Fee for Support Services for the period July 1, 2010 through June 30, 2011 is set forth below.

Software	Support Fee for the period July 1, 2010 through June 30, 2011 (US Dollars)
Mincom Software:	
Ellipse	\$94,355.00
Output Designer	
Fuel & Oil Interface	
Mincom Scheduler	
Third Party Software:	
BSI Tax Factory	\$20,055.25
BSI Report Factor	
Microfocus Cobol	
IBM CICS	
Total Support Fee:	\$114,410.25

2. Payment Terms.

- a. The Support Fee for the period July 1, 2010 through June 30, 2011 is due upon execution, payable net thirty (30) days upon receipt of invoice.
- b. In the event this Amendment is terminated by Customer for any reason other than material breach by Mincom, any unpaid fees shall immediately become due and payable by Customer.

METROPOLITAN TRANSIT SYSTEM

MINCOM, INC.

Signature: _____

Signature: _____

Printed: _____

Printed: _____

Title: _____

Title: _____

Date: _____

Date: _____

MAY13-10.9.AttA.G0740.10-02.MINCOM.SWHITE.doc



1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

Agenda

Item No. 10

JOINT MEETING OF THE BOARD OF DIRECTORS
for the

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

May 13, 2010

CIP 10940 (PC 53910)

**Draft for
Executive Committee
Review Date: 5/6/10**

SUBJECT:

MTS: GIRO, INC. REGIONAL SCHEDULING SYSTEM (RSS) – CONTRACT
AMENDMENT

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G0856.14-03 (in substantially the same format as Attachment A) with GIRO, Inc. to fund the HASTUS Maintenance and Service Support Contract (Attachment B) for the Regional Scheduling System (RSS) contract.

Budget Impact

The amount of MTS Doc. No. G0856.14-03 would not exceed \$133,679 for the support coverage renewal period from July 1, 2010, through June 30, 2011. The total adjusted cost of the contract would not exceed \$2,603,304 without prior written approval from MTS. Funding for Amendment No. 14 would be paid by MTS and North County Transit District (NCTD) operating funds.

MTS's share of the cost of Amendment No. 14 would be funded through MTS Project Code 53910 in the amount of \$117,850; NCTD's share of the support agreement would be \$15,829.

Costs are split for the annual support based on the breakout below:

<u>Phase 1-Scheduling</u>	<u>Phase 2-Bid</u>	<u>Phase 5-ATP</u>	<u>Phase 3 DDAM</u>
MTS - \$51,592	MTS - \$2,624	MTS - \$1,810	MTS - \$49,409
NCTD - \$13,333	NCTD - \$1,241	NCTD - \$1,255	
MTS - \$12,415 annual bank of 13 development days			

1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 • (619) 231-1466 • www.sdmts.com

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.

DISCUSSION:

The RSS is a regional fixed-bus route and rail-scheduling system. The system provides the regional transit agencies with the necessary tools to build efficient timetables and vehicle and crew schedules for bus and rail operations. It also supports operator bid processing and aids the physical dispatching of bus drivers and train operators.

On January 10, 2002, the Board authorized staff to procure an RSS using a competitive negotiated procurement process. In August 2003, a contract was awarded to GIRO, Inc. The original contract value was \$1,834,275—MTS's share of the cost was \$1,525,893, and NCTD's share of the cost was \$308,382.

As of January 17, 2008, the Scheduling and Operator Bidding Modules have been fully implemented. San Diego Trolley, Inc. has implemented the Operator Dispatch Module, and San Diego Transit Corporation is currently implementing the Operator Dispatch Module. The design specification was approved in November 2005.

Amendment No. 14

Amendment No. 14 to Doc. No. G0856.0-03 with GIRO, Inc. (for an amount not to exceed \$133,679) would provide MTS and NCTD with continued support for the RSS, including technical and end-user e-mail and telephone support, corrections to software defects, one update to the geographical data, renewal of the support agreement coverage period from July 1, 2010, to June 30, 2011, and a bank of 13 development days for required changes.

The adjusted amount of the contract would be \$2,603,304 with an MTS cost share of \$2,214,783, and an NCTD cost share of \$388,521.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Dan Bossert, 619.238.0100, Ext. 6445, Daniel.Bossert@sdmts.com

MAY13-10.10.GIRO RSS AMDMT.SWHITE.doc

Attachments: A. GIRO Amendment (MTS Doc No. G0856.14-03)
B. HASTUS Maintenance and Support Contract
C. Sole-Source and Cost Justification Memorandum

DRAFT

May 13, 2010

MTS Doc. No. G0856.14-03
CIP 10940 (PC 53910)

Mr. Daniel Dubuc
Administration Director
GIRO, Inc.
75 Rue du Port-Royal East, Suite 500
Montreal (Quebec)
CANADA H3L 3T1

Dear Mr. Dubuc:

Subject: AMENDMENT NO. 14 TO MTS DOC. NO. G0856.0-03; HASTUS MAINTENANCE AND
SUPPORT CONTRACT – JULY 1, 2010, THROUGH JUNE 30, 2011

This shall serve as Amendment No. 14 to MTS Doc. No. G0856.0-03 to include the maintenance and support contract for semiannual fees of \$133,679 US. The shared maintenance cost is based on MTS Doc. No. G0856.0-03 between North County Transit District (NCTD) and MTS, and costs will be split for the annual support based on the breakout below.

<u>Phase 1-Scheduling</u>	<u>Phase 2-Bid</u>	<u>Phase 5-ATP</u>	<u>Phase 3 DDAM</u>
MTS - \$51,592	MTS - \$2,624	MTS - \$1,810	MTS - \$49,409
NCTD - \$13,333	NCTD - \$1,241	NCTD - \$1,255	
MTS - \$12,415 annual bank of 13 development days			

SCHEDULE

This Amendment shall remain in effect from July 1, 2010, through June 30, 2011.

SCOPE OF SERVICES

No changes to the Scope of Services.

PAYMENT

Payment shall be based on actual costs not to exceed the original maintenance support contract amount of \$133,679 without prior written approval from MTS and paid in two installments on July 1, 2010, and January 1, 2011. The total value of this contract, including all amendments, shall not exceed \$2,603,304 US.

All previous conditions remain in effect. If you agree with the above, please sign below and return the document marked "original" to the Contracts Specialist at MTS. The other copy is for your records.

Sincerely,

Accepted:

Paul C. Jablonski
Chief Executive Officer

Daniel Dubuc
GIRO, Inc.

April 12, 2010

Mr. Daniel Bossert
MTS – IT Chief Technology Officer
1255 Imperial Avenue, Suite 1000
San Diego, CA
USA 92101-7490

Dear Mr. Bossert:

This letter is an amendment to our letter dated February 25, 2010 to your attention concerning *HASTUS* maintenance and support contract on July 1, 2010.

As stipulated in the amendment no. 2 to the *HASTUS* license agreement no. 395, the maintenance and support contract is adjusted upon *HASTOP* three-month warranty period. On October 5, 2009, we have mailed to MTS the invoice no. 012522 regarding this adjustment. The invoiced amount is calculated as follows:

Year 2009 annual fees for *HASTOP*: \$3,750 US
Applicable period: From October 3, 2009 to June 30, 2010
Adjustment: \$3,750 US x 271/365 days = \$2,784 US

The renewal date of the *HASTUS-Vehicle*, *HASTUS-Crew*, *CrewOpt*, *Minibus*, *HASTUS-Roster*, *Geo*, *Bid*, *RosterPlus*, *HASTUS-DDAM*, *HASTUS-ATP*, and *HASTOP* version 2003 support and maintenance contract is July 1, 2010. As stipulated in the existing contract, we are taking this opportunity to advise you of the conditions for renewal.

As in the past, the contract includes unlimited telephone and electronic mail support, and the correction of errors. It also gives you access to new versions at a significantly reduced licence cost. For these services, the fees are \$121,264 US, an increase of 3% over last year to cover increased operating costs. We accept to invoice the annual maintenance fee to MTS as follows: 50% on July 1, 2010 and 50% on January 1, 2011.

Please be advised that as of April 12, 2010 the balance in your bank of modification days is four (4) days. On February 25, 2010, the balance was thirteen days and half (13.5); at the end of March 2010 nine days and half (9.5) were deducted for payroll modification.

As requested (ref.: our telephone conversation of today), please find enclosed the proposed *HASTUS* maintenance and support contract no. 395-4a including *HASTOP* and an annual bank of thirteen (13) days. These days are added at a rate of \$955 US/day. The total annual price for the year beginning on July 1, 2010 is then \$133,679 US. We would appreciate it if you would sign both enclosed originals and return one original to us as soon as possible.

Mr. Daniel Bossert

-2-

According to our records, you are licensed to use our software for a maximum of 700 peak vehicles. We would appreciate it if you would send us in writing the number of peak vehicles now used at your transit commission.

We hope that these renewal conditions meet with your approval and want to assure you of our continued commitment to offering MTS the best possible service. Please feel free to call me if you require any further information.

Sincerely,

Daniel Dubuc
Director, Finances

DD:ND
Encl.



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

Att. C, AI 10, 5/13/10

Memorandum

DATE: 4/29/10
TO: Procurement File
FROM: Daniel Bossert
SUBJECT: Sole Source and Cost Justification

CIP 10940 (PC 53910)

BACKGROUND

Metropolitan Transit System (MTS) is currently using GIRO Hastus Software as the agency's Regional Scheduling System, which was awarded and implemented in 2003 in a competitive-bid procurement.

GIRO is the only provider of technical support for the Hastus Regional Scheduling System software and provides maintenance on application and renewal for general use of the software. GIRO has provided a quotation in the amount of \$133,679 for technical support and licensing use of the Hastus Regional Scheduling System software. The cost of support coverage for this system is, on average, in line with other vendor support warranty service for technical support for vendor-specific software.

Cost Justification

Staff has reviewed old pricing from GIRO for maintenance renewal and services and found that the technical support costs have remained within 7% of the previous 12-month period. Quotation and related documentation are attached for review.

Conclusion

Staff has determined that pricing for the maintenance support coverage and use of the GIRO Hastus Regional Scheduling System software and technical services is fair and reasonable.

MAY13-10.10.AttC.RSS.doc

April 12, 2010

Mr. Daniel Bossert
MTS – IT Chief Technology Officer
1255 Imperial Avenue, Suite 1000
San Diego, CA
USA 92101-7490

Dear Mr. Bossert:

This letter is an amendment to our letter dated February 25, 2010 to your attention concerning *HASTUS* maintenance and support contract on July 1, 2010.

As stipulated in the amendment no. 2 to the *HASTUS* license agreement no. 395, the maintenance and support contract is adjusted upon *HASTOP* three-month warranty period. On October 5, 2009, we have mailed to MTS the invoice no. 012522 regarding this adjustment. The invoiced amount is calculated as follows:

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Applicable period: From October 3, 2009 to June 30, 2010
Adjustment: \$3,750 US x 271/365 days = \$2,784 US

The renewal date of the *HASTUS-Vehicle*, *HASTUS-Crew*, *CrewOpt*, *Minibus*, *HASTUS-Roster*, *Geo*, *Bid*, *RosterPlus*, *HASTUS-DDAM*, *HASTUS-ATP*, and *HASTOP* version 2003 support and maintenance contract is July 1, 2010. As stipulated in the existing contract, we are taking this opportunity to advise you of the conditions for renewal.

As in the past, the contract includes unlimited telephone and electronic mail support, and the correction of errors. It also gives you access to new versions at a significantly reduced licence cost. For these services, the fees are \$121,264 US, an increase of 3% over last year to cover increased operating costs. We accept to invoice the annual maintenance fee to MTS as follows: 50% on July 1, 2010 and 50% on January 1, 2011.

Please be advised that as of April 12, 2010 the balance in your bank of modification days is four (4) days. On February 25, 2010, the balance was thirteen days and half (13.5); at the end of March 2010 nine days and half (9.5) were deducted for payroll modification.

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According to our records, you are licensed to use our software for a maximum of 700 peak vehicles. We would appreciate it if you would send us in writing the number of peak vehicles now used at your transit commission.

We hope that these renewal conditions meet with your approval and want to assure you of our continued commitment to offering MTS the best possible service. Please feel free to call me if you require any further information.

Sincerely,

Daniel Dubuc
Director, Finances

DD:ND
Encl.

HASTUS
MAINTENANCE AND SUPPORT CONTRACT
(Reference number: 395-4a)

ENTERED INTO BETWEEN:

GIRO INC./LE GROUPE EN INFORMATIQUE ET RECHERCHE OPÉRATIONNELLE, having its principal place of business at 75, Port-Royal Street East, Suite 500, in the city of Montreal, Province of Quebec, Canada, H3L 3T1.

(hereinafter referred to as "GIRO")

AND:

METROPOLITAN TRANSIT DEVELOPMENT BOARD, having its principal place of business at 1255 Imperial Avenue, Suite 1000, in the city of San Diego, California, USA 92101-7490.

(hereinafter referred to as the "Client")

FOR:

The software *HASTUS-Vehicle*, *HASTUS-Crew*, *CrewOpt*, *Minibus*, *HASTUS-Roster*, *Geo*, *Bid*, *RosterPlus*, *HASTUS-DDAM*, *HASTUS-ATP*, and *HASTOP* version 2003 (hereinafter referred to as "Software") used by the Client for the operation of a maximum of seven hundred (700) peak vehicles.

Starting on July 1, 2010 for successive periods of one year each.

1. SERVICES PROVIDED

GIRO will provide the Client with the following services beginning on the Commencement Date of this Agreement specified above and conditionally on payment of annual charges for support and maintenance as defined in Section 2.

1.1 GIRO will assign, in a maximum delay of 24 hours, an employee to correct a Software defect, once the Client has provided GIRO with a detailed description of the said defect. For the purposes of this Agreement, a defect is considered to exist when the Software does not perform according to the description given in the appropriate version of the Detailed Design Specifications documents, User Guide, and online help and when the said defect affects the performance of the Software. Correction of any problems due to one or several of the following causes is excluded from this Agreement: an accident, a disaster, faulty use of Software, additions and/or modifications which are made to the Software by other than GIRO's personnel except if these additions and/or modifications have been done with prior approval by GIRO, a change to an unsupported version of the operating system or database management system, and failure to supply the necessary facilities for correct operation of the Software.

In case of accident, disaster or faulty use of Software by the Client, at Client's request, GIRO will provide the necessary support to correct the problems. Such support will be charged to the Client by GIRO in addition to this Agreement at then-current rates for GIRO personnel.

1.2 Electronic mail and telephone support are available from Monday to Friday inclusively from 9 a.m. to 5 p.m. (Eastern Standard Time) excluding Québec public holidays.

1.3 When the *Geo* module is included in the Software, the support required to assist in one annual conversion of the geographical data is included. However, any Software modification required for the data conversion is not covered by this Agreement and the additional costs will be invoiced.

1.4 GIRO will provide the Client with an annual bank of thirteen (13) person-days of GIRO staff time. This time can be used to perform tests on system operation, to make minor modifications to the Software, to train personnel on the Client's premises, and to approve additions and/or modifications made by the Client. The use of these thirteen (13) staff days is determined by the Client. Non-used days can be accumulated and used in subsequent years as long as this Agreement is renewed by the Client without interruption. The time needed by GIRO personnel to perform modifications requested by the Client under this Agreement and that are not defects as defined in the present Agreement will be deducted from this bank. If the thirteen (13) days allotted have been completely used, the time necessary to perform any work requested by the Client under this Agreement except for work required for defects as defined in this Agreement, will be charged to the Client by GIRO according to current rates for GIRO personnel.

1.5 Availability for the Client, without additional license fees, of all additions and improvements made to the Software by GIRO for other customers, excluding new

GIRO	Client
------	--------

modules or new products. These improvements or additions to the Software could be a new report, a new command or a new function. If requested by the Client, they can be adapted and/or installed by GIRO on the Client's version of the Software without any additional license fees related to their purchase. New versions of the Software up to release 2004 are also available without additional license fees. Charges relative to the installation of these additions, improvements or new version by GIRO, if applicable, will be payable by the Client and invoiced separately. Any charges relative to third party software licenses are also payable by the Client.

1.6 A 20% discount on the license fee is accorded to the Client when a new module of *HASTUS* is added to *HASTUS-Vehicle* and *HASTUS-Crew*. This discount is valid only if the Client has maintained a Maintenance and Support Contract without interruption since the initial installation of the Software.

2. TERMS AND CONDITIONS

2.1 For services specified in Section 1, the Client will pay GIRO a fee of \$133,679 US. The total amount is payable upon receipt of an invoice from GIRO when the Agreement comes into effect. Amounts due for renewal will be invoiced by GIRO each year on the anniversary of the original Agreement.

2.2 The annual fee includes the following direct expenses: telephone charges, fax and courier incurred by GIRO during the provision of the services specified in this Agreement. Travel and living expenses that may be incurred are not included, unless required to repair a defect in the Software that cannot be corrected otherwise.

~~2.3 The present Agreement is automatically renewed for successive periods of one year each.~~

2.4 The Client may cancel the present Agreement by notifying GIRO in writing two (2) months before the renewal date of the present Agreement.

2.5 GIRO will notify the Client of any increases to the price of the Support and Maintenance Contract at least three (3) months before the annual renewal date.

2.6 All charges quoted or understood in the present Agreement will be increased as necessary to reflect any applicable taxes in vigor at the time that the monies become due.

2.7 The Client will supply GIRO with a method to access the installed Software remotely for maintenance and support purposes.

2.8 GIRO undertakes not to reveal any of the Client's confidential information acquired during product installation and support activities without the express authorization of the Client.

The Client acknowledges that he has read this Agreement, understood it, and has agreed to be bound by its terms and conditions. Further, he agrees that it is the complete and exclusive statement of the Agreement between the parties and that it supersedes all proposals or prior Agreements, oral or written, and all other communications between the parties relating to its subject matter.

At _____, this ____ day of _____.

GIRO INC./LE GROUPE EN INFORMATIQUE ET RECHERCHE OPÉRATIONNELLE

Per:

Name: Daniel Dubuc

Title: Director, Finances

Signature: _____

Duly authorized, as he so declares.

At _____, this ____ day of _____.

METROPOLITAN TRANSIT DEVELOPMENT BOARD

Per:

Name: _____

Title: _____

Signature: _____

Duly authorized, as he/she so declares.

GIRO	Client
------	--------