



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

***REVISED**

Agenda

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

November 10, 2011

9:00 a.m.

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

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

ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - October 27, 2011 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.
4. Appointment of Ad Hoc Nominating Committee for Recommending Appointments to MTS Committees for 2012 (Sharon Cooney) Appoint
 Action would appoint less than a quorum of members to an Ad Hoc Nominating Committee (pursuant to MTS Board Policy No. 22 - Rules of Procedure for the Metropolitan Transit System) to make recommendations to the Board with respect to the appointment of members of the Board to serve on MTS and non-MTS committees for 2012.



CONSENT ITEMS

- | | | |
|------|---|--------------------|
| 6. | <u>San Diego and Arizona Eastern (SD&AE) Railway Company Quarterly Reports and Ratification of Actions Taken by the SD&AE Board of Directors at its meeting on October 18, 2011</u>
Action would: (1) receive the San Diego and Imperial Valley (SD&IV) Railroad, Pacific Southwest Railway Museum Association (Museum), and Carrizo Gorge Railway, Inc. (Carrizo) quarterly reports; and (2) ratify actions taken by the San Diego and Arizona Eastern (SD&AE) Railway Company Board of Directors at its meeting on October 18, 2011. | Receive/
Ratify |
|
 | | |
| 7. | <u>Motorola Regional Transit Management System - Service Contract Amendment</u>
Action would authorize the CEO to execute: (1) MTS Doc. No. G0867.13-03 with Motorola, Inc. to extend the Regional Transit Management System (RTMS) warranty support period from January 1, 2012, through June 30, 2013; and (2) MTS Doc. No. G0868.7-03 with North County Transit District (NCTD) for a Funds Transfer Agreement. | Approve |

CLOSED SESSION

24. None.

NOTICED PUBLIC HEARINGS

- | | | |
|-----|--|--------------------|
| 25. | <u>Public Hearing on Discontinuance of Route 830 - Murphy Canyon Premium Express (Sharon Cooney)</u>
Action would: (1) conduct a public hearing on the proposed discontinuance of Route 830; (2) find that discontinuance of Route 830 due to low ridership is not a "project" subject to California Environmental Quality Act (CEQA) because it is not a project as defined in MTS Local CEQA Guidelines sections 3.01 and 10.53; and (3) respond to suggestions made by the public and take action (if any) on the discontinuance of Route 830 at the next regularly scheduled Board meeting on December 8, 2011. | Possible
Action |
|-----|--|--------------------|

DISCUSSION ITEMS

- | | | |
|------|---|--------------------|
| 30. | <u>Establish MTS Police Force for the Purpose of Appointing a Chief of Police (Karen Landers)</u>
Action would: (1) approve Resolution No. 11-16 establishing a police force pursuant to Public Utilities Code section 120550 and Penal Code section 830.33(c); and (2) authorize the appointment of an MTS Chief of Police. | Approve |
|
 | | |
| *31. | <u>Hi-Tec Enterprises Gearbox Assemblies - Contract Ratification (Karen Landers)</u>
Action would ratify the purchase of 12 complete gearbox assemblies from Hi-Tec Enterprises and approve the corrective action plan. | Ratify/
Approve |

REPORT ITEMS

- | | | |
|-----|---|-------------|
| 45. | <u>Update on the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor Agency (Sharon Cooney and Danny Veeh of SANDAG)</u>
Action would receive a report on LOSSAN Rail Corridor Agency activities and initiatives. | Receive |
| 46. | <u>Semiannual Security Report (January through June 2011) (Bill Burke)</u>
Action would receive a report for information. | Receive |
| 47. | <u>Operations Budget Status Report for September 2011 (Mike Thompson)</u>
Action would receive an MTS operations budget status report for September 2011. | Receive |
| 60. | <u>Chairman's Report</u> | Information |
| 61. | <u>Audit Oversight Committee Chairman's Report</u> | Information |
| 62. | <u>Chief Executive Officer's Report</u> | Information |
| 63. | <u>Board Member Communications</u> | |
| 64. | <u>Additional Public Comments Not on the Agenda</u>
If the limit of 5 speakers is exceeded under No. 3 (Public Comments) on this agenda, additional speakers will be taken at this time. If you have a report to present, please furnish a copy to the Clerk of the Board. Subjects of previous hearings or agenda items may not again be addressed under Public Comments. | |
| 65. | <u>Next Meeting Date:</u> December 8, 2011 | |
| 66. | <u>Adjournment</u> | |



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CONSENT ITEMS

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CLOSED SESSION

24. None.

NOTICED PUBLIC HEARINGS

25. Public Hearing on Discontinuance of Route 830 - Murphy Canyon Premium Express (Sharon Cooney) Possible
Action
Action would: (1) conduct a public hearing on the proposed discontinuance of Route 830; (2) find that discontinuance of Route 830 due to low ridership is not a "project" subject to California Environmental Quality Act (CEQA) because it is not a project as defined in MTS Local CEQA Guidelines sections 3.01 and 10.53; and (3) respond to suggestions made by the public and take action (if any) on the discontinuance of Route 830 at the next regularly scheduled Board meeting on December 8, 2011.

DISCUSSION ITEMS

30. Establish MTS Police Force for the Purpose of Appointing a Chief of Police (Karen Landers) Approve
Action would: (1) approve Resolution No. 11-16 establishing a police force pursuant to Public Utilities Code section 120550 and Penal Code section 830.33(c); and (2) authorize the appointment of an MTS Chief of Police.
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Approve
Action would ratify MTS Doc. No. L0900.0-09 with Hi-Tec Enterprises for the purchase of 12 complete gearbox assemblies and approve the corrective action plan.

REPORT ITEMS

- | | | |
|-----|---|-------------|
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| 60. | <u>Chairman's Report</u> | Information |
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| 65. | <u>Next Meeting Date:</u> December 8, 2011 | |
| 66. | <u>Adjournment</u> | |

MEETING OF THE BOARD OF DIRECTORS FOR THE
METROPOLITAN TRANSIT SYSTEM (MTS),
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

October 27, 2011

1. Roll Call

Chairman Mathis called the Board meeting to order at 9:00 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Mr. Roberts moved to approve the minutes of the October 13, 2011, MTS Board of Directors meeting. Mr. Ovrom seconded the motion, and the vote was 10 to 0 in favor.

3. Public Comments

Mikail Hussein – Mr. Hussein president of the United Taxi Workers of San Diego (UTWSD) explained his concerns with not receiving a memo MTS sent out on September 23, 2011, regarding lease driver nominee procedures for Taxicab Advisory Committee (TAC) election.

Elyse Lowe – Ms. Lowe Executive Director of MOVE SAN DIEGO wanted to thank MTS and the Board of Directors for their support. She invited the Board members to the 2nd Annual Green Streets Celebration & Expo where Harry Mathis will be honored for Civic Leadership Award and Tony Young for Walk the Talk Award.

Alor Calderon – Mr. Calderon is with the Employee Rights Center explained his concerns with regards to health and safety of taxi drivers.

Jesse Mills – Mr. Mills is with the UTWSD explained his concerns with regards to retaliation. He recommended that MTS Board have a statement about retaliation during the election and to clarify sanctions, citation, or removal of good standing, and other measures against owners who are found to retaliate, City employers and volunteers that violate the EEO policy should be given disciplinary actions.

CONSENT ITEMS:

6. Addendum to Master MOU with SANDAG - Cooperative Work Efforts, Project Development, and Implementation of Capital Projects

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G0930.17-04 to the Master Memorandum of Understanding (MOU) with the San Diego Association of Governments (SANDAG) for cooperative work efforts, project development, and implementation of capital projects.

7. Exercise Option Years for Light Rail Vehicle Vandalism and Accident Repair Services - Contract Amendment

Action would authorize the CEO to execute MTS Doc. No. L0884.1-09 with Carlos Guzman, Inc. for light rail vehicle (LRV) accident and vandalism repair services.

8. Amendment to the Joint Exercise of Powers Agreement of the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor Agency

Action would authorize the CEO to execute an amendment to the Joint Powers Agreement of the LOSSAN to add the Riverside County Transportation Commission as a nonvoting, ex officio member.

9. Federal Legislative Representation

Action would: (1) ratify the CEO's approval of Amendment No. 1 to Task Order No. 5 of the San Diego Association of Governments' (SANDAG's) contract with Blank Rome Government Relations, LLP; and (2) authorize the CEO to execute Amendment No. 2 to Task Order 5 of SANDAG's contract with Blank Rome Government Relations, LLP effective November 1, 2011.

Action on Recommended Consent Items

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

CLOSED SESSION:

24. None.

NOTICED PUBLIC HEARINGS:

25. None.

DISCUSSION ITEMS:

30. Semiannual Uniform Report of Disadvantaged Business Enterprise Awards or Commitments and Payments (Karen Landers)

Karen Landers, General Counsel reported on the DBE program update with regards to the Federal DBE participation from FY 04 to FY 06 compared to FY 07 and FY 10. She also added that from April 1, 2011, through September 30, 2011 FTA reporting period for contracts awarded as a DBE is 15.93%; for contracts completed is 47.52%. She stated that MTS expects favorable DBE utilization for the first half of FY 12.

Ms. Landers introduced Ed Salcedo from GCAP Services who MTS has hired as a consultant for the DBE program. Mr. Salcedo explained the concrete steps MTS need to take to establish an effective and compliant DBE program. He stated that the overall goal for MTS DBE program is to be compliant and effective program.

Mr. Young thanked the staff for the presentation. Mr. Young recommended staff to work with Debra Fisher Faulk with the City of San Diego and the San Diego Airport Authority with the DBE program. Ms. Landers stated that she has worked with Ms. Faulk and will continue to outreach in the local communities.

Action Taken

Mr. McClellan moved to receive a report on Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments and provide feedback to staff on possible changes in related procedures and policies. Ms. Emerald seconded the motion, and the vote was 15 to 0 in favor.

31. Establish MTS Police Force for the Purpose of Appointing a Chief of Police
(Karen Landers)

Trailed to the next Board meeting on November 10, 2011.

REPORT ITEMS:

45. Year-End Security Report (Bill Burke)

Trailed to the next Board meeting on November 10, 2011.

60. Chairman's Report

There was no Chairman's report.

61. Audit Oversight Committee Chairman's Report

Mr. Ewin reported that a draft CAFR was presented at the AOC on October 21, 2011, and will be ready for approval on the November or December Board meeting.

62. Chief Executive Officer's Report

Chairman Mathis informed the Board that Mr. Jablonski is in Washington D.C. meeting with FTA.

63. Board Member Communications

There was no Board Member communications.

64. Additional Public Comments on Items Not on the Agenda

There were no additional public comments.

65. Next Meeting Date

The next regularly scheduled Board meeting is Thursday, November 10, 2011.

66. Adjournment

Chairman Mathis adjourned the meeting at 9:35 a.m.



Chairperson
San Diego Metropolitan Transit System

Filed by:



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

Approved as to form:



Office of the General Counsel
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS
ROLL CALL

MEETING OF (DATE): October 27, 2011

CALL TO ORDER (TIME): 9:00 a.m.

RECESS: _____

RECONVENE: _____

CLOSED SESSION: _____

RECONVENE: _____

PUBLIC HEARING: _____

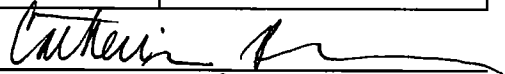
RECONVENE: _____

ORDINANCES ADOPTED: _____

ADJOURN: 9:35 a.m.

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
CASTANEDA	☒ (Rindone) ☐	9:05 a.m.	
CUNNINGHAM	☒ (Mullin) ☐	9:25 a.m.	
EWIN	☒ (Sterling) ☐		
EMERALD	☒ (Faulconer) ☐	9:13 a.m.	
ENGLAND	☒ (Gastil) ☐		
GLORIA	☒ (Faulconer) ☐		
JANNEY	☒ (Bragg) ☐		
LIGHTNER	☒ (Faulconer) ☐		
MATHIS	☒ (Vacant) ☐		
MCCLELLAN	☒ (Hanson-Cox) ☐		
MINTO	☒ (McNelis) ☐	9:11 a.m.	
OVROM	☒ (Denny) ☐		
RIOS	☒ (Zarate) ☐		
ROBERTS	☒ (Cox) ☐		
YOUNG	☒ (Faulconer) ☐	9:09 a.m.	

SIGNED BY THE OFFICE OF THE CLERK OF THE BOARD:



CONFIRMED BY OFFICE OF THE GENERAL COUNSEL:





AGENDA ITEM NO.

3

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

1

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM

1. INSTRUCTIONS

This Request to Speak form must be filled out and submitted in advance of the discussion of your item to the Clerk of the Board (please attach any written statement to this form). Communications on hearings and agenda items are generally limited to three minutes per person unless the Board authorizes additional time; however, the Chairperson may limit comment to one or two minutes each if there are multiple requests to speak on a particular item. General public comments on items not on the agenda are limited to three minutes. Please be brief and to the point. No yielding of time is allowed. Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

(PLEASE PRINT)

DATE	11/10/11		
Name	Terveno Houston		
Address	1475 Imperial Ave. S.D., CA. 92101 Apt. # 451		
Telephone	619. 249. 8810		
Organization Represented	Self		
Subject of Your Remarks	Subj. of my remarks pertain to how MTS Supervisors handle complaints		
Regarding Agenda Item No.	Gen. pub. comment on matters not on the Agenda.		
Your Comments Present a Position of:	☐	SUPPORT	☒ OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

3. DISCUSSION OF AGENDA ITEMS

The Chairman may permit any member of the public to address the Board on any issue relevant to a particular agenda item.

4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Public comment on matters not on the agenda will be limited to five speakers with three minutes each, under the Public Comment Agenda Item. Additional speakers will be heard at the end of the Board's Agenda.

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AGENDA ITEM NO.

3

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

2

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(PLEASE PRINT)

DATE	11 / 10 / 2011		
Name	Rhonda Ciardetti		
Address	9410 Loren Dr. LA Mesa CA 91942		
Telephone	(619) 303-6999		
Organization Represented	Self		
Subject of Your Remarks	Public Comment Agenda Requests to be ON Agenda		
Regarding Agenda Item No.	Materials *Letter Submitted to MTS Public Comment		
Your Comments Present a Position of:	☐	☒ SUPPORT	☐ OPPOSITION

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Hello Council, City of La Mesa, and MTS,

11/10/2011

A few weeks ago the MTS Council and the City of La Mesa were given a video of trolley noise and noise element documents for the residential area of Loren Dr in La Mesa. I request to be on the MTS December 8th agenda to address the following items:

- 1) I request a Quiet Zone
- 2) I request for MTS to repair and maintain screeching noise due to rail and wheels that have not been maintained as other residential areas have. Your MTS Chief Operating Officer spoke at the La Mesa Board Council this Tuesday and validated my inquiry about lubrication systems that are in place for other residential areas for screeching and squeaking noise control. If the rail cannot be repaired due to freight running on the same tracks, I request MTS to implement other noise control options such as barriers, tunnels, separation of tracks.
- 3) I request MTS to make this residential area a priority as evidence has been provided to warrant investigation of environment impact and noise elements. The issues of horn frequency and screeching is not fair. This residential area is being subjected to excessive trolley and freight noise when other areas, communities, and jurisdictions are being protected.
Discrimination as to old and new residents does not appear to be applicable as it is not the resident's fault that MTS has failed to protect. Do you want long-term and new residents to live on the rail? A petition will be provided including signatures of long-time and new resident to MTS. Since I am a new resident and the spokesperson, I am sensing some discrimination from Those communicating with me regarding this issue.

There are ongoing and future improvements and extensions to public transportation and I realize your decisions are difficult. Many people rely on public transportation. Citizens also rely on our officials to fix roads, install traffic calming, and to protect us. Costs are always a consideration. Please review costs that have been spent on other areas for noise abatement.

Why should our location be neglected? We deserve fair and equal treatment.

Sincerely,



Rhonda Ciardetti

9410 Loren Dr. La Mesa CA 919423

(619) 303-6999

rciardetti@cox.net



AGENDA ITEM NO.

3

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

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(PLEASE PRINT)

DATE	NOV. 10, 2011		
Name	JOHN L. WOOD		
Address			
Telephone			
Organization Represented			
Subject of Your Remarks			
Regarding Agenda Item No.	3		
Your Comments Present a Position of:	☐	☒ SUPPORT	☐ OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

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(PLEASE PRINT)

DATE	11/10/2011		
Name	Steve MARITAS		
Address	23510 Kelly Road Roseville, AZ		
Telephone	646-567-6454		
Organization Represented	SPFPA		
Subject of Your Remarks	Rights of the TSS OFFICIALS		
Regarding Agenda Item No.			
Your Comments Present a Position of:	☒	SUPPORT	☐ OPPOSITION

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AGENDA ITEM NO.

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(PLEASE PRINT)

DATE	11/10/11		
Name	Robert J Austin		
Address	2212 Julian AVE		
Telephone	(619) 755-5306		
Organization Represented	T.S.S		
Subject of Your Remarks	General on T.S.S		
Regarding Agenda Item No.			
Your Comments Present a Position of:	☒	SUPPORT	☐ OPPOSITION

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San Diego, CA 92101-7490
619.231.1466 Fax: 619.234.3407

Agenda

Item No. 4

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

LEG 410 (PC 50101)

November 10, 2011

SUBJECT:

APPOINTMENT OF AD HOC NOMINATING COMMITTEE FOR RECOMMENDING
APPOINTMENTS TO MTS COMMITTEES FOR 2012 (SHARON COONEY)

RECOMMENDATION:

That the Board of Directors appoint less than a quorum of members to an Ad Hoc Nominating Committee (pursuant to MTS Board Policy No. 22 - Rules of Procedure for the Metropolitan Transit System) to make recommendations to the Board with respect to the appointment of members of the Board to serve on MTS and non-MTS committees for 2012.

Budget Impact

None.

DISCUSSION:

Each year, the MTS Board makes appointments to various committees, including the Budget Development Committee, Audit Oversight Committee, Executive Committee, Joint Committee on Regional Transit (JCRT), Taxicab Committee, Los Angeles-San Diego Rail Corridor Agency (LOSSAN), and the Accessible Services Advisory Committee (ASAC). The Executive Committee appoints the representative to the San Diego Association of Governments (SANDAG) Transportation Committee. MTS Board Policy No. 22 specifies that on or before the Board's first meeting in November, the Board shall appoint less than a quorum of members to an Ad Hoc Nominating Committee. The 2011 Ad Hoc Nominating Committee appointed by the Board included Board members Mathis, Roberts, Rindone, and Ewin.



The Ad Hoc Nominating Committee shall review the list of MTS committees and make recommendations to the Board with respect to the appointment of members of the Board to serve on each committee. The Ad Hoc Nominating Committee is also tasked with reviewing the list of outside boards and/or committees and making recommendations to the Board with respect to the appointment of members of the Board to represent MTS on each outside board or committee (except for the Board representative appointed to the SANDAG Transportation Committee who is appointed by the Executive Committee).

The Ad Hoc Nominating Committee forwards its recommendations for appointments of officers and committee members on or before the first Board meeting in January.

The election procedures to appoint an Ad Hoc Nominating Committee pursuant to Robert's Rules of Order are as follows:

1. The Chairman of the Board opens the agenda item.
2. The Chairman requests nominations from the floor. Nominations do not require a second.
3. The Chairman closes the nominations.
4. The Chairman invites the candidate(s) to address the Board for three minutes.
5. The Chairman asks for any Board discussion.
6. The Chairman calls for the vote on each motion for each candidate.
7. A vote is taken on the motion(s) for each candidate based upon the order in which they were nominated. The vote continues until a candidate is elected.



Paul C. Jablonski
Chief Executive Officer

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

NOV10-11.4.ADHOCNOMINATINGCOMM.SCOONEY



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

Agenda Item No. 6

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

November 10, 2011

SUBJECT:

SAN DIEGO AND ARIZONA EASTERN (SD&AE) RAILWAY COMPANY QUARTERLY REPORTS AND RATIFICATION OF ACTIONS TAKEN BY THE SD&AE BOARD OF DIRECTORS AT ITS MEETING ON OCTOBER 18, 2011

RECOMMENDATION:

That the Board of Directors:

1. receive the San Diego and Imperial Valley (SD&IV) Railroad, Pacific Southwest Railway Museum Association (Museum), and Carrizo Gorge Railway, Inc. (Carrizo) quarterly reports (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 October 18, 2011 (Attachment A).

Budget Impact

None.

DISCUSSION:

Quarterly Reports

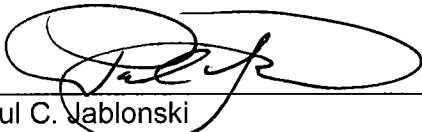
Pursuant to the Agreement for Operation of Freight Rail Services, SD&IV, Museum, and Carrizo have provided the attached quarterly reports of their operations during the second quarter of calendar year 2011 (Attachment A).



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 October 18, 2011, the SD&AE Board approved the following licenses and permits:

- S200-12-495: Right of Entry Permit to Bureau Veritas North America, Inc. for field investigations in San Ysidro for the South Line Freight Rehabilitation Project.
- S200-12-496: Right of Entry Permit to Underground Solutions, Inc. for field investigations for the South Line Freight Rehabilitation Project.
- S200-12-497: Right of Entry Permit to Southwest Signal Service, Inc. for installing street lighting along the East Line in Encanto in the City of San Diego.
- S200-12-498: Right of Entry Permit to San Diego County Bicycle Coalition for the Bike the Bay event.
- S200-12-499: Right of Entry Permit to Palm Engineering Construction Company, Inc. to construct the Bayshore Bikeway Segments 7 and 8a in the City of Chula Vista on the Coronado Branch.
- S200-12-500: Right of Entry Permit to HNTB Corporation for field investigations for the Traction Power Substation Improvement Project on the East Line and South Line.
- S200-12-501: Right of Entry Permit to Leighton Consulting, Inc. for field investigations for the Traction Power Substation Improvement Project on the East Line and South Line.
- S200-12-502: Right of Entry Permit to Project Design Consultants, Inc. for field investigations for the Traction Power Substation Improvement Project on the East Line and the South Line.
- S200-12-504: Right of Entry Permit to Pacific Drilling Company for field investigations for the Traction Power Substation Improvement Project on the East Line and the South Line.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Karen Landers, 619.557.4512, Karen.Landers@sdmts.com

NOV10-11.6.SDAE REPORTS.KLANDERS

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

October 18, 2011

9:00 a.m.

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

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
Randy Perry, Chairman
Bob Jones
Paul Jablonski

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

GENERAL COUNSEL
Karen Landers

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

1. Approval of the Minutes of July 19, 2011 Approve
Action would approve the SD&AE Railway Company minutes of July 19, 2011.
2. Statement of Railway Finances (Linda Musengo) Receive
Action would receive a report for information.
3. Report on San Diego and Imperial Valley (SD&IV) Railroad Operations (Matt Domen) Receive
Action would receive a report for information.
4. Report on Pacific Southwest Railway Museum (Diana Hyatt) Receive
Action would receive a report for information.
5. Report on the Desert Line (Dwight Jory) Receive
Action would receive a report for information.
6. Real Property Matters (Tim Allison)
 - a. Summary of SD&AE Documents Issued Since July 19, 2011 Receive
Action would receive a report for information.
 - b. The City of Lemon Grove Main Street Promenade Project Approve
Action would approve a Construction and Maintenance Agreement for the City of Lemon Grove's Main Street Promenade Project.

6. Real Property Matters (Tim Allison) – CONTINUED –
 - c. Civic Center Drive Crossing Improvements Approve
Action would authorize support for the Civic Center Drive Crossing Improvement Project California Public Utilities Commission (CPUC) application for crossing modifications.
7. Approval of the 2012 SD&AE Board of Directors Meeting Schedule (Karen Landers) Approve
Action would approve the 2012 SD&AE Board of Directors meeting schedule.
8. Old Business
9. New Business
10. Public Comments
11. Next Meeting Date: Tuesday, January 17, 2012 (Upon approval of No. 7)
12. Adjournment

A-SDAE-OCT18-11

MINUTES

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

July 19, 2011

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 July 19, 2011, at 9:05 a.m.

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

MTS staff:

Tim Allison, Karen Landers, Linda Musengo,
and Wayne Terry

SD&IV staff:

Randy Perry, Matt Domen

Pacific Southwest Railway Museum:

Diana Hyatt

Carrizo Gorge Railway, Inc. (Carrizo):

Chas McHaffie, Sheila LeMire

RailAmerica:

Marc Bader

International Border Rail Institute:

Richard Borstadt

1. Approval of Minutes

Mr. Jablonski moved to approve the Minutes of the April 19, 2011, SD&AE Railway Board of Directors meeting. Mr. Jones seconded the motion, and it was unanimously approved.

2. Statement of Railway Finances

Linda Musengo presented the financial statement for the second quarter of 2011 (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.

3. Report on SD&IV Operations

Matt Domen presented the report of activities for the second quarter of 2011 (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 second quarter of 2011 report (attached to the agenda item). She clarified for Mr. Jablonski that the weed abatement is going well.

Action Taken

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

5. Report on the Desert Line1. Second Quarter Report

Sheila LeMire presented the second quarter report for 2011 (attached to the agenda item).

2. Status of Jacumba Yard Hazardous Waste Cleanup

Chas McHaffie gave an update on the Jacumba yard hazardous waste cleanup efforts. Mr. McHaffie informed the Board that the cleanup is 90% complete, and the Department of Environmental Health (DEH) will conduct a reinspection. Mr. McHaffie added that he feels that Carrizo is in compliance, and he will submit copies of all final DEH orders and/or reports once they are completed.

3. Federal Railroad Administration (FRA) Bridge Inspection Program

Mr. McHaffie stated that this item is not applicable at this time.

Action Taken

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

6. Real Property Mattersa. Summary of SD&AE Documents Issued Since April 19, 2011

Tim Allison stated that since the April 19, 2011, SD&AE Railway Company Board of Directors meeting, the documents described below have been processed by staff.

- S200-11-472: Right of Entry Permit to W. C. Communications, Inc. to install aerial fiber optics at Palm Avenue in El Cajon.
- S200-11-485: Right of Entry Permit to the City of La Mesa for the Flag Day Parade.
- S200-11-487: Right of Entry Permit to Kimley-Horn and Associates, Inc. for field investigations along the South Line.

- S200-11-489: Right of Entry Permit to Terra Pacific Consultants for soils investigation at Hill Street in El Cajon.
- S200-11-491: Right of Entry Permit to Johnson-Frank and Associates, Inc. to perform surveying at the San Ysidro Border.
- S200-11-492: Right of Entry Permit to California Conservation Corps to perform clearing and grubbing along the Coronado Branch for the Bayshore Bikeway Project in Chula Vista.
- S200-11-493: Right of Entry Permit to the Sweetwater Authority to install a water valve at J Street in Chula Vista.
- S200-11-494: Right of Entry Permit to TY Lin International, Inc. to perform field investigations for the South Line Freight Improvement Project.

Mr. Allison clarified that there were no issues with any of the permits listed above—they include standard insurance and indemnity coverage for SD&AE- and MTS-held properties.

Action Taken

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

7. Election to Fill Vacant Position of SD&AE Chair

Mr. Jones introduced Randy Perry, General Manager of the San Joaquin Valley Railroad (a RailAmerica company). Mr. Jones is nominating Mr. Perry as the SD&AE Chairperson to replace the position vacated by Don Sell. Mr. Jones stated that Mr. Perry oversees three railroads, which include San Joaquin, Ventura, and SD&IV.

Action Taken

Mr. Jablonski moved to forward a recommendation to the MTS Board of Directors to elect Randy L. Perry as Chairperson of the SD&AE Board of Directors. Mr. Jones seconded the motion, and it was unanimously approved.

8. Old Business

No old business.

9. New Business

Mr. Jablonski directed Mr. Allison to contact SANDAG staff for a presentation to the SD&AE Board on the status of the San Ysidro Yard Project. Mr. Jablonski reported that staff is in contact with the General Services Administration to discuss property acquisition near the border. Mr. Allison added that the southerly yard entrance will not be impacted as previously planned. Ms. Landers stated that RailAmerica personnel can contact her if they have any issues entering the yard.

Mr. Jones reported that Dan Elliott, Chairman of the Surface Transportation Board, came to San Diego yesterday and had a tour of MTS facilities. Mr. Jones stated that Mr. Elliott was very appreciative of the exposure and the information, and he was very impressed. Mr. Jones thanked everyone involved for their participation in showing Mr. Elliott around.

10. Public Comments

No public comments.

11. Next Meeting Date

The next meeting of the SD&AE Railway Company Board of Directors is on October 18, 2011, at 9:00 a.m. in the Executive Committee Room.

6. Closed Session – Continued (taken out of order)

The Board convened into closed session at 9:24 a.m.

b. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to California Government Code Section 54956.8

Property: MP 113.5 to 119.3 in Ocotillo Wells in Imperial County, CA

Agency Negotiators: Karen Landers, MTS General Counsel; Tim Allison, Manager of Real Estate Assets; and Paul Jablonski, President & CEO

Negotiating Parties: Pattern Energy Group

Under Negotiation: Price and Terms of Payment

Action Taken

The Board received a report and gave direction to staff.

c. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to California Government Code Section 54956.8

Property: MP 92.9 Over Railroad Street in Jacumba, CA

Agency Negotiators: Karen Landers, MTS General Counsel; Tim Allison, Manager of Real Estate Assets; and Paul Jablonski, President & CEO

Negotiating Parties: SDG&E

Under Negotiation: Price and Terms of Payment

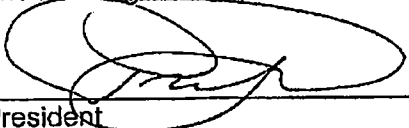
Action Taken

The Board received a report and gave direction to staff.

The Board reconvened from closed session into open session at 9:49 a.m.

12. Adjournment

The meeting was adjourned at 9:50 a.m.



President



General Counsel

Agenda

Item No. 2

San Diego and Arizona Eastern (SD&AE)
Railway Company

SDAE 710.1 (PC 50771)

Board of Directors Meeting

October 18, 2011

SUBJECT:

STATEMENT OF RAILWAY FINANCES

RECOMMENDATION:

That the SD&AE Railway Company Board of Directors receive a financial report for the quarter ended September 30, 2011 (Attachment A), and a draft audited financial report for the year ended June 30, 2011 (Attachment B).

Budget Impact

None.

DISCUSSION:

The financial results for the quarter ended September 30, 2011, and draft audited results for the year ended June 30, 2011, are attached. The current quarter results show decreases of \$11,000 in right of entry revenue and \$2,900 in lease income compared to Q1 2011, while expenses showed a \$2,200 positive variance. Net loss for Q1 was \$(6,015) compared to net income of \$5,751 in Q1 2011. Due to adjustments entered during audit procedures, net income for the year ended June 30, 2011, was reduced from the previously reported total by \$26,645, which is related to additional expenses for professional services and personnel costs. The total ending reserve balance will be available in the January financial report after the final allocation of interest income is performed.

Attachments: A. SD&AE Operating Statement Q1 2012
B. SD&AE Draft Audited Operating Statement FY 2011

SD&AE operating statement FY2012 and FY2011

	FY2012	FY2011			
	Q1	Q1	Q2	Q3	Q4
Revenue					YTD
Right of entry permits	\$ 1,221	\$ 12,250	\$ 5,450	\$ 21,370	\$ 13,040
Lease income	19,155	22,072	28,845	19,340	18,580
SD&IV 1% freight fee	-	-	-	38,187	-
Total revenue	20,376	34,322	34,295	78,897	31,620
Expense					
Personnel costs	20,284	19,916	22,595	18,746	22,893
Outside services	-	-	260	-	24,429
Risk management	5,798	8,352	8,194	7,771	5,974
Misc operating expenses	309	303	194	70	-
Depreciation	-	-	-	-	17,080
Total expense	26,391	28,571	31,243	26,587	70,376
Net income/(loss)	\$ (6,015)	\$ 5,751	\$ 3,052	\$ 52,310	\$ (38,756)
					\$ 22,358

Reserve balance 2011 - estimated	\$ 915,738
Allocated interest earnings - estimated	3,207
Operating profit (loss)	(6,015)
Improvement expense 2011	-
Reserve balance 2012- estimated	\$ 912,930

SD&AE DRAFT audited operating statement FY2011 and FY2010

	FY2011					FY2010				
	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD
Revenue										
Right of entry permits	\$ 12,250	\$ 5,450	\$ 21,370	\$ 13,040	\$ 52,110	\$ 21,619	\$ 17,400	\$ 8,500	\$ 10,975	\$ 58,494
Lease income	22,072	28,845	19,340	18,580	88,837	25,871	43,341	819	31,193	101,224
SD&IV 1% freight fee	-	-	38,187	-	38,187	-	-	-	35,542	35,542
Total revenue	34,322	34,295	78,897	31,620	179,134	47,490	60,741	9,319	77,710	195,260
Expense										
Personnel costs	19,916	22,595	18,746	22,893	84,149	22,734	26,334	19,540	18,682	87,291
Outside services	-	260	-	24,429	24,689	12,031	5,989	5,147	37,574	60,742
Energy costs	-	-	-	-	-	-	-	-	32	32
Risk management	8,352	8,194	7,771	5,974	30,291	8,486	8,486	8,403	8,352	33,728
Misc operating expenses	303	194	70	-	567	20,474	(18,913)	25	-	1,586
Depreciation	-	-	-	17,080	17,080	-	-	-	17,080	17,080
Total expense	28,571	31,243	26,586	70,376	156,776	63,725	21,897	33,115	81,721	200,458
Net income/(loss)	\$ 5,751	\$ 3,052	\$ 52,311	\$ (38,756)	22,358	\$ (16,235)	\$ 38,845	\$ (23,796)	\$ (4,011)	\$ (5,198)

Changes from statement presented July 2011: Net income reduced by \$26,645 due to adjustments entered after preliminary 2011 operating statement prepared:

1. \$250 increase in right of entry permits revenue - billing adjustments
2. \$24,094 additional cost for outside services - LAN Engineering
3. \$2,800 increase in personnel cost - final pay period for FY11

Reserve balance 2010 - final	\$ 890,173
Allocated interest earnings - estimated	3,207
Operating profit (loss)	22,358
Improvement expense 2011	-
Reserve balance 2011- estimated	\$ 915,738

Final interest allocation not yet available, will be reported in January

Attachment B

Agenda

Item No. 3

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

SDAE 710.1 (PC 50771)

October 18, 2011

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 3rd Quarter of 2011



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

October 6, 2011

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 3rd Quarter of 2011 are listed as follows:

1. Labor

At the end of September 30, 2011 the San Diego & Imperial Railroad had 11 employees:

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

2. Marketing

Volume in the 3rd Quarter was lower than the same time frame in 2010 by 29%. The volume remains significantly impacted by border crossing issues of Texas Gas & Oil LPG's. LPG's into Mexico were down 69% and overall Bridge traffic into Mexico down 41%. Traffic destined or originating on the SDIY was up 7% to this time last year impacted by the Circus train.

3. Reportable Injuries/Environmental

Days through year to date, September 30, 2011, there were no FRA Reportable injuries or environmental incidents on the SDIV Railroad.

Days FRA Reportable Injury Free: 4385

4. Summary of Freight

	2011	2010	2009
Total rail carloads that moved by SDIY Rail Service in the quarter.	999	1412	1271
Total railroad carloads Terminating/Originating Mexico in the quarter.	657	1105	1088
Total railroad carloads Terminating/Originating El Cajon, San Diego, National City, San Ysidro, California in the quarter.	317	297	239
Total customers directly served by SDIY in the quarter	10	12	12
Regional Truck trips that SDIY Railroad Service replaced in the quarter	3396	4800	4321

Respectfully,

Randy Perry-

General Manager

Agenda

Item No. 4

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

SDAE 710.1 (PC 50771)

October 18, 2011

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: Third Quarter Report for 2011



Pacific Southwest Railway Museum

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

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

Re: Third Quarter, 2011

Dear SD&AE Board:

During the third quarter of 2011, the Pacific Southwest Railway Museum carried 1,294 passengers with no FRA reportable accidents or injuries. Total income from SD&AE property for third quarter 2011 was \$19,285.81; a check for \$385.72 is enclosed. By comparison, PSRM carried 1,468 passengers during the third quarter of 2010 and total income from SD&AE property for that quarter was \$23,942.85. Summer ridership figures are down with a corresponding drop in income over this time last year. There were no special event trains offered during this time period and only three moonlight trains.

The track rehabilitation project at MP 64.8 is 90% complete. About one hundred and seventy ties have been replaced in the curve along with the earlier work of swapping eight to ten sticks of rail. To date, we have spent \$28,000 on this project. Due to cost over-runs, its completion has been delayed until additional funds become available.

Progress on the Campo Depot waiting room continues with interior electrical work close to completion. Some of the wooden benches have been ordered and we await delivery of the ticket counter from the contracted carpenter. Additionally, the Board recently approved the installation of a heat pump system that will provide heating and air conditioning for the downstairs waiting room as well as the upstairs baggage room that houses the museum's Gift Shop.

Museum volunteers are gearing up for a busy fourth quarter with three weeks of Pumpkin Trains and four weeks of North Pole trains. Online sales are steady for both events. If the board is interested, I would like to offer the use of our private car the Robert Peary, which seats 20, on one of our North Pole Trains operating every Friday and Saturday between November 25th and December 17th.

Sincerely,

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)

October 18, 2011

SUBJECT:

REPORT ON THE DESERT LINE

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.



Periodic Report

To The San Diego & Arizona Eastern Railway Company

Third Quarter 2011

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.

CARRIZO GORGE RAILWAY, INC.

Accomplishments during Third Quarter 2011

CONTENTS

THIRD QUARTER 2011 ACTIVITY

Appendix A- MOW Summary

Appendix B- Desert Line Freight Revenues

Financial Summary

CARRIZO GORGE RAILWAY, INC.

Third Quarter 2011

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 Third Quarter activity for 2011.

I. Labor

As of September 30, 2011, Carrizo Gorge Railway has 6 employees to cover the railroad administration and operation in the U.S.

- 3 Administration
- 1 DSL & Engineer
- 1 Train Master & Locomotive engineer
- 1 Track Inspector & Signals

CARRIZO GORGE RAILWAY, INC.

II. Marketing

Carrizo Gorge Railway is currently not seeking any new business for the desert line until repairs can be completed

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.

IV. Reportable Injuries / Environmetal Incidents

There were no reportable injuries in the Third quarter of 2011.

There were no reportable accidents in the Third quarter of 2011.

There were was on enviromental incidents in the Third quarter of 2011.

CARRIZO GORGE RAILWAY, INC.

V. Freight Activity

No freight activity in the 3th quarter of 2011 due to the embargo , we are still continuing to store empties, with a total amount of 52 GE cars located in the East end of the line as of this date.

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 Freight carloads terminating/originating in Mexico to/from San Ysidro via interchange with SD&IV Railroad	0
Total overall second quarter 2011 Carloads Moved	0
Revenue Empties	0
Revenue Storage	52

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
- 1 Track Supervisor
- 8 Track laborer
- 2 Traffic

CARRIZO GORGE RAILWAY, INC.

Page 1 of 1

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	0	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.

Page 1 of 1

Appendix B 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	71.76
SD&IV / Rail America payment 6.9 (52 Railcars Storage)	495.14

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)

October 18, 2011

SUBJECT:

SUMMARY OF SD&AE DOCUMENTS ISSUED SINCE JULY 19, 2011

RECOMMENDATION:

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

Budget Impact

None.

DISCUSSION:

Since the July 19, 2011, SD&AE Railway Company Board of Directors meeting, the documents described below have been processed by staff.

- S200-12-495: Right of Entry Permit to Bureau Veritas North America, Inc. for field investigations in San Ysidro for the South Line Freight Rehabilitation Project.
- S200-12-496: Right of Entry Permit to Underground Solutions, Inc. for field investigations for the South Line Freight Rehabilitation Project.
- S200-12-497: Right of Entry Permit to Southwest Signal Service, Inc. for installing street lighting along the East Line in Encanto in the City of San Diego.
- S200-12-498: Right of Entry Permit to San Diego County Bicycle Coalition for the Bike the Bay event.
- S200-12-499: Right of Entry Permit to Palm Engineering Construction Company, Inc. to construct the Bayshore Bikeway Segments 7 and 8a in the City of Chula Vista on the Coronado Branch.
- S200-12-500: Right of Entry Permit to HNTB Corporation for field investigations for the Traction Power Substation Improvement Project on the East Line and South Line.

- S200-12-501: Right of Entry Permit to Leighton Consulting, Inc. for field investigations for the Traction Power Substation Improvement Project on the East Line and South Line.
- S200-12-502: Right of Entry Permit to Project Design Consultants, Inc. for field investigations for the Traction Power Substation Improvement Project on the East Line and the South Line.
- S200-12-504: Right of Entry Permit to Pacific Drilling Company for field investigations for the Traction Power Substation Improvement Project on the East Line and the South Line.

Agenda

Item No. 6b

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

SDAE 710.1 (PC 50771)

October 18, 2011

SUBJECT:

THE CITY OF LEMON GROVE MAIN STREET PROMENADE PROJECT

RECOMMENDATION:

That the SD&AE Railway Company Board of Directors approve a Construction and Maintenance Agreement (page 6b-2 attached) for the City of Lemon Grove's Main Street Promenade Project.

Budget Impact

Staff costs would be borne by SD&AE/MTS by mutual agreement with the City of Lemon Grove.

DISCUSSION:

The City of Lemon Grove is developing a section of its downtown located adjacent to the Lemon Grove Trolley Station immediately to the west of the station (between Broadway, Olive Avenue, and North Avenue). As part of the development proposal, the project contemplates a pedestrian promenade over the future vacated Main Street with connectivity to the existing trolley platform. The promenade creates a public plaza that integrates the existing station into the new mixed-use development.

The Board has seen this project on two prior occasions authorizing its support for the project and giving direction to staff for design-element consideration. Staff has incorporated those instructions into its approvals with the City of Lemon Grove. Attached is a Construction and Maintenance Agreement (Attachment A) to be executed by SD&AE and the City of Lemon Grove to allow certain improvements within SD&AE right-of-way. The Agreement outlines costs, indemnity, insurance, maintenance responsibilities, etc.

Therefore, staff is requesting approval of a Construction and Maintenance Agreement (page A-2) for the City of Lemon Grove's Main Street Promenade Project.

CONSTRUCTION AND MAINTENANCE AGREEMENT

THIS CONSTRUCTION AND MAINTENANCE AGREEMENT ("CMA") is made and entered into this _____ day of _____, 2011, by and between the SAN DIEGO AND ARIZONA EASTERN RAILWAY COMPANY ("SDAE"), a California public agency, and The City of Lemon Grove, a California municipal corporation ("CITY") (collectively the "Parties").

RECITALS

WHEREAS, SDAE is the owner of certain railroad right-of-way assets (the "ROW") located in the City of Lemon Grove. The ROW is in in-active use by heavy rail and light rail operators; and

WHEREAS, CITY proposes to construct the Main Street Promenade Project (the "Project") in the City of Lemon Grove adjacent to the Lemon Grove Trolley Station. The CITY desires to construct hardscape, landscape and public art improvements within the ROW (the "Improvements") all to serve the Project in substantial compliance with schematic plans attached hereto as Exhibit "A"; and

WHEREAS, the Parties entered into a Reciprocal Fee Waiver Agreement dated November 14, 2006 whereby the Parties agreed to waive processing fees for the respective parties projects within the others control;

NOW, THEREFORE, IT IS AGREED:

1. **License.** SDAE agrees to grant to CITY a license upon certain portions of the ROW in the City of Lemon Grove, described in Exhibit "B", solely for the purpose of constructing, maintaining, and operating the Improvements, in strict accordance with the provisions of this CMA. This license will be granted subject to the prior, continuing, and future rights and obligations of SDAE (including its licensees, successors and assigns) to use the ROW for railroad purposes and other consistent uses, including, but not limited to, existing and future transportation activities, utilities, communication systems, pipeline facilities and appurtenances in, upon, over, across and along the ROW, and there is expressly reserved unto SDAE, and its respective successors and assigns, the right (consistent with the rights herein granted) to construct, reconstruct, maintain, operate, and use any and all existing and future facilities and appurtenances related to the above-referenced uses.
2. **Use.** If CITY shall use the ROW for any purpose other than as stated in Section 1 above, or fail to act in accordance with the provisions of this CMA, or act in a manner which interferes with the use of the ROW by SDAE (including its licensees, successors and assigns), then SDAE (or its successors and assigns) shall provide CITY with a timely written notice of any claim of default, meet and confer with CITY regarding the claim of default, and allow CITY a reasonable opportunity to cure the default so long as CITY proceeds expeditiously to cure the default. If CITY fails to cure the default in a timely manner, SDAE may exercise its remedies at law or equity against CITY. It is expressly understood and agreed by SDAE that CITY shall use the ROW without interference or damage to the catenary wires, pipelines, electric transmission lines, telephone lines, telegraph lines, communications systems and other facilities of like character, existing or constructed during the term of this CMA over, under, along and across the ROW. CITY hereby agrees that it will indemnify and save harmless SDAE from and against any and all liability for any such interference or damage by CITY or its contractors or agents as more expressly set forth below in paragraph 8.

3. **Conditions and Limitations.**

(a) **Conditions and Limitations on Use.**

- (i) CITY shall comply with all applicable terms, conditions, directives and requirements of SDAE's policies regarding rights-of-way and other SDAE ordinances, rules and regulations. CITY shall comply with all applicable laws and regulations of the federal, state, county, local governments and all administrative agencies thereof which may have jurisdiction over CITY's construction, maintenance, and operation of the Project.
- (ii) No use, construction, or maintenance by CITY or on CITY's behalf on the Project will interfere with any type of railroad operations on the ROW.
- (iii) CITY shall not leave any personal property or equipment on the ROW unattended at any time unless approved by SDAE.

(b) **Limitations on License.** The license and permission to be granted by SDAE to CITY are without warranty of title of any kind, expressed or implied, and are subject to and subordinate to all prior licenses, leases, easements, restrictions, reservations, conditions, covenants, encumbrances, right-of-ways, liens and claims of title which may in any manner encumber the ROW.

4. **Maintenance and Upgrade of Improvements.** CITY shall maintain at its expense the Improvements constructed pursuant to the terms of this CMA and which are over, under, along, and across the ROW.

5. **Construction Right of Entry Permit.** The exercise of any and all rights provided by this CMA is subject to the requirement that CITY and/or its contractors and agents first obtain a Right of Entry Permit ("ROE Permit") from SDAE prior to entry onto the ROW for the construction, upgrade, reconstruction, or maintenance of the Improvements. The ROE Permit requires that CITY and/or its contractors and agents procure and maintain in force at all times during the construction contract, the insurance described in this CMA. SDAE shall timely process any applications required to obtain the ROE Permit, and shall not unreasonably deny or delay the issuance of such ROE Permit. CITY and/or its contractors and agents will comply with all SDAE policies, rules and regulations as stated in the ROE Permit, and the instructions of SDAE's representatives in relation to the proper manner of protecting the railroad tracks and traffic moving thereon, catenary lines, pull lines, signals and other property of SDAE or their respective tenants or licensees, during the period of construction of the Improvements and shall perform the work at such times and in such a manner so as not to endanger or interfere with the safe and timely operation of the railroad track and other facilities. CITY shall be responsible for all costs related to plan review, processing, and inspecting the construction of Improvements incurred by SDAE including staff, consultant, and other direct costs.

6. **Maintenance ROE Permit.** Notwithstanding the foregoing, SDAE hereby grants to CITY a Durable Maintenance ROE Permit to allow CITY to enter onto the ROW for routine maintenance of the Improvements, including, but not limited to, activities such as trash removal, landscape maintenance if any, minor repairs, and similar maintenance activities. The Durable Maintenance ROE Permit shall remain effective throughout the life of this CMA and be subject to all of the terms of this CMA, including but not limited to the indemnity and insurance provisions. Entry onto the ROW by individuals or entities other than CITY (such as contractors, agents, and non-CITY employees) shall require a separate ROE Permit as specified in paragraph 5, notwithstanding the traverse of the at-grade crossings as a private right-of-way.

7. **Notice.** The exercise of any and all rights provided to CITY by this CMA is also subject to the notice requirements set forth in the ROE Permits for the construction and maintenance of the Improvements, prior to entry onto the ROW for any purpose.

8. **Indemnification.**

(a) CITY

CITY shall indemnify, defend and hold harmless the San Diego Metropolitan Transit System ("MTS"), its Board, officers, directors, agents, and employees, Rail America, the San Diego and Imperial Valley Railroad ("SD&IV"), SD&AE, San Diego Trolley, Inc. ("SDTI"), San Diego Transit Corporation ("SDTC"), any other entity performing maintenance work on the ROW, any other entity providing passenger rail operation services for SDAE or SD&AE on the ROW, and any other entity providing dispatch services to SDAE for the ROW, their officers, directors, agents and employees ("SDAE Indemnitees"), from any and all liability, loss, expense (including reasonable attorneys' fees and other defense costs), demands, suits, liens, damages, costs, claims, including, but not limited to, third party claims, claims for bodily injury, death, personal injury, or property damage, that are incurred by or asserted against the SDAE Indemnitees arising out of or connected with this CMA, the maintenance of any device or appurtenance implemented under this CMA, and any negligent acts or omissions on the part of CITY, its Council, officers, agents, contractors, employees, or invitees, which shall include members of the public using the Project. The requirements as to the types and limits of the insurance coverage to be maintained by CITY as required by section 9, and any approval of the insurance by SDAE, are not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by CITY pursuant to this CMA, including but limited to, the provisions concerning indemnification.

(b) SDAE

SDAE agrees to indemnify, defend and hold harmless CITY and its officers, agents, volunteers, contractors, and employees ("CITY Indemnitees"), from any and all liability, loss, expense (including reasonable attorneys' fees and other defense costs), demands, suits, liens, damages, costs, claims, including but not limited to, claims for bodily injury, death, personal injury, or property damage, that are incurred by or asserted against the CITY Indemnitees arising out of or connected with any negligent acts or omissions on the part of SDAE, its Board, officers, agents, contractors, or employees, under or in connection with any work, authority or jurisdiction delegated to SDAE under this CMA. SDAE shall have no obligation to indemnify any invitee of CITY.

(c) CONCURRENT NEGLIGENCE

In the event of an act or acts of concurrent negligence which results in the filing of a demand, claim, or complaint against the Parties, each party shall defend and represent itself such that each party shall bear its own costs and attorney's fees.

9. **Insurance.** CITY, at its sole cost and expense, shall procure and maintain the following insurance:

(a) General Liability

- (i) CITY shall maintain \$15 million of general liability coverage. Upon request by SDAE, CITY shall provide satisfactory evidence that it meets the insurance requirements of this CMA. CITY may meet this requirement, in part or in full, through self-insurance.

- (ii) The coverage described above shall cover bodily injury (including death) and property damage liability, owned and non-owned equipment, and blanket contractual liability.
- (iii) The policies shall not have endorsement limitations relating to operations on or near railroad property.
- (iv) All such policies shall name in the endorsement San Diego Metropolitan Transit System, San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company, San Diego and Imperial Valley Railroad, San Diego Transit Corporation, , and their directors, officers, agents, and employees as additional insureds as their interests may appear.

(b) Automobile Liability

- (i) CITY shall maintain \$15 million of automobile liability coverage. Upon request by SDAE, CITY shall provide satisfactory evidence that it meets the insurance requirements of this CMA. CITY may meet this requirement, in part or in full, through self-insurance.
- (ii) The insurance shall indemnify against loss from liability imposed by law for damages on account of bodily injury, property damage, and personal injury. The automobile coverage shall cover all owned, non-owned, and hired automobiles.

(c) Workers Compensation. CITY shall cover or insure under the applicable laws relating to workers' compensation insurance, all of their employees working on or about the Right-of-Way, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any Acts amendatory thereof. CITY shall provide employers' liability insurance in the amount of not less than two million dollars per accident for bodily injury and disease. By its signature hereunder, CITY certifies that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and it will comply with such provisions in connection with any work performed on the Site. Any persons providing services with or on behalf of CITY shall be covered by workers' compensation (or qualified self-insurance.) CITY waives any rights of subrogation against MTS, SD&AE, or any of their subsidiaries, and the policy form must permit and accept such waiver.

(d) Railroad Protective Insurance. CITY shall remove any exclusions relating to performance of operations within the vicinity of any railroad, Project, trestle, track, roadbed, tunnel, underpass, or crossing from its General Liability Coverage for both the self-insured and excess policies or purchase a separate Railroad Protective Liability policy.

(e) For any claims arising out of or connected with this CMA regarding the maintenance of any device or appurtenance implemented under this CMA, and any negligent acts or omissions on the part of CITY, its officers, agents, contractors, or employees, or CITY's operations or activities, CITY's insurance shall be primary insurance to MTS, SDTI, SDTC, SD&AE, SD&IV, and their directors, officers, employees, contractors, agents or authorized volunteers. Any insurance, self-insurance or other coverage maintained by MTS, SDTI, SDTC, SD&AE, SD&IV, NCTD, , and their directors, officers, employees, agents or authorized volunteers shall not contribute to it. All policies and coverages shall contain a provision for 30 days written notice by the Insurer(s) to the MTS Contracts

Specialist of any cancellation or material reduction of coverage. A ten-day notice is required for non-payment of premium.

(f) CITY shall insure that every contractor or subcontractor retained to perform the construction or maintenance of the Project, who enters upon, uses, or performs any work upon the ROW by or on behalf of CITY shall provide to SDAE evidence of insurance as follows:

- (i) Commercial General Liability. At all times during this contract and, with respect to Products and Completed Operations Liability, for 12 months following the acceptance of the work by SDAE, Contractor agrees to maintain Commercial General Liability Insurance for bodily injury and property damage in an occurrence form and with insurance companies acceptable to SDAE with minimum policy limits of \$2 million dollars (per occurrence) for any general contractor and \$2 million dollars (per occurrence) for any sub-contractors. Commercial General Liability Insurance must include coverage for the following:

- Premises/Operations Liability
- Aggregate Limits per Project
- Products/Completed Operations Liability
- No Explosion, Collapse, and Underground (XCU) exclusion
- Contractual Liability, with respect to this agreement
- Personal Injury Liability
- Broad Form Property Damage
- Independent Contractors

All such policies shall name in the endorsement San Diego Metropolitan Transit System, San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company, San Diego and Imperial Valley Railroad, San Diego Transit Corporation, , the , and their directors, officers, agents, and employees as additional insureds as their interests may appear. All general liability coverages required under this Section 9(f) are PRIMARY and that any insurance of MTS, SDTI, SD&AE, SD&IV, and SDTC shall be excess and noncontributory (endorsement required).

- (ii) Automobile Liability. At all times during this contract, Contractor agrees to maintain Automobile Liability Insurance for bodily injury and property damage including coverage for all owned, nonowned, and hired vehicles at a minimum policy limit of \$1 million dollars. All such policies shall name in the endorsement San Diego Metropolitan Transit System, San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company, San Diego and Imperial Valley Railroad, San Diego Transit Corporation, , and their directors, officers, agents, and employees as additional insureds as their interests may appear.
- (iii) Workers' Compensation/Employer Liability. At all times during this contract, Contractor agrees to maintain Workers' Compensation and Employers' Liability Insurance in compliance with the applicable statutory requirements at a minimum policy limit of \$1 million dollars. Contractor waives any rights of subrogation against MTS, SDTI, SD&AE, SD&IV, SDTC, , and CITY and the policy form must permit and accept such waiver.

- (iv) Railroad Protective Insurance. Remove any exclusions relating to performance of operations within the vicinity of any railroad, Project, trestle, track, roadbed, tunnel, underpass, or crossing from its General Liability Coverage, or purchase a separate Railroad Protective policy in the amount of \$2,000,000 in the name of SDAE, and all other named parties in section f (i) above.
- (v) Notice. All policies and coverages shall contain a provision for 30 days written notice by the Insurer(s) to SDAE of any cancellation or material reduction of coverage. A ten-day notice is required for non-payment of premium.

10. **Co-operation in Defense of Claims.** The Parties agree to co-operate in good faith to seek a prompt disposition, by way of dismissal or summary judgment, of any claim or litigation alleging liability of any party to this CMA, based on the construction, maintenance, or operation of the Project.

11. **Default; Termination.**

(a) In the event that CITY fails to perform any obligation under this CMA, CITY shall pay all costs and expenses incurred by SDAE in obtaining performance of such obligations, including costs of suit and reasonable attorney's fees. If CITY uses the ROW for any purpose not expressly authorized by this CMA or fails to act strictly in accordance with the terms and conditions of this CMA, and if such default is not corrected within 30 days' notice from SDAE to CITY, SDAE may prevent CITY from entering the ROW until the default is corrected. If SDAE determines that any default by CITY does or has the potential to cause a danger to the ROW, light rail vehicle operations, or railroad operations, and CITY fails or refuses to timely correct the default, SDAE may perform such work as is reasonable and necessary to remedy the danger, and CITY shall reimburse SDAE for all costs and damages so incurred for correcting the default. If CITY fails or refuses to correct any default after such notice, or refuses to timely reimburse SDAE for the work required to remedy the danger, SDAE may, upon thirty (30) days additional notice and in addition to any other remedy provided by law, terminate this CMA and prevent CITY from entering the ROW thereafter.

(b) In the event SDAE fails to perform any of its obligations under this CMA, CITY shall give SDAE written notice of the nature of the default and the steps required to remedy the default. If the default is not cured within thirty (30) days of the delivery of CITY's notice, CITY may proceed to enforce its rights and protect its interests under this CMA. SDAE shall pay all costs and expenses incurred by CITY in obtaining performance of the obligations, and protecting CITY's interests hereunder, including costs of suit and reasonable attorney's fees. In no case will any enforcement action modify the ownership or operation of the ROW.

(c) This CMA may be terminated at any time by either SDAE or CITY upon one year notice in writing to be served upon the other party, stating therein the date that such termination shall take place, and that upon the termination of this CMA in this or any other manner herein provided, CITY, upon demand of SDAE, shall abandon the ROW and the use of the Improvements, remove any Improvements constructed, installed or maintained on the ROW for the Project, and restore the ROW and any other improvements or facilities within said ROW, whether owned by SDAE or others, to their original condition in which they were prior to the installation of the Improvements. In case CITY fails to restore SDAE's ROW and improvements or facilities as aforementioned within ten (10) days after the effective date of termination (or other time period approved by SDAE), SDAE may proceed with such work at the expense of CITY. No termination hereof shall release CITY from any liability or obligation

hereunder, whether of indemnity or otherwise, resulting from any acts, omissions, or events happening prior to the date the Improvements are removed and the ROW of SDAE restored as above provided.

(d) Termination of this CMA shall not release any party from any liability or obligation hereunder resulting from an event which occurred before termination.

12. **Notices.** All notices to be given under this CMA shall be in writing and either:

(a) Sent by a nationally recognized overnight courier, in which case notice shall be deemed delivered upon actual receipt or one (1) business day after deposit with this courier, whichever occurs first; or

(b) Sent by telecopy or similar means, if a copy of the notice is also sent by United States Mail, in which case notice shall be deemed delivered on transmittal by facsimile provided that a transmission report is generated reflecting the accurate transmission of the notice, as follows:

Metropolitan Transit System
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101
Attn: Manager of Real Estate Assets
Tel: 619-595-4903

Fax: 619-744-5986

City of Lemon Grove
Tel:

Fax:

These addresses may be changed by written notice to the other Parties provided that no notice of a change of address shall be effective until actual receipt by the Parties of the notice. Copies of notices, if any are so indicated, are for informational purposes only, and a failure to give or receive copies of any notice shall not be deemed a failure to give notice.

13. **Waiver.** Any party's failure to enforce or exercise its rights with respect to any provision hereof shall not be construed as a waiver of such rights or of such provision.

14. **Laws, Venue, and Attorneys' Fees.** This CMA shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this CMA, the action shall be brought in a state or federal court situated in the County of San Diego, State of California. In the event of any claim, legal action or proceeding between the parties arising under or concerning this CMA, the prevailing party(ies) shall be entitled to reasonable attorneys' fees and expenses as part of the judgment resulting there from.

15. **Dispute Resolution.**

(a) The Parties agree that they shall first meet, through their senior staff representatives, to attempt to informally resolve any dispute that arises under this CMA.

(b) If the informal efforts are unsuccessful, then the Parties agree to participate in mediation. Within five (5) business days of the request of any party, the parties shall mutually agree on the person or alternative dispute resolution agency to conduct the mediation. If the Parties are unable to agree on the person or alternative dispute resolution agency to conduct the mediation, the initiating party may arrange for the office of the American Arbitration Association in downtown San Diego, California, to perform the mediation. The initiating party shall then schedule the mediation so that it is

conducted within five (5) business days of the mediator's appointment. The costs of the mediation and fees of the mediator, if any, shall be shared equally by the Parties.

(c) Any dispute not resolved through the mediation required by paragraph (b) of this Section, may proceed to litigation unless the Parties agree in writing to submit the dispute to binding arbitration.

IN WITNESS WHEREOF, the parties hereto have caused this CMA to be executed by and through their respective officers duly authorized on the date written below their signatures.

SAN DIEGO AND ARIZONA EASTERN
RAILWAY COMPANY

CITY OF LEMON GROVE

By: _____
Paul C. Jablonski, President

By: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____

By: _____

Of Counsel

List of Exhibits

- A. Project Schematic Plans
- B. SDAE License

Agenda

Item No. 6C

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

SDAE 710.1 (PC 50771)

October 18, 2011

SUBJECT:

CIVIC CENTER DRIVE CROSSING IMPROVEMENTS

RECOMMENDATION:

That the SD&AE Railway Company Board of Directors authorize support for the Civic Center Drive Crossing Improvement Project California Public Utilities Commission (CPUC) application for crossing modifications.

Budget Impact

Processing fees would be reimbursed to SD&AE.

DISCUSSION:

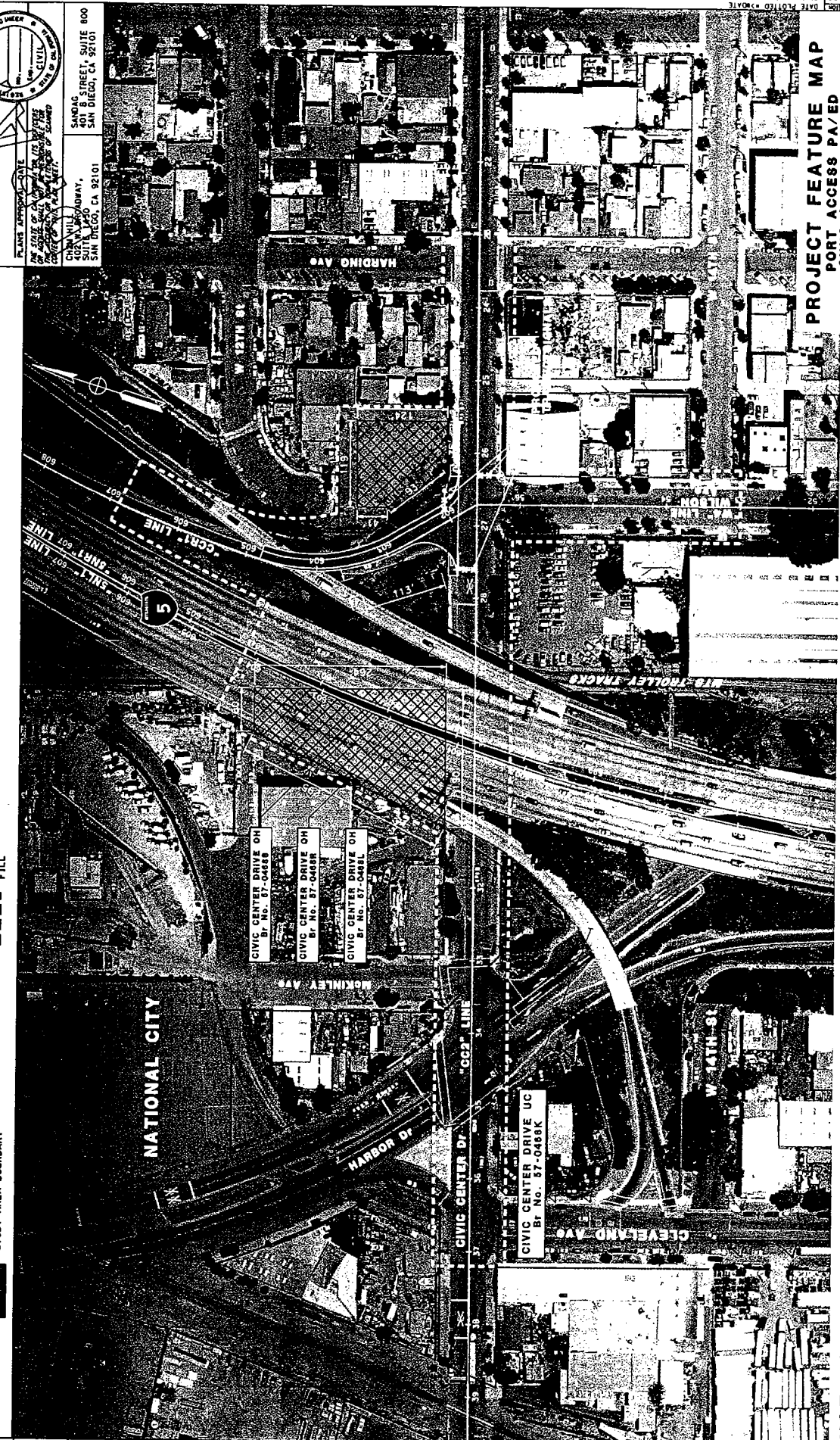
The California Department of Transportation (Caltrans) is proposing operational improvements at the Civic Center Drive/Wilson Avenue intersection that impacts the railroad crossing immediately to the west of the intersection. Caltrans plans to restripe and signalize the intersection to increase capacity supporting interregional goods movement (page 6c-2).

As part of the project, Caltrans needs to apply to the CPUC for approval to modify the crossing using the GO88-B process. Therefore, the SD&AE Board is being asked to support this project and grant authority for any formal approval needed by the CPUC.

Attachment: Map

NOT FOR PUBLIC CIRCULATION

PROJECT FEATURE MAP



LEGEND:

PROPOSED ROADWAY IMPROVEMENTS
POTENTIAL STAGING AREAS/ACCESS
STUDY AREA BOUNDARY

RIGHT OF WAY LINE
CUT

**CIVIC CENTER DRIVE ON
Br No. 57-04688**

EXISTING BRIDGE

97	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL NO. SHEETS
REGISTERED CIVIL ENGINEER DATE _____				
PLANS APPROVED DATE _____ BY STATE OF CALIFORNIA REGISTERED PROFESSIONAL ENGINEER J. A. SMITH, CIVIL ENGINEER, No. 12345				
JOHN WILLIAMS, CIVIL ENGINEER, No. 6789 401 B STREET, SUITE 100 SAN DIEGO, CA 92101				

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION		CONSULTANT FUNCTIONAL SUPERVISOR	DESIGNED BY	REVIEWED BY	DATE REVISED
		CHECKED BY			

Agenda

Item No. 7

San Diego and Arizona Eastern (SD&AE)
Railway Company

SDAE 710.1 (PC 50771)

Board of Directors Meeting

October 18, 2011

SUBJECT:

APPROVAL OF THE 2012 SD&AE BOARD OF DIRECTORS MEETING SCHEDULE

RECOMMENDATION:

That the SD&AE Board of Directors approve the 2012 SD&AE Board of Directors meeting schedule.

Budget Impact

None.

DISCUSSION:

The SD&AE Board of Directors customarily meets once each quarter to discuss business and receive reports from its contract operators. The following meeting schedule is recommended for 2012:

Tuesday, January 17, 2012	9:00 a.m.	(Fourth Quarter 2012 Reports)
Tuesday, April 17, 2012	9:00 a.m.	(First Quarter 2012 Reports)
Tuesday, July 17, 2012	9:00 a.m.	(Second Quarter 2012 Reports)
Tuesday, October 16, 2012	9:00 a.m.	(Third Quarter 2012 Reports)

Upon approval of the above meeting dates, additional information regarding materials due dates and mail-outs are as follows:

Materials Due to Clerk

Friday, January 6, 2012
Friday, April 6, 2012
Friday, July 6, 2012
Friday, October 5, 2012

Materials Mailed

Wednesday, January 11, 2012
Wednesday, April 11, 2012
Wednesday, July 11, 2012
Wednesday, October 10, 2012



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

Agenda Item No. 7

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

November 10, 2011

SUBJECT:

MOTOROLA REGIONAL TRANSIT MANAGEMENT SYSTEM – SERVICE CONTRACT
AMENDMENT

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute:

1. MTS Doc. No. G0867.13-03 (Attachment A) with Motorola, Inc. to extend the Regional Transit Management System (RTMS) warranty support period from January 1, 2012, through June 30, 2013; and
2. MTS Doc. No. G0868.7-03 (Attachment B) with North County Transit District (NCTD) for a Funds Transfer Agreement.

Budget Impact

1. MTS Doc. No. G0867.13-03 (Attachment A) would not exceed \$1,260,888. The total adjusted cost of the contract would not exceed \$24,595,276 without prior written approval from MTS. Funding for Amendment No. 13 would be paid by MTS and NCTD operating funds. MTS's share of the \$1,260,888 would be \$775,441 and would be paid by operating funds.
2. NCTD's cost share of \$485,446 would be governed by the approved Funds Transfer Agreement (MTS Doc. No. G0868.7-03 – Attachment B).



DISCUSSION:

Background Information

The RTMS is a sophisticated vehicle-tracking and communications system that provides performance and security/safety monitoring of transit vehicles. The regional system is currently being used to support operations of San Diego Transit Corporation (SDTC) and NCTD fixed-route services. The system was deployed through a contract with Motorola and went into full operation in December 2006. Motorola provides maintenance support services for communications and equipment for the system.

Amendment No. 13 to Motorola Service Agreement (Attachment A)

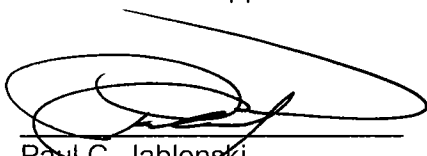
Amendment No. 13 (MTS Doc. No. G0867.13-03) would extend the Motorola warranty support contract to cover the period from January 1, 2012, to June 30, 2013. The cost of the warranty contract would be shared by MTS and NCTD as outlined in the Funds Transfer Agreement (Attachment B).

Amendment No. 7 to the NCTD Funds Transfer Agreement (Attachment B)

As part of the original contract award, MTS and NCTD executed a Funds Transfer Agreement (MTS Doc. No. G0868.7-03), which provided for the MTS contract execution and NCTD cost-sharing. The extension of the Motorola warranty support contract would be a shared expense and would affect NCTD's cost share, which requires an amendment to the Funds Transfer Agreement.

Conclusion

Modifications to the Motorola service contract are necessary to support continued project expansion activities and deliver enhancements to the RTMS system that improves service delivery to the region and riding public. Therefore, staff is requesting Board approval of MTS Doc. Nos. G0867.13-03 and G0868.7-03.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Stevan White, 619.238.0100, Ext. 6412, Stevan.White@sdmts.com

NOV10-11.7.RTMS.MLAWRENCE

Attachments: A. Motorola Service Agreement Amendment (MTS Doc No. G0867.13-03)
B. NCTD Funds Transfer Agreement (MTS Doc No. G0868.7-03)

DRAFT

Att. A, AI 7, 11/10/11

November 10, 2011

MTS Doc. No. G0867.13-03
CIP 10940

Mr. Howard Chercoe
Director of System Integration
Motorola, Inc.
6450 Sequence Drive
San Diego, CA 92121

Dear Mr. Chercoe:

Subject: AMENDMENT NO. 13 TO MTS DOC. NO. G0867.0-03; CHANGE TO REGIONAL TRANSIT MANAGEMENT SYSTEM

This letter will serve as Amendment No. 13 to the above-referenced contract and in response to the Motorola Service Agreement. These proposals have been evaluated and determined to be fair and reasonable. MTS is processing this amendment to continue the maintenance support services for the Regional Transit Management System. The services will include all work required for troubleshooting, replacement, and repair of vehicle onboard devices. This work shall include identifying the failed device, installation of a spare device (if available), repair of the failed device, and returning it to the spares inventory.

The following table lists the current value of the contract inclusive of previous amendments.

CONTRACT VALUE

CONTRACT AMENDMENTS	AMOUNT
Initial Contract	\$19,176,856.00
Amendment No. 1	\$10,336.00
Amendment No. 2	\$678,384.00
Amendment No. 3	\$99,712.00
Amendment No. 4	\$119,461.50
Amendment No. 5	\$702,711.00
Amendment No. 6	\$0.00
Amendment No. 7	\$544,802.00
Amendment No. 8	\$737,846.52
Amendment No. 9	\$25,466.51
Amendment No. 10	\$774,738.88
Amendment No. 11	\$57,337.00
Amendment No. 12	\$406,737.48
Amendment No. 13	\$1,260,887.52
Contract Total	\$24,595,276.00

Letter to Mr. Howard Chercoe
November 10, 2011
Page 2 of 2

MOTOROLA SHALL COMPLETE THE WORK IN AMENDMENT NO. 13 PER THE SCOPE OF SERVICES DESCRIBED ABOVE AND IN THE SERVICE AGREEMENT AND AS DIRECTED BY THE PROJECT MANAGER.

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

Howard Chercoe
Motorola, Inc.

Date: _____

DRAFT

Att. B, AI 7, 11/10/11

November 10, 2011

MTS Doc. No. G0868.7-03
CIP 10940

Mr. Matthew Tucker
Executive Director
North County Transit District
810 Mission Avenue
Oceanside, CA 92054

Dear Mr. Tucker:

Subject: AMENDMENT NO. 7 TO MTS DOC. NO. G0868.0-03 - FUNDS TRANSFER AGREEMENT

The Metropolitan Transit System (MTS) and North County Transit District (NCTD) hereby agree to amend the Funds Transfer Agreement for Regional Transit Management System (MTS Doc. No. G0868.0-03) per the following:

NCTD agrees to reimburse MTS for an amount not to exceed \$158,384.00 for costs pertaining to services provided by Motorola Corporation under Amendment No. 7 (MTS Doc No. G0867.7-03).

Detail

On behalf of NCTD, MTS executed an amendment to the Motorola Corporation contract for continued maintenance services of the Regional Transit Management System. The amendment includes services and/or equipment for both NCTD and MTS, as noted in the attached amendment letter to Motorola. Listed below is an abbreviated table identifying those specific elements and costs pertaining to NCTD.

Amendment	Change Order	Cost
MTS Doc. No. G0867.7-03	Service Agreement for 1/1/12 – 6/30/13	\$485,446.00
	Original Contract	\$7,260,730.00
	Amendment 1	\$ 137,901.00
	Amendment 2	\$ 122,857.50
	Funds Transfer Agreement - Amendment 3	\$279,431.00
	Funds Transfer Agreement - Amendment 4	\$274,553.00
	Funds Transfer Agreement – Amendment 5	\$296,580.00
	Funds Transfer Agreement – Amendment 6	\$158,384.00
	Funds Transfer Agreement – Amendment 7	\$485,446.00
	Adjusted Contract Amount	\$9,015,882.50

The total cost of the Motorola Service Agreement is \$1,260,888 with NCTD's cost share of \$485,446 and MTS's cost share of \$775,441.

The amendment of this item brings NCTD's total obligation under the Funds Transfer Agreement to \$9,015,882.50. All other conditions remain unchanged and in effect. If you agree with the above, please sign below and return the document marked "original" to Contracts Specialist at MTS. The other copy is for your records.

Sincerely,

Accepted:

Paul C. Jablonski
Chief Executive Officer

Matthew Tucker
Executive Director

Date: _____



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

Agenda

Item No. 25

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

SRTP 830

November 10, 2011

SUBJECT:

PUBLIC HEARING ON DISCONTINUANCE OF ROUTE 830 – MURPHY CANYON
PREMIUM EXPRESS (SHARON COONEY)

RECOMMENDATION:

That the Board of Directors:

1. conduct a public hearing on the proposed discontinuance of Route 830 (Attachment A);
2. find that discontinuance of Route 830 due to low ridership is not a “project” subject to California Environmental Quality Act (CEQA) because it is not a project as defined in MTS Local CEQA Guidelines sections 3.01 and 10.53; and
3. respond to suggestions made by the public and take action (if any) on the discontinuance of Route 830 at the next regularly scheduled Board meeting on December 8, 2011.

Budget Impact

The Murphy Canyon Premium Express service was fully subsidized since its implementation. SANDAG and the Navy plan to discontinue funding for the service in January. Continuation of the service would cost MTS \$177,000 annually.

DISCUSSION:

At the request of the United States Navy Region Southwest, MTS partnered with the San Diego Association of Governments to implement a pilot service from military housing in Murphy Canyon/Tierrasanta to 8th Street Trolley and Naval Base San Diego/32nd Street. This service began in November 2010 with the understanding that it would be full cost recovery for MTS. After extensive marketing of the service and despite the Department of Defense's reimbursement of the cost of the fare to the passenger, this service has experienced extremely low ridership. This low ridership led SANDAG to decide to



discontinue subsidy for the service as of the January service change. SANDAG and the Naval Base are working to move existing patrons of the service to vanpools.

Based on the loss of subsidy, the low ridership, and the accommodation of existing Route 830 passengers on alternative services, MTS staff recommends the discontinuance of the service in January 2012. Major reductions are defined by the Federal Transit Administration as those that reduce a route's miles or hours by more than 25%. MTS Policy No. 42 also states that any service change affecting more than 25 percent of a route's weekly in-service miles or hours is considered a "major service change" and requires a properly noticed public hearing prior to Board action. A public notice of the proposed discontinuance of Route 830 service was posted in a newspaper of general circulation as required by Board policy. Riders were also notified directly by SANDAG and the Navy. Interested parties are requested to contribute their comments in the public hearing process. In addition to the testimony received at the hearing itself, there is an opportunity to comment in advance via mail, e-mail, or telephone voice mail.

Title VI Analysis

Recent Federal Transit Administration guidance for Title VI of the federal Civil Rights Act and related federal regulations provides for an analysis to be done to determine if there is a discriminatory impact on people of limited means or minority racial groups prior to the implementation of major service changes. Agencies are required to perform a self-assessment. MTS staff has conducted the self-assessment using a template provided by the FTA (Attachment B).

Next Steps

MTS will respond to suggestions made by the public at this hearing at the next regularly scheduled MTS Board meeting on December 8, 2011. The Board will take action (if any) on the discontinuance of Route 830 service at that meeting.



Paul C. Jablonski
Chief Executive Officer

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

NOV10-11.25.MURPHY CANYON EXPRESS.SCOONEY.doc

Attachments: A. Route 830 Map and Timetable
B. Title VI Analysis (Environmental Justice and LEP)
C. Transcription of Public Comments Received (**provided the day of Public Hearing**)



CASH FARES / Tarifas en efectivo

Exact fare, please / Favor de pagar la cantidad exacta	
RegionPlus Day Pass Pase diario	\$14.00
Premium Express Fare Tarifa de Premium Express	\$5.00
Senior (60+)/Disabled/Medicare Mayores de 60 años/Discapacitados/Medicare	\$2.50*
Children 5 & under / Niños de 5 años o menos	FREE / GRATIS*

MONTHLY PASSES / Pases mensual/

Premium Monthly Pass Pase mensual premium	\$100.00 See fare subsidy note below
Senior (60+)/Disabled/Medicare Mayores de 60 años/Discapacitados/Medicare	\$25.00*
Youths (18 and under) Jóvenes (18 años o menos)	\$50.00*

* I.D. required for discount fare or pass.
Se requiere identificación para tarifas o pases de descuento.

Fare Subsidy

Eligible active duty military/civilian employees receive a full fare subsidy through the Navy's Transportation Incentive Program. For more information, call (619) 556-3553/2110.

DIRECTORY / Directorio

Regional Transit Information Información de transporte público regional	511 or/6 (619) 233-3004
TTY/TDD (teletype for hearing impaired) Teléfono para sordos	(619) 234-5005 or/6 (888) 722-4889
InfoExpress (24-hour info via Touch-Tone phone) Información las 24 horas (vía teléfono de teclas)	(619) 685-4900
Customer Service / Suggestions Servicio al cliente / Sugerencias	(619) 557-4555
SafeWatch	(619) 557-4500
Lost & Found Objetos extraviados	(619) 448-2720
The Transit Store Downtown San Diego M-F 9am-5pm	
For MTS online trip planning Planificación de viajes por Internet	www.sdmts.com

For more information on riding MTS services, pick up a Rider's Guide on a bus or at the Transit Store, or visit www.sdmts.com. Para obtener más información sobre el uso de los servicios de MTS, recoga un 'Rider's Guide' en un autobús o en 'The Transit Store', o visita a www.sdmts.com.

Thank you for riding MTS! ¡Gracias por viajar con MTS!

RegionPlus Day Pass / Pase diario RegionPlus

To purchase a \$14 RegionPlus Day Pass, please notify the bus operator before inserting your money in the fare box. RegionPlus Day Passes are valid on all routes (except Rural) including Premium Express and COASTER. Para adquirir un pase diario RegionPlus de 14 dólares, favor de notificar al operador de autobuses antes de insertar su dinero en la caja de cobro. Los pases diarios RegionPlus son válidos en todas las rutas (menos las rutas Rural), incluyendo las rutas Premium Express y el COASTER.

Alternative formats available upon request. Please call: (619) 557-4555 / Formato alternativo disponible al preguntar. Favor de llamar: (619) 557-4555

Route 830

Monday through Friday only* / Lunes a viernes solamente*

Santo Road → Naval Base San Diego

(A)	(B)	(C)	(D)
Santo Rd. & Patriot St. DEPART	Santo Rd. & Orleck St.	Naval Base Main Gate / Pacific Fleet Trolley Station	8th St. Trolley Station ARRIVE
5:15a	5:19a	5:33a \$	5:50a
5:45	5:50	6:06 \$	6:23
6:15	6:20	6:36 \$	6:53

Naval Base San Diego → Santo Road

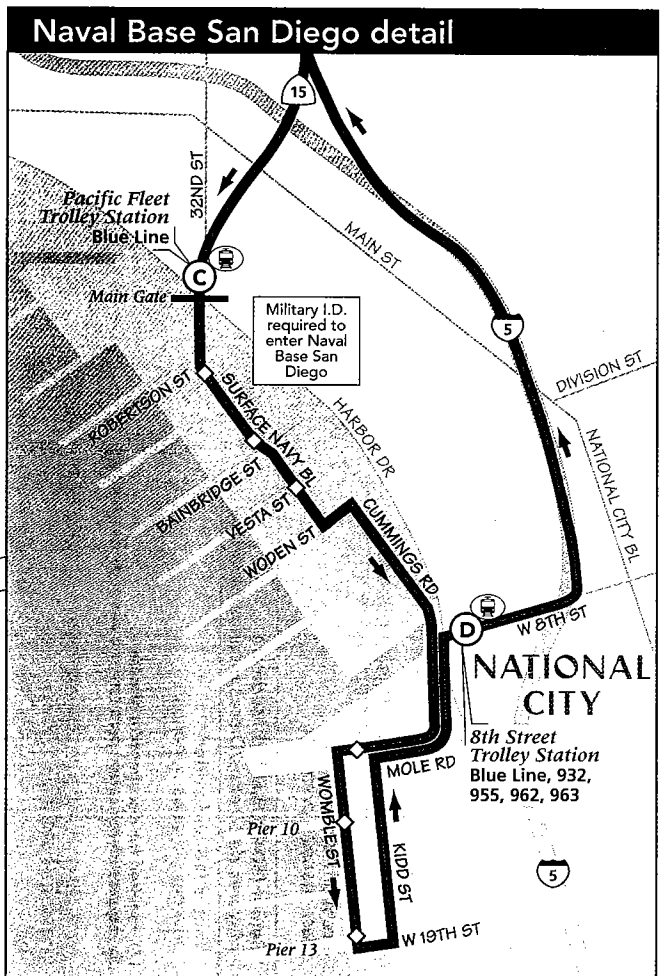
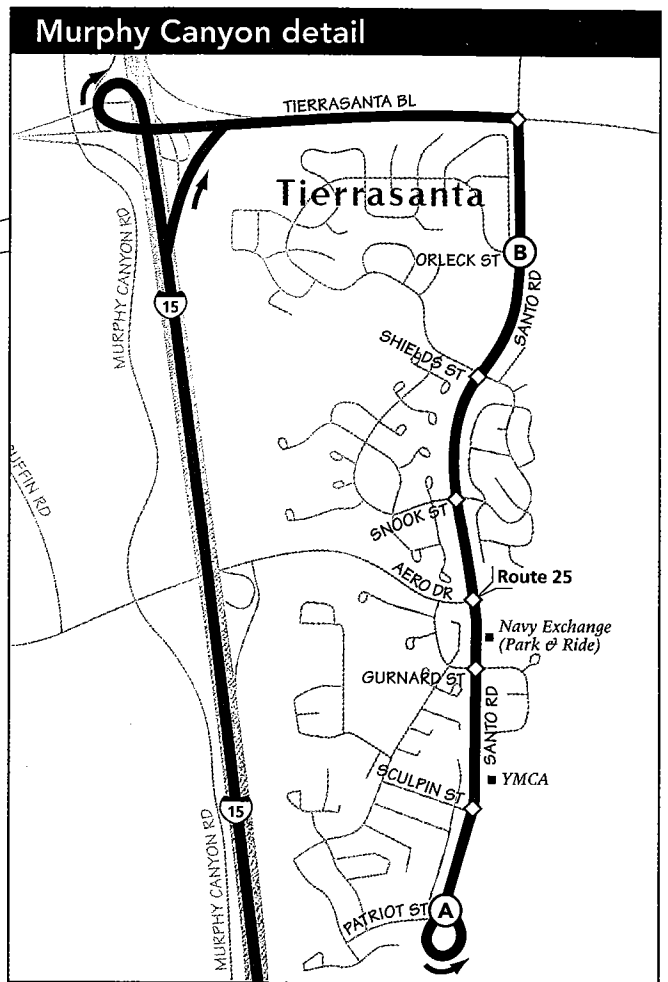
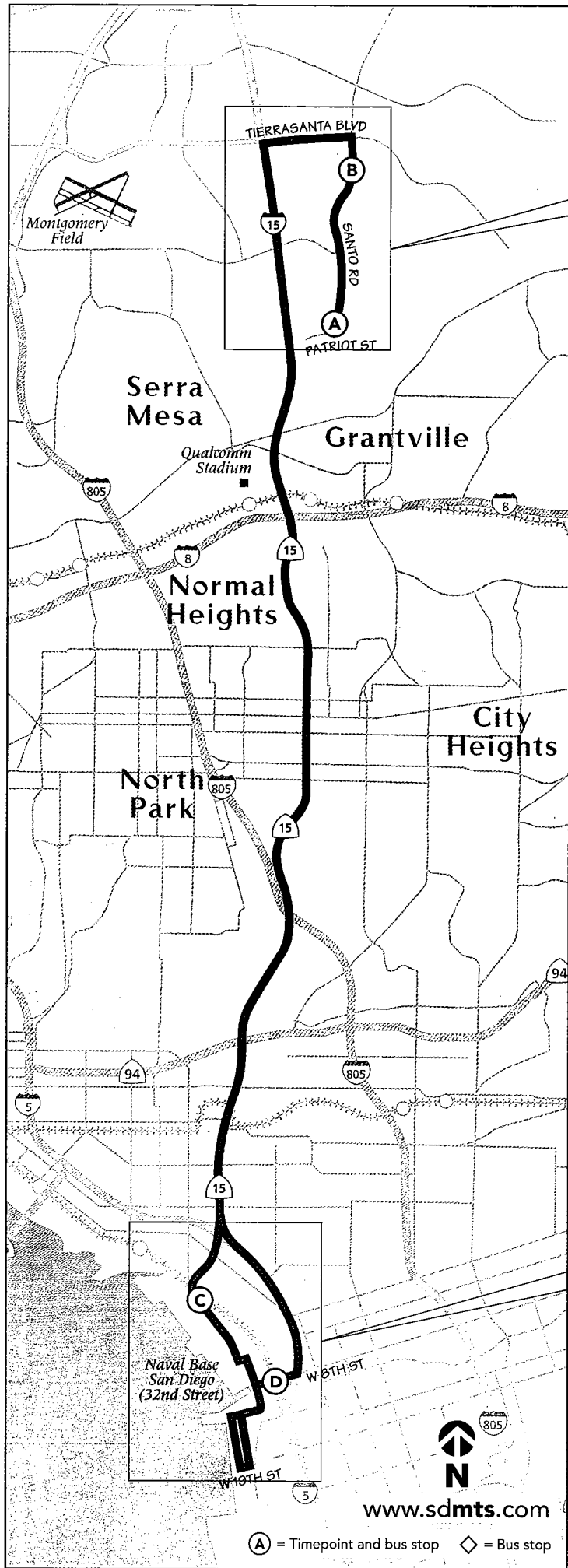
(C)	(D)	(B)	(A)
Naval Base Main Gate / Pacific Fleet Trolley Station DEPART	8th St. Trolley Station	Santo Rd. & Orleck St.	Santo Rd. & Patriot St. ARRIVE
2:15p	2:30p	2:44p	2:49p
3:15	3:30	3:45	3:51
3:45	4:00	4:17	4:23
4:20	4:35	4:52	4:58

Military I.D. required to enter Naval Base San Diego

\$ Times are approximate due to variable traffic conditions. Trips may leave this timepoint up to 10 minutes earlier than the scheduled time. Los tiempos son aproximados debido a las condiciones variables del tráfico. Los autobuses pueden salir de este punto de tiempo hasta 10 minutos antes de la hora indicada.

* Route 830 does not operate on weekends or on the observation of the following holidays: New Year's Day, Presidents' Day, Memorial Day, Labor Day, Thanksgiving, & Christmas. La ruta 830 no ofrece servicio durante el fin de semana o durante los siguientes días festivos: Año Nuevo, Presidentes' Day, Memorial Day, Día de la Independencia (E.E.U.U.), Labor Day, Día de Acción de Gracias, y Navidad

The schedules and other information shown in this timetable are subject to change. MTS does not assume responsibility for errors in timetables nor for any inconvenience caused by delayed buses. Los horarios e información que se indican en este itinerario están sujetos a cambios. MTS no asume responsabilidad por errores en los itinerarios, ni por ningún perjuicio que se origine por los autobuses demorados.



San Diego Metropolitan Transit System
Title VI, Environmental Justice, and Limited English Proficiency
Analysis of Premium Express Route 830

The San Diego Metropolitan Transit System (MTS) is discontinuing Route 830, a premium express route that serves the Murphy Canyon residential area, employment destinations in Southeastern San Diego and National City, and Naval Base San Diego. Funding for the route is currently provided by fare revenue and local funds solely dedicated to this pilot project. Future availability of these local funds was not guaranteed and MTS intended to terminate the service if the funding was terminated. The local funding was terminated by San Diego Association of Governments (SANDAG) and the United States Navy, effective January 2012. Route 830 has low demand and a vanpool program administered by SANDAG will help mitigate the termination of Route 830.

This Title VI analysis addresses the proposed discontinuation of premium express Route 830.

1) What service and/or fare changes does MTS propose? Please describe the nature of the change, the basis or rationale for the change, the modes of service impacted, and the communities affected by the change.

MTS proposes the discontinuation of Route 830, a pilot project providing express service between Murphy Canyon, the Pacific Fleet Trolley Station, Naval Base San Diego, and the 8th Street Trolley Station.

Nature of Change: It is proposed that the route will no longer operate its three AM peak trips (from Murphy Canyon) and four PM peak trips (to Murphy Canyon).

Basis for Change: The route has low demand between the Murphy Canyon residential area and the major employers in the southeastern San Diego and National City areas, including the General Dynamics NASSCO ship yard and Naval Base San Diego. The route began service in November, 2010, and throughout the remainder of Fiscal Year 2011, Route 830 served a total of 4,115 annual passengers – an average of 25 passengers per weekday (3.5 passengers per trip). In FY11, the route averaged 4.3 passengers per revenue hour, and a \$30.47 subsidy per passenger. This compares to the premium express route average of 22.4 passengers per revenue hour and a \$3.89 subsidy per passenger.

Mode of Service Impacted: Motorbus

Communities Affected: Murphy Canyon, Tierrasanta, southeastern San Diego, National City and Naval Base San Diego.

2) What are the impacts of the service changes on minority and/or low income communities?

Route changes: An analysis was completed to assess the potential impacts on low-income and minority communities by comparing the percentage of census tracts considered low-income and minority (2005-2009 American Community Survey, U.S. Census Bureau) through which the route will travel to the entire MTS service area average. The results, which are presented in the table below, show that the proposed service reductions will adversely impact minority and low-income (LIM) populations more than non-LIM populations. A map is included as an attachment.

ROUTE 830 LOW-INCOME AND/OR MINORITY (LIM) TOTAL

	CENSUS TRACTS SERVED			LIM POPULATION IN CENSUS TRACTS SERVED		
	LIM	TOTAL	PCT LIM	LIM	TOTAL	PCT LIM
Tierrasanta Vicinity	1	1	100%	6,103	10,388	59%
Naval Base Vicinity*	1	1	100%	4,370	4,485	97%
Route 830 Total	2	2	100%	10,473	14,873	70%
MTS SERVICE AREA	213	469	45%	1,258,917	2,219,514	57%

*There are two census tracts in the Naval Base San Diego vicinity. One of them (the one that lies almost entirely within the base) has no information regarding poverty in the American Community Survey database. Consequently, that census tract is not considered in this analysis.

3) What are the transit alternatives available for riders who would be impacted by proposed service changes?

Route 830 may continue to take transit. Transit riders would still be able to access local service, including bus Routes 932, 955, 962, and 963, and the Blue Line Trolley at the 8th Street Trolley Station. However, these routes do not serve the Murphy Canyon area.

Route 830 costs more than regular local routes (\$5 per trip, compared to \$2.25). Consequently, riders will not be required to pay a higher fare if they choose to remain on the local service. The termination of Route 830 would require transit riders to make an additional transfer and increase travel time.

Furthermore, Department of Navy active duty military personnel and full-time Department of Defense (DOD) civilian employees will continue to have access to the Transportation Incentive Program (TIP). TIP provides transportation and financial resources for commuters by bus, ferry, or vanpool.

SANDAG will offer vanpool services for Route 830 passengers that will provide a comparable service for their commute. This will help mitigate the impact of the discontinuation of Route 830.

4) What, if any measures would MTS take to avoid, minimize, or mitigate any adverse effects of the service and/or fare change on minority and low-income populations? What, if any enhancements or offsetting benefits would MTS implement in conjunction with the service and/or fare change?

MTS will continue to operate local service including MTS bus Routes 932, 955, 962, and 963, and the Blue Line Trolley at the 8th Street Trolley Station. SANDAG will provide vanpool service to replace the Route 830 service.

5) Would the proposed service and/or fare change have a disproportionately high and adverse effect on minority and low-income populations?

Yes. However, few people utilize the service (less than 5 per trip on average) and alternative service will be available.

6) What steps does MTS plan to take to seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach and involvement activities?

A notice regarding the proposed discontinuation was published in a publication of regional distribution. Information about the proposed change in English and Spanish was also placed on the buses with information regarding the public hearing and how to comment. The information was also made available on the MTS website.

SANDAG hosted a meeting on November 2, 2011 in Murphy Canyon to present the results of the pilot project and inform passengers of the impending cancellation. SANDAG e-mailed Route 830 passengers to inform them of this meeting in advance.

Representatives for SANDAG's vanpool program were also on-site at the Naval Base San Diego TIP quarterly mass distribution of vouchers to convey information about the vanpool options.

7) Does MTS believe that it is necessary to disseminate information on the service changes/fare increases that is accessible to Limited English Proficient persons? If so, what steps to provide information in languages other than English does MTS propose?

Due to the high percentage of Spanish-speaking persons that use MTS services, MTS finds it necessary to publish public materials in English and Spanish. Public information materials related to this proposed service will be published and provided in both English and Spanish. The information is also on the MTS website, www.sdmts.com, in English and Spanish.

Title VI Self-Analysis template from: <http://www.fta.dot.gov/documents/Newequityquestions.doc>
(Recommended Title VI, Env. Justice, and LEP Analysis of Proposed Service and Fare Changes)

From: Adrian Egli [<mailto:aegli@san.rr.com>]
Sent: Wednesday, November 09, 2011 8:44 AM
To: MTS- Regional Scheduling and Service Planning Division
Subject: Public Hearing for Discontinuation of ROUTE 830

MTS Board:

As a Tierrasanta resident for over thirty years, the route 830 idea did not seem like a good idea and should be discontinued.

A suggestion you may want to consider is adding short, additional runs of the route 25. These short runs would only travel between the Kearney Mesa Transit Center and Tierrasanta and only during the peak morning and evening commute times. Better transfer connections and shorter waits during those peak commute times could encourage more Tierrasanta residents to use MTS.

Thank You

Adrian Egli
AEGLI@SAN.RR.COM

Murphy Canyon Express Bus Pilot Project PUBLIC HEARING

Board of Directors
November 10, 2011

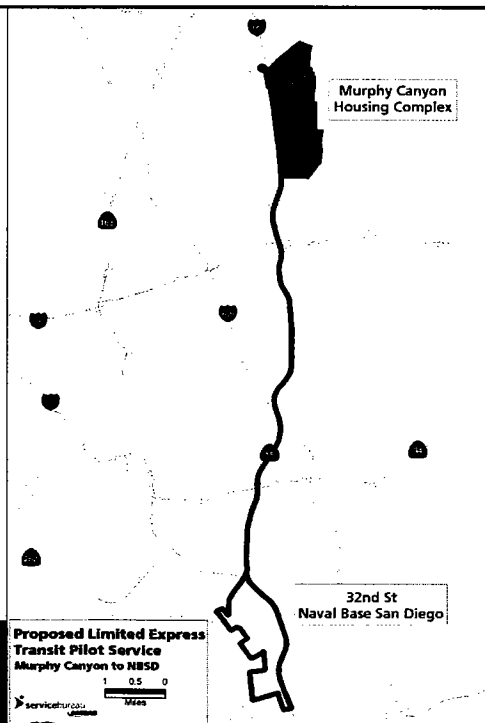
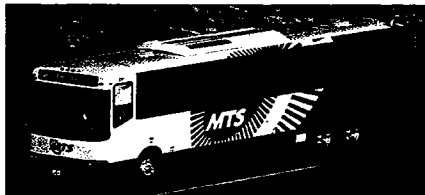


1



Murphy Canyon - Naval Base San Diego

Route 830



②

1

Pilot Project

Terms

- One year period: Nov 2010 - Oct 2011
- SANDAG reimburses MTS net operating costs
- Navy partially funds through Transportation Incentive Program (TIP)

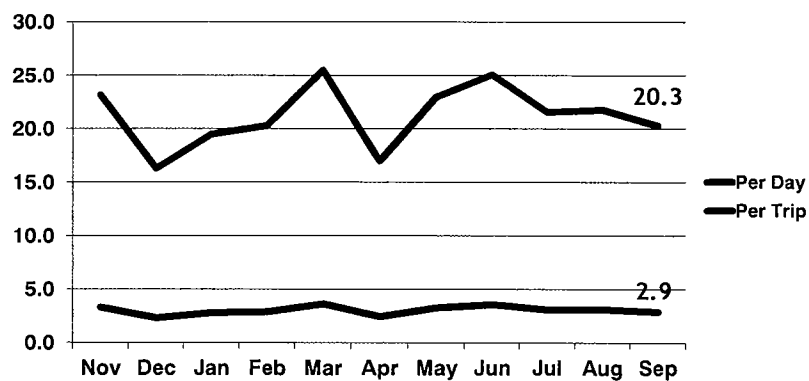
Ridership Requirement

- Average operating cost per month: \$16,667
- Breakeven number of TIP participants: 167



③

Ridership Results



④

Marketing Efforts

- SANDAG & MTS web pages & email blasts
- Information flier & residential door hangers
- NBSD movie theater preview & video
- Bus displays & banner signs in Murphy Canyon
- Tierra Times & NBSD newspaper articles & ads
- Grocery sack fliers at Navy Exchange (NEX)
- Free Starbucks gift cards for TIP enrollees
- Two \$500 gift card drawings (NEX & Best Buy)
- Ride for Free coupons to try the service



⑤

Schedule & Next Steps

- SANDAG offering Murphy Canyon riders a replacement vanpool program starting Jan 3.
 - Rider outreach meeting held Nov 2
- SANDAG extending pilot period through end of current MTS schedule period, Jan 28.
 - Same financial terms with FY2012 rates
- Last day of operation of Route 830 is Dec 30, subject to MTS Board approval.



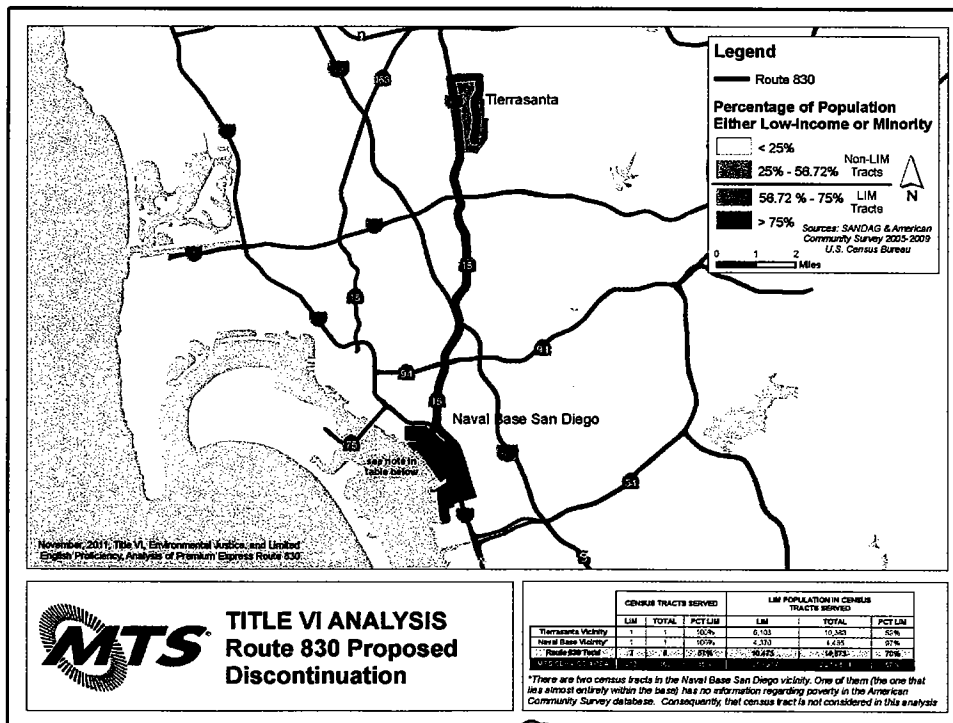
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Title VI Analysis

- Required by MTS Policy 42 for major service changes.
- Disproportionate impact on LIM populations in Murphy Canyon & Naval Base San Diego census tracts.
- Mitigation steps:
 - Route 932, 955, 962 and 963 and Blue Line Trolley service continue at 8th Street Trolley Station.
 - SANDAG to provide Route 830 replacement vanpool service.
- Alternative routes cost less to ride than Route 830.
- Full-time DOD employees retain TIP eligibility.
- Complete Title VI analysis included in agenda item.



(7)



(8)

Recommendation

- 1) Conduct a public hearing on the proposed discontinuance of Route 830.
- 2) Find that discontinuance of Route 830 due to low ridership is not a “project” as defined in MTS Local CEQA Guidelines.
- 3) Respond to public’s suggestions and take action on discontinuance of Route 830 on December 8.



⑨



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

Agenda Item No. 30

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

November 10, 2011

SUBJECT:

ESTABLISH MTS POLICE FORCE FOR THE PURPOSE OF APPOINTING A
CHIEF OF POLICE (KAREN LANDERS)

RECOMMENDATION:

That the Board of Directors:

1. approve Resolution No. 11-16 (Attachment A) establishing a police force pursuant to Public Utilities Code section 120550 and Penal Code section 830.33(c); and
2. authorize the appointment of an MTS Chief of Police.

Budget Impact

None.

Recommendation by the Executive Committee

At its meeting on October 20, 2011, the Executive Committee recommended forwarding this agenda item to the Board of Directors for approval.

DISCUSSION:

Pursuant to MTS's enabling legislation, Public Utilities Code section 120550, MTS has the right to "establish and maintain a police force":

The board may establish and maintain a police force. Those employees of the board appointed by the general manager or chief executive officer to the police force and who are duly sworn are peace officers and are subject to the powers set forth in Section 830.33 of the Penal Code. The board shall adhere to the standards for recruitment and training of peace officers established by the Commission on Peace Officer Standards and Training pursuant to Title 4 (commencing with Section 13500) of Part 4 of the Penal Code.

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.

MTS has not officially established a police force of any kind. Today's proposal would be to recommend that the MTS Board of Directors establish a police force for the purpose of appointing a Chief of Police. No other changes to the Security Department or security operations would be recommended.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Karen Landers, 619.557.4512, [Karen.Landers @sdmts.com](mailto:Karen.Landers@sdmts.com)

NOV10-11.30.CHIEF OF POLICE.LANDERS

Attachment: A. Resolution No. 11-16

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 11-16

A Resolution Establishing an MTS Police Force for the
Purpose of Appointing a Chief of Police

WHEREAS, the Metropolitan Transit System (MTS) considers safety and security to be a priority; and

WHEREAS, coordination and information-sharing with other public safety agencies is critical to maintaining the safety and security of transit patrons and public infrastructure; and

WHEREAS, the appointment of a Chief of Police by MTS will assist in coordination and information sharing with other public safety agencies; and

WHEREAS, pursuant to Public Utilities Code section 120550, the MTS Board of Directors has the right to establish a police force; and

WHEREAS, those employees of the Board appointed by the General Manager or Chief Executive Officer to the police force and who are duly sworn are peace officers and are subject to the powers set forth in Section 830.33 of the Penal Code;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by a vote of two-thirds or more of all of the members of the Board of Directors to establish a police force pursuant to Public Utilities Code section 120550 and Penal Code section 830.33 (c) solely for the purpose of creating a police force of one consisting of the position of MTS Chief of Police.

PASSED AND ADOPTED by the Board of Directors this ____ day of _____ 2011 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



AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

1

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM

1. INSTRUCTIONS

This Request to Speak form must be filled out and submitted in advance of the discussion of your item to the Clerk of the Board (please attach any written statement to this form). Communications on hearings and agenda items are generally limited to three minutes per person unless the Board authorizes additional time; however, the Chairperson may limit comment to one or two minutes each if there are multiple requests to speak on a particular item. General public comments on items not on the agenda are limited to three minutes. Please be brief and to the point. No yielding of time is allowed. Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

(PLEASE PRINT)

DATE	11-10-11
Name	MARCO TANGUAY
Address	229 16th St
Telephone	619 231-1144
Organization Represented	SELF LEASE DRIVER Rep TAC
Subject of Your Remarks	POSITIVE
Regarding Agenda Item No.	30
Your Comments Present a Position of:	☒ SUPPORT ☐ OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

3. DISCUSSION OF AGENDA ITEMS

The Chairman may permit any member of the public to address the Board on any issue relevant to a particular agenda item.

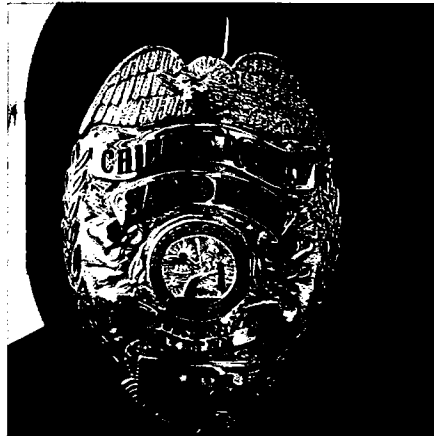
4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Public comment on matters not on the agenda will be limited to five speakers with three minutes each, under the Public Comment Agenda Item. Additional speakers will be heard at the end of the Board's Agenda.

NOTE: Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

MTS Chief of Police

Item No. 30



1



1

RECOMMENDATION:

1. Approve Resolution No. 11-16 (Attachment A) establishing a police force pursuant to Public Utilities Code section 120550 and Penal Code section 830.33(c); and
2. Authorize the appointment of an MTS Chief of Police.



2



2

MTS Police Force

- Pursuant to MTS's enabling legislation, Public Utilities Code section 120550, MTS has the right to "establish and maintain a police force"



3



3

Benefits of Official Police Force

- "Chief of Police" status will provide MTS with access to data and working groups that are currently only available to sworn officers and chiefs of police
- MTS Chief of Police will have equal status during law enforcement activities on MTS property



4



4

Limitations of Proposed Action

- Police Force of 1
 - Chief of Police only -
 - administrative duties only
- No pension impact
 - Chief of Police will agree not to seek Safety Pension status
 - Safety Pension is generally a bargained benefit



5



5

Limitations of Proposed Action

- Security Department functions will remain the same
 - Dual titles: Director of Security will also be the Chief of Police
- Security Department employees will continue to report to Director of Security
- Local Jurisdictions have been consulted
 - No change in day-to-day interaction w/ other law enforcement agencies



6



6



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Agenda Item No. 31

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

November 10, 2011

SUBJECT:

HI-TEC ENTERPRISES GEARBOX ASSEMBLIES – CONTRACT RATIFICATION
(KAREN LANDERS)

RECOMMENDATION:

Action would ratify MTS Doc. No. L0900.0-09 with Hi-Tec Enterprises for the purchase of 12 complete gearbox assemblies and approve the corrective action plan.

Budget Impact

The purchase of 12 complete gearbox assemblies would total \$556,992.90 and would come from nonfederal operating budget code 353-54510.

DISCUSSION:

One element of regular maintenance for MTS's LRV fleet includes rehabilitation and replacement of the gearbox assemblies. The gearboxes are a vital component of the traction power systems.

Gearbox maintenance is performed in two rotations: rehabilitation using a gearbox overhaul kit every one million miles and replacement of the entire gearbox assembly on an as-needed basis depending on the condition of the gearbox housing. Each LRV has 4 gearbox units. In most repairs, San Diego Trolley, Inc. (SDTI) staff is able to rehab the gearbox assembly by using a gearbox overhaul kit (\$8,975/unit) and installing it using in-house labor (approximately 14 hours of labor per unit plus 4 hours of testing). Using MTS's maintenance staff to perform these repairs has resulted in significant cost savings to MTS, which is estimated at \$6,000 per unit.

In fiscal year 2010, the Board approved a Capital Improvement Project (CIP) for the gearbox overhaul work on MTS's fleet of SD 100s (52 cars purchased between 1991 and 1993). On November 5, 2009, as part of the CIP, MTS Doc. No. L0900.0-09 was executed with Hi-Tec Enterprises (Hi-Tec) following a formal Invitation for Bids (IFB) and



Board approval. The contract authorized the purchase of up to 220 gearbox overhaul kits for an amount not to exceed \$2,177,243.75. Complete gearbox assemblies were not included in the scope of the Hi-Tec contract. The contract expires October 30, 2014. To date, 180 gearbox kits have been received for a total of \$1,771,341.26. In furtherance of the CIP, SD 100 gearboxes are being overhauled based on a schedule established by maintenance staff.

SDTI inventory functions were re-organized and new procedures put in place in February 2011. The reorganization was initiated to provide better management and control of the SDTI storeroom and parts inventory. Following implementation of the new storeroom procedures, it was discovered that 12 complete gearbox assemblies were ordered and delivered under the Hi-Tec contract in October 2010. The cost for each gearbox assembly was \$42,078 plus tax and shipping, for a total of \$556,992.90. When a new shipment of 4 gearbox assemblies was delivered in July 2011, a review by the MTS Materials Manager revealed that the scope of Contract No. L0900.0-09 was limited to the purchase of gearbox overhaul kits and did not include complete gearbox assemblies. The July 2011 shipment has therefore been rejected. (It is available for pick up by the vendor.)

An investigation was conducted, and the following corrective action plan is recommended:

Policy and Procedure Changes

The newly implemented storeroom procedures and reorganization effectively caught this discrepancy. Under the new procedures, all deliveries must be brought to the storeroom for check-in and reconciliation against proper documentation. The MTS Materials Manager is knowledgeable about the scope and pricing of each contract and is familiar with LRV equipment sufficient to know the difference between a gearbox overhaul kit and a gearbox assembly and other LRV parts. As demonstrated in July 2011, this is an important and effective "check" that is now in place to prevent ordering and delivery of parts that are not under an existing contract. MTS's internal auditor will conduct periodic audits to confirm the new storeroom controls are working as intended.

Additional steps that have been implemented include providing additional training to LRV Maintenance and other staff concerning procurement rules and the scope of each approved contract. Procurement staff has also been encouraged to communicate better with Operations staff to create additional knowledge and familiarity with specific contracts and procurement processes in general.

Action on MTS Doc. No. L0900.0-09

The purchase of the gearbox assemblies was not properly within the scope of Doc. No. L0900.0-9. Therefore, the purchase of the gearbox assemblies amounts to a purchase with only a single bid. While recent quotes from Hi-Tec competitors (\$58,900 and \$59,000 per unit) support a finding that the Hi-Tec price (\$42,078 per unit) was fair and reasonable, a formal, competitive procurement was required for this purchase.

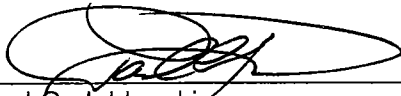
Because the 12 gearbox assemblies were specially fabricated for MTS LRVs, this purchase cannot be unwound. The FTA-available remedies for noncompliance with competitive procurement provisions includes disallowing the use of federal funds for a non-compliant expenditure. Therefore, staff proposes that the 12 gearbox assemblies be transferred to a separate FY 2011 budget line item within the LRV operating budget (353-54510) and local funds substituted for the federal funds be originally allocated to this purchase.

Ratification and Competitive Bidding of Gearbox Assembly Procurement

Since the gearbox assemblies were not properly purchased under MTS Doc. No. L0900.0-09, the separation of this purchase from that contract means new Board approval of this expenditure is required pursuant to Board Policy No. 41. The October 28, 2010 invoices include \$504,936 for 12 units, \$7,875 for shipping, and \$44,181.90 in sales tax for a total of \$556,992.90. Staff requests that the Board approve the proposed defederalization and unwinding of this purchase from MTS Doc. No. L0900.0-09.

As recommended by FTA audit manuals, the next step to cure this deficiency is to rebid the gearbox assembly purchase in accordance with federal rules and procedures. Staff will therefore issue a new IFB for the purchase of complete gearbox assemblies. This IFB will apply to any future purchases of this part. A new contract will be awarded to the lowest responsive and responsible bidder.

The above policy changes and other steps are consistent with available FTA publications concerning corrective action that could be ordered if the procurement deficiency had been discovered during an FTA audit. In order to correct any deficiencies and to comply with all legal and regulatory requirements, staff recommends that these steps be implemented immediately.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Karen Landers, 619.557.4512, karen.landiers@sdmts.com

NOV10-11.31.HI-TEC GEARBOX ASSEMBLIES.KLANDERS



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Agenda

Item No. 45

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

November 10, 2011

SUBJECT:

UPDATE ON THE LOS ANGELES-SAN DIEGO-SAN LUIS OBISPO (LOSSAN) RAIL
CORRIDOR AGENCY (SHARON COONEY AND DANNY VEEH OF SANDAG)

RECOMMENDATION:

That the Board of Directors receive a report on LOSSAN Rail Corridor Agency activities
and initiatives.

Budget Impact

None.

DISCUSSION:

The LOSSAN Rail Corridor Agency is a joint-powers authority that seeks to increase ridership, revenue, capacity, reliability, and safety on the coastal rail line from San Diego to Los Angeles to San Luis Obispo. Known as Amtrak's Pacific Surfliner corridor, it is the second busiest intercity passenger rail corridor nationwide and Amtrak's fastest growing. North County Transit District (NCTD) COASTER, Southern California Regional Rail Authority's Metrolink commuter trains, and Burlington Northern Santa Fe (BNSF) Railway freight trains also share the 351-mile corridor. LOSSAN is governed by a Board of Directors whose voting members include:

- MTS, NCTD, & SANDAG (2 votes total)
- California Department of Transportation
- L.A. County Metro. Transp. Authority
- Orange County Transp. Authority
- San Luis Obispo Council of Gov.
- Santa Barbara County Assoc. of Gov.
- Ventura County Transp. Commission

SANDAG staff will provide a report on LOSSAN activities and initiatives.

Paul C. Jablonski
Chief Executive Officer

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

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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.



LOSSAN Corridorwide Strategic Implementation Plan and Governance Initiatives

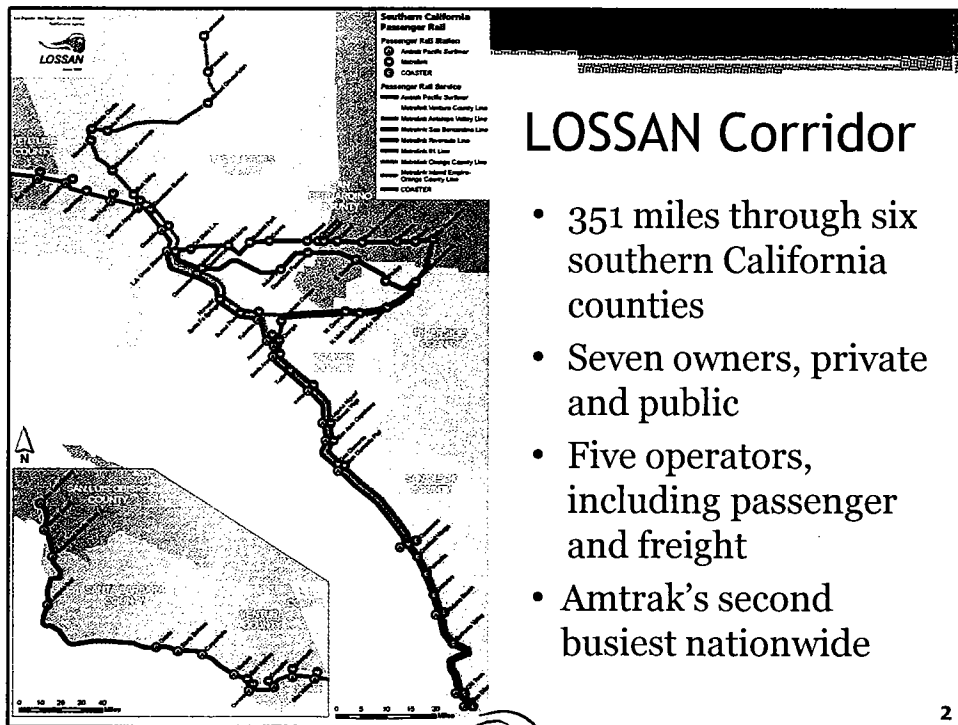
November 10, 2011



Corridorwide Strategic Implementation Plan

1

1



2

A Corridorwide Vision

- Additional service, especially for unserved markets
- Integrated/coordinated operations
- Integrated fare policy
- Seamless rail travel
- Integrated traveler information



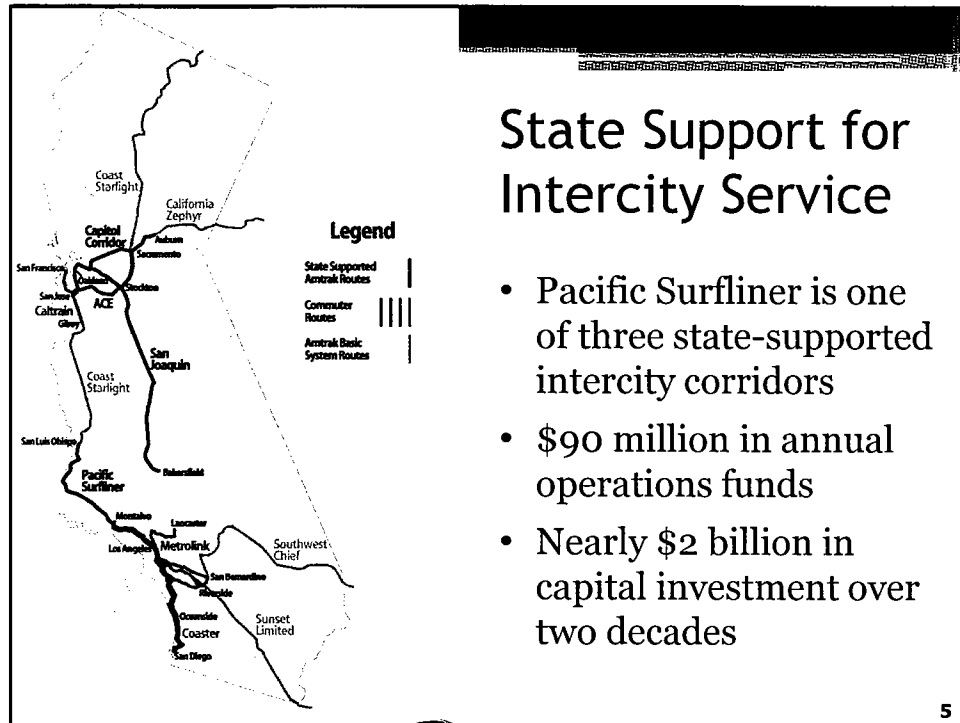
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Strategic Implementation Plan Major Planning Tasks

- Stakeholder Outreach
- Data Gathering
- Short-Term Service Improvements
- Business Case
- Preferred Service Plan
- Implementation/Governance
- Reports



4



5

Authority for Intercity Corridors

- Caltrans Division of Rail oversees San Joaquin and Pacific Surfliner Corridors
- Per SB 457 (Kelley, 1997) Capitol Corridor Joint Powers Authority created
- Responsibility for operations, planning, and marketing
- CCJPA and Caltrans contract with Amtrak to provide service



6

Goal of Local Authority for Pacific Surfliner Service

Transform existing state-supported intercity rail corridor into service under local authority that is more responsive to local needs, issues, and consumer desires.



7

Benefits of Local Authority

- Allocation of resources / decision making
- Funding and advocacy
- Passenger / customer issues
- Capital improvements
- Operations



8

Governance Next Steps

- Member agency CEOs continue to work cooperatively on details
- Member agency input
- LOSSAN board approving details – final vote expected January 2012
- Possible legislative action in 2012
- Possible implementation in January 2013



9

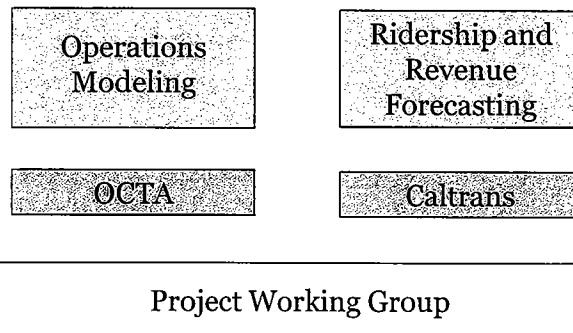
Strategic Implementation Plan Major Planning Tasks

- Stakeholder Outreach
- Data Gathering
- Quick Improvements
- Business Case
- Preferred Service Plan
- Implementation/Governance
- Reports



10

Business Case for New Services



11

Project Working Group

- SANDAG
- SDMTS
- NCTD
- OCTA
- LA Metro
- VCTC
- SBCAG
- SLOCOG
- Caltrans
- Amtrak
- Metrolink
- SCAG
- RCTC
- BNSF Railway
- Union Pacific
- Consultant teams



12

Business Case Scenarios

- Short-term service plan in place by 2014
- Long-term service plan in place by 2030



13

Short-Term Improvement Goals

- New through commuter trains between San Diego and Los Angeles
- New commuter service between Ventura and Santa Barbara
- Additional limited-stop Pacific Surfliner trains
- Additional mid-day COASTER and Metrolink service with timed connections in Oceanside



14

Long-Term Improvement Goals

- Additional commuter and intercity services consistent with state and regional plans
- New San Diego stops at Intermodal Transportation Center, Del Mar Fairgrounds, Convention Center
- Express COASTER service
- Peak period intercity trains are express
- Integration of future high-speed train service



15

Short- and Long-Term Improvement Scenarios

Weekday Service	2011 Baseline	2014 Version 3A	2030 Version 1
Commuter – SD to Oceanside	22	32	54
Commuter – OC to LA	42	54	86
Commuter – North of LA	61	64	98
Pacific Surfliner	22	24	36
Long-Distance Trains	4	4	6
TOTAL	151	178	280



16

Staff Analysis

- Business case is consistent with regional plans and provides additional travel options for San Diego
- Timing of governance initiative good given changes in federal funding beginning in FY2013
- Caltrans will still be a partner in corridor improvements, and state support assumed to continue
- Awaiting details including governance structure and managing agency



17



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Agenda Item No. 46

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

November 10, 2011

SUBJECT:

SEMIANNUAL SECURITY REPORT (JANUARY THROUGH JUNE 2011)
(BILL BURKE)

RECOMMENDATION:

That the Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

Statistics related to security incidents concerning the transit system are compiled by staff based on reports generated by security personnel and Code Compliance Inspectors. This information is augmented by reports from local police authorities and is then compiled, summarized, and submitted to the Board of Directors on a midyear and year-end basis. This report will cover the first half of 2011 (January 1, 2011, through June 30, 2011).

DEPARTMENT OF HOMELAND SECURITY – TRANSPORTATION SECURITY GRANT PROGRAM (TSGP)

The Transit Enforcement Department has been the recipient of several Homeland Security grants on an annual basis. Approved funding through the grant process has been approximately \$12,977,000.



Status of Ongoing and Open Grants

- TSGP FY 2007

Award: \$1.2 million plus a \$400,000 MTS match
Projects: \$1.2 million for rail; \$192,000 for bus to install onboard CCTV

This investment will consist of installing additional CCTV systems in 60 LRVs and 44 buses. The CCTV systems will also include the installation of a wireless download system in addition to 90-day recording capability.

Performance dates: 01/13/2008 – 04/30/2012

- TSGP FY 2008

Award: \$1.5 million (no match)
Projects: Phase II of onboard CCTV; 50/50 split with SDTC (\$750,000)

MTS will expand and enhance an existing program of installing onboard CCTVs. Phase II is a continuation of the multiphase project in order to ultimately attain the dual goal of remote-surveillance capability in the Operations Control Center of all CCTV-equipped stations in addition to all trains and buses also being equipped with onboard CCTV. This phase will consist of installing camera systems in 60 LRVs and 40 buses, including a “back office” download and health check with 90 days of video storage.

Performance dates: 07/15/2009 – 04/30/2012

- TSGP FY 2009

Award: \$896K (no match)
Projects: \$398K for installation of CCTV at four transit centers
\$498K for onboard CCTV on 80 buses (Phase III)

This investment will fund acquisition and installation of four fixed-CCTV systems for high-risk transit centers: Santa Fe, Pacific Fleet, Grantville, and County Center. Additionally, Phase III of the ongoing onboard CCTV project for buses will use grant funds for equipment acquisition and installation on 80 vehicles.

Performance dates: 07/29/2009 – 05/31/2012

- TSGP FY 2010

Award: \$3,981,000
Projects: \$2.6 million for Fiber-Optic Green Line Project
\$750,000 for Fiber-Optic Orange Line Project
\$500,000 for onboard bus video (Phase IV)
\$100,000 for Vulnerability Assessment/Cyber Security Plan

This funding will enable MTS to continue various fiber-optic projects that will greatly enhance the transmission of video data to the Operations Control Center. Additionally, another phase of onboard CCTV for buses will be completed as well as a cyber-security assessment.

Performance dates: 06/01/2010 - 05/31/2013

CALIFORNIA PROPOSITION 1B – STATE OF CALIFORNIA FUNDING

- Proposition 1B, FY 2007-08

Award: \$2.7 million
Projects: \$1.5 million for 10 station CCTV (modified to cover Mills Bldg. security; project completed)
\$1.2 million for onboard CCTV for 100 contract buses

This investment will consist of acquisition and installation of fixed CCTVs at selected transit centers and enhanced security measures at the Mills Building (screening and X-Ray devices). It will also fund onboard CCTV for approximately 100 contractor buses throughout the MTS region.

Performance dates: 06/30/2008 – 12/31/2011

- Proposition 1B, FY 2008-09

Award: \$2.7 million
Projects: \$2.7 million for fiber-infrastructure enhancements

This investment is a two-phase project to create a high-speed quality network connection for all Mission Valley East stations terminating at the Operations Control Center.

Performance dates: 08/30/2010 – 12/31/2012

- Proposition 1B, FY 2009-10

Award: \$2.7 million
Projects: \$2.7 million for wireless infrastructure to capture real-time video from trolleys and continuation of the onboard video cameras for trolleys

Performance dates: 07/01/2010 - 03/31/2012

- Proposition 1B, FY 2010–11

Award: \$2.7 million

Projects: Barrier system for San Ysidro Station, Hand-Held Computerized Inspection Devices, CCTV at Grossmont Station, Fiber-Optic Link, Blue Line Wireless Nodes, Upgrade Operations Control Center, Upgrade Surveillance Cameras, Upgrade Trolley Station CCTV Coverage, Transit Store Security Improvements

Performance Dates: The State of California has not yet released the funds.

TRAINING

Training is a critical component to the Transit Enforcement Department and consists of ongoing, formal classroom instruction, seminars, guest speakers, written directives, and other coaching media. Subjects typically covered are connected with field operations, including public relations, laws of arrest, criminal enforcement, gang activity, and court testimony. During this reporting period, the following training was conducted for field security and code enforcement personnel:

- Graffiti Tracker
- Antiterrorism Awareness (Department of Homeland Security-sponsored program conducted in Carson City, Nevada)
- 832 P.C. (Laws of Arrest)
- Scenario Training

TRANSPORTATION SECURITY ADMINISTRATION (TSA)

The TSA created a local “Regional Transportation Security Working Group” in 2009 to focus on ground transportation terrorism threats and homeland security issues. The group is comprised of both private-sector transportation security organizations and local, federal, and state law enforcement agencies. Meetings are conducted quarterly, and they consist of regional intelligence briefings and presentations containing information relating to area activity in technology advances and other terrorism prevention and mitigation strategies.

MTS also works in concert with the TSA in conducting Visual Intermodal Prevention and Response (VIPR) operations. The mission of a VIPR is to observe public high-density transit centers that may be attractive targets for terrorist activity. The role of MTS enforcement personnel during these exercises is to perform normal duties consisting of checking fares and issuing citations for MTS Ordinances. The TSA’s role is to observe and report suspicious activity to MTS’s enforcement people. Six VIPR operations were conducted at the following stations during this reporting period:

- | | |
|--|---------------------------|
| • Seaport Village Station | • H Street Station |
| • 12 th & Imperial Transfer Station | • Gaslamp Quarter Station |
| • San Ysidro Station | • Santa Fe Depot |

On March 22, 2011, the Transit Enforcement Department participated in a tabletop exercise in concert with the Transportation Security Administration called the Intermodal Security Training and Exercise Program (I-STEP). The program brings together the port, aviation, ground transportation, pipeline industries, and various law enforcement and public safety agencies. The I-STEP is designed to test emergency plans and collaborate with transportation and law enforcement partners to fine-tune and sharpen incident management. The program's ultimate goal is to reduce risk to individual systems as well as to the entire transportation network.

CLOSED-CIRCUIT TELEVISION (CCTV)

Standard CCTV installation consists of a combination of fixed, pan-tilt-zoom, and high-resolution cameras. In recent years, emerging technologies have provided the CCTV industry with cameras that can pan, tilt, or zoom while reviewing previously recorded events. Conventional camera surveillance systems do not have this capability. MTS has recently installed cameras utilizing the newer technology and has adopted it as the standard for future projects, where applicable. Currently, there are 30 MTS transit centers equipped with CCTVs. During this reporting period, the following stations and transit centers were upgraded with high-resolution cameras:

- 47th Street Station
- Euclid Transit Center
- Fashion Valley Transit Center
- El Cajon Transit Center
- H Street Station
- Palomar Street Station
- San Ysidro Station

GRAFFITI TRACKER

MTS signed an agreement with the County of San Diego and various law enforcement agencies to participate in a new regional program called Graffiti Tracker. The program is a dedicated effort to identify and track gang and artistic tagging with a goal of apprehension and prosecution of offenders. With this program, once arrested, an offender is held responsible for all graffiti associated with his or her tag.

To accomplish this, special GPS cameras are used to photograph graffiti tags. The photographs are then uploaded to the Graffiti Tracker Web site, which facilitates a county-wide database to catalog the photographs by tagger, as well as cost to repair, arrest, and court-filing information—all of which is pertinent to building cases for prosecution. Since April 2011 when the Graffiti Tracker program was implemented at MTS, approximately 450 photographs have been uploaded using the special cameras. Three arrests have been made, and these cases are currently being adjudicated.

SPECIAL ENFORCEMENT OPERATIONS

Special enforcement activities occur on a continuing basis for the purposes of detecting specific criminal activity, such as graffiti, onboard thefts, transient camps on or near the right-of-way, illegal ticket sales, and illegal drug use and sales on MTS property. These

operations are sometimes conducted in concert with other law enforcement agencies. During this reporting period, the results of special enforcement activities were as follows.

- Undercover Teams - 13 plainclothes details produced arrests for drug possession, theft from a vehicle, illegal passenger solicitation and ticket selling, vandalism, and quality of life offenses.
- Law Enforcement Joint Operations - four joint field operations with local law enforcement agencies. The purpose of these operations was to address all violations, including quality-of-life issues and removing chronic violators from the MTS system.

In June, MTS participated with the San Diego Police Department and the San Diego County Sheriff in a Special Enforcement Unit (SEU) operation entitled "Operation Stone-Guard." During this detail, over 10,000 patrons were inspected, 412 citations issued, and an additional 23 arrests made.

SPECIAL ENFORCEMENT UNIT DETAILS (SEUS)

Special enforcement operations are conducted at random transit centers at irregular intervals. The purpose is to check all patrons for proper fare media who are boarding and deboarding trains. Thirteen SEU details were conducted during this reporting period. Some of these exercises are held with the local law enforcement agency having jurisdiction over the city wherein the SEU was conducted. During this period's zero-tolerance fare inspection details, 56,251 patrons were inspected with 1,528 citations issued.

SPECIAL AWARDS

In March, the Federal Bureau of Investigation (FBI) awarded two Certificates of Recognition to department personnel; one to a Code Compliance Inspector and the other to a Transit Systems Security Officer for their assistance in the apprehension of a bank robber. Following a bank robbery in the East County area, the suspect was observed at a station equipped with CCTVs, and a photograph was created from the video recording and broadcast to transit enforcement personnel in the field. Two weeks later, a Code Compliance Inspector working in the South Bay area recognized the subject deboarding a train and arrested him. Police and FBI agents later took the suspect into custody.

COMMUNITY OUTREACH

In the first six months of the year, several Transit Enforcement Department officers and management personnel attended and/or gave presentations to four community groups. These programs serve to acquaint neighborhoods and communities with MTS and help convey security and safety issues associated with the trolley and bus systems. Transit Enforcement management staff also attended the Border Transportation Council meeting for the purpose of promoting positive border relationships and addressing issues concerning MTS enforcement in the area, two Community Forum meetings in La Mesa, and an Operation Lifesaver program to students at the Monarch School.

SCHOOL SAFE PASSAGE PROGRAM

The primary purpose of this program is for all public safety agencies to assist various schools within the City of San Diego in offering solutions to any issues or concerns that may affect the student community. MTS security personnel routinely attend committee meetings and remain committed to the success of every safe passage program the San Diego Unified School District implements. During this reporting period, security personnel attended three meetings.

CANINE TEAMS

Three explosive-detection canine teams are funded through a cooperative agreement with the Transportation Security Administration (TSA). Primary duties include patrol of trains and facilities, response to check suspicious packages and fare enforcement. During this reporting period, the teams contacted 117,826 patrons, spent 286 hours training in 213 different scenarios, issued 195 citations, and responded to 18 calls for service.

BUSES AND BUS STOPS

Several proactive steps were initiated during this reporting period for the purposes of eliminating a variety of incidents including quality of life issues on buses and bus stops. The areas covered during this reporting period included the following:

- Increased patrol at 5th Avenue & University to handle heavy transient activity;
- Undercover teams targeted the University and El Cajon Boulevard corridors to enforce violations of alcoholic beverage consumption and loitering; and
- Officer ride-alongs on various routes as a result of bus operators being threatened with bodily harm on occasion and operator observations of patrons displaying weapons on certain routes.

There were 409 incidents reported resulting in 41 arrests and an additional 281 citations issued.

SAN DIEGO TROLLEY, INC.

San Diego Trolley, Inc. experienced 1,075 Part II arrests and 67 reports of Part I incidents for the first half of 2011. In the same period of 2010, there were 1,305 Part II arrests and 74 reports of Part I incidents.

SAN DIEGO TRANSIT CORPORATION

San Diego Transit Corporation experienced 94 Part II arrests and 10 reports of Part I incidents during this reporting period. In the same period of 2010, there were 111 Part II arrests and 16 reports of Part I incidents.

CONTRACT TRANSPORTATION SERVICES

MTS Contract Services experienced 40 Part II arrests and 4 reports of Part I incidents for this period in 2011. For the same period in 2010, there were 52 Part II arrests and 7 reports of Part I incidents.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Bill Burke, 619.595.4947, Bill.Burke@sdmts.com

NOV10-11.46.SEMIANNUAL SECURITY RPT.BBURKE

Attachment: A. Board 405 Reports

☐ Form not applicable NTD ID ☐ Form 005 Included	BOARD 405 REPORT Based on the Uniform Crime Reporting Handbook	Required from transit agencies serving UZAs of 200,000 or more population. Mode Type of Service	
Security Items	In Vehicle	In Station	Other Transit Prop.
Location SDTI			
Part I Offenses (Reports)			
Violent Crime	Inc Inv	Arrests	
Homicide	0	0	
			Patrons 0 0 0
			Employees 0 0 0
			Others 0 0 0
Forcible rape	0	0	
			Patrons 0 0 0
			Employees 0 0 0
			Others 0 0 0
Robbery	20	10	
			Patrons 11 7 2
			Employees 0 0 0
			Others 0 0 0
Aggravated assault	9	6	
			Patrons 1 2 4
			Employees 0 0 0
			Others 1 4 0
Property Crime	Inc Inv	Arrests	
Burglary	0	0	
Larceny/theft	35	2	
			Patrons 14 5 10
			Employees 0 0 0
			Others 0 5 2
Motor vehicle theft	3	0	
			Patrons 0 0 2
			Employees 0 0 0
			Others 0 0 1
Arson	0	0	
			0 0 0
Part II Offenses (Arrests)			
	Inc Inv	Arrests	
Other assaults	57	40	
Vandalism	247	79	
Sex offenses	5	5	
Drug abuse violations	88	89	
Driving under the influence	2	2	
Drunkenness	127	122	
Disorderly conduct	521	474	
Trespassing	270	165	
Fare evasion	8,997	7,568	
Curfew & loitering laws	117	99	
			0 90 9
Total Transit Property Damage		\$ 18,454.80	
Internal Use Only			
Report Run Date	Report Run Time	Reporting Period	
09/29/2011	09:36:16AM	01/01/2011 To 06/30/2011	

☐ Form not applicableNTD ID ☐☐ Form 005 Included**BOARD 405 REPORT**Required from transit agencies serving UZAs
of 200,000 or more population.Mode ☐Type of Service ☐

Based on the Uniform Crime Reporting Handbook

Security Items	In Vehicle	In Station	Other Transit Prop.
Location SDTC			
Part I Offenses (Reports)			
Violent Crime	Inc Inv	Arrests	
Homicide	0	0	
	Patrons	0	0
	Employees	0	0
	Others	0	0
Forcible rape	0	0	
	Patrons	0	0
	Employees	0	0
	Others	0	0
Robbery	4	3	
	Patrons	2	0
	Employees	0	0
	Others	0	0
Aggravated assault	1	0	
	Patrons	0	0
	Employees	1	0
	Others	0	0
Property Crime	Inc Inv	Arrests	
Burglary	0	0	
Larceny/theft	5	0	
	Patrons	2	0
	Employees	0	0
	Others	0	0
Motor vehicle theft	0	0	
	Patrons	0	0
	Employees	0	0
	Others	0	0
Arson	0	0	
	0	0	
Part II Offenses (Arrests)			
Other assaults	27	0	
Vandalism	37	10	
Sex offenses	2	0	
Drug abuse violations	8	7	
Driving under the influence	2	2	
Drunkenness	25	24	
Disorderly conduct	165	30	
Trespassing	2	1	
Fare evasion	37	3	
Curfew & loitering laws	23	20	
Total Transit Property Damage		\$ 2,264.57	

Internal Use Only

Report Run Date

Report Run Time

Reporting Period

09/29/2011

09:36:16AM

01/01/2011 To 06/30/2011

☐ Form not applicable
 NTD ID ☐☐☐☐
☐ Form 005 Included

BOARD 405 REPORT

Required from transit agencies serving UZAs of 200,000 or more population.

Mode ☐☐

Type of Service ☐☐

Based on the Uniform Crime Reporting Handbook

Security Items	In Vehicle	In Station	Other Transit Prop.
Location MTS CONTRACT			
Part I Offenses (Reports)			
Violent Crime	Inc Inv	Arrests	
Homicide	0	0	
	Patrons	0	0
	Employees	0	0
	Others	0	0
Forcible rape	0	0	
	Patrons	0	0
	Employees	0	0
	Others	0	0
Robbery	2	1	
	Patrons	0	2
	Employees	0	0
	Others	0	0
Aggravated assault	0	0	
	Patrons	0	0
	Employees	0	0
	Others	0	0
Property Crime	Inc Inv	Arrests	
Burglary	0	0	
Larceny/theft	2	0	
	Patrons	1	1
	Employees	0	0
	Others	0	0
Motor vehicle theft	0	0	
	Patrons	0	0
	Employees	0	0
	Others	0	0
Arson	0	0	
	Patrons	0	0
	Employees	0	0
	Others	0	0
Part II Offenses (Arrests)			
Other assaults	6	4	
Vandalism	11	5	
Sex offenses	0	0	
Drug abuse violations	3	3	
Driving under the influence	0	0	
Drunkenness	6	4	
Disorderly conduct	17	11	
Trespassing	0	0	
Fare evasion	6	5	
Curfew & loitering laws	3	3	
Total Transit Property Damage			
		\$ 695.26	

Internal Use Only

Report Run Date

Report Run Time

Reporting Period

09/29/2011

09:36:16AM

01/01/2011 To 06/30/2011

☐ Form not applicableNTD ID ☐☐ Form 005 Included**BOARD 405 REPORT**Required from transit agencies serving UZAs
of 200,000 or more population.Mode ☐Type of Service ☐

Based on the Uniform Crime Reporting Handbook

Security Items	In Vehicle	In Station	Other Transit Prop.
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Location SDTI

Part I Offenses (Reports)					
Violent Crime	Inc Inv	Arrests			
Homicide	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Forcible rape	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Robbery	17	9			
			Patrons	8	9
			Employees	0	0
			Others	0	0
Aggravated assault	10	3			
			Patrons	4	1
			Employees	0	0
			Others	1	1
Property Crime	Inc Inv	Arrests			
Burglary	1	0			
				0	0
Larceny/theft	39	4			
			Patrons	11	3
			Employees	0	0
			Others	0	1
Motor vehicle theft	7	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Arson	0	0			
				0	0
Part II Offenses (Arrests)	Inc Inv	Arrests			
Other assaults	55	30		9	18
Vandalism	169	51		15	24
Sex offenses	10	10		4	3
Drug abuse violations	221	226		16	159
Driving under the influence	2	2		0	0
Drunkenness	141	141		34	99
Disorderly conduct	514	491		127	339
Trespassing	273	212		0	0
Fare evasion	9,650	8,776		5,305	3,471
Curfew & loitering laws	157	142		0	114

Total Transit Property Damage		\$ 8,299.35	
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Internal Use Only

Report Run Date	Report Run Time	Reporting Period
10/11/2011	10:55:29AM	01/01/2010 To 06/30/2010

☐ Form not applicableNTD ID ☐ Form 005 Included**BOARD 405 REPORT**

Required from transit agencies serving UZAs of 200,000 or more population.

Mode Type of Service

Based on the Uniform Crime Reporting Handbook

Security Items			In Vehicle	In Station	Other Transit Prop.
Location SDTC					
Part I Offenses (Reports)					
Violent Crime	Inc Inv	Arrests			
Homicide	0	0			
			Patrons 0	0	0
			Employees 0	0	0
			Others 0	0	0
Forcible rape	0	0			
			Patrons 0	0	0
			Employees 0	0	0
			Others 0	0	0
Robbery	3	2			
			Patrons 0	3	0
			Employees 0	0	0
			Others 0	0	0
Aggravated assault	6	2			
			Patrons 0	5	0
			Employees 1	0	0
			Others 1	0	0
Property Crime	Inc Inv	Arrests			
Burglary	0	0	0	0	0
Larceny/theft	7	0			
			Patrons 4	0	1
			Employees 0	0	1
			Others 0	0	1
Motor vehicle theft	0	0			
			Patrons 0	0	0
			Employees 0	0	0
			Others 0	0	0
Arson	0	0	0	0	0
Part II Offenses (Arrests)					
Other assaults	24	4	2	2	0
Vandalism	36	3	2	1	0
Sex offenses	3	1	1	0	0
Drug abuse violations	18	17	0	13	4
Driving under the influence	1	1	0	0	1
Drunkenness	28	26	9	14	3
Disorderly conduct	171	28	0	25	3
Trespassing	0	0	0	0	0
Fare evasion	34	11	0	11	0
Curfew & loitering laws	32	31	0	25	6
Total Transit Property Damage			\$ 4,986.85		

Internal Use Only

Report Run Date

Report Run Time

Reporting Period

10/11/2011

10:55:29AM

01/01/2010 To 06/30/2010

☐ Form not applicableNTD ID ☐ Form 005 Included**BOARD 405 REPORT**Required from transit agencies serving UZAs
of 200,000 or more population.Mode Type of Service

Based on the Uniform Crime Reporting Handbook

Security Items	In Vehicle	In Station	Other Transit Prop.
----------------	------------	------------	---------------------

Location **MTS CONTRACT**

Part I Offenses (Reports)					
Violent Crime	Inc Inv	Arrests			
Homicide	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Forcible rape	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Robbery	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Aggravated assault	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Property Crime	Inc Inv	Arrests			
Burglary	0	0		0	0
Larceny/theft	7	1			
			Patrons	2	3
			Employees	0	0
			Others	0	0
Motor vehicle theft	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Arson	0	0		0	0
Part II Offenses (Arrests)	Inc Inv	Arrests			
Other assaults	4	1		0	1
Vandalism	20	5		1	4
Sex offenses	1	1		1	0
Drug abuse violations	6	6		0	6
Driving under the influence	0	0		0	0
Drunkenness	6	6		2	4
Disorderly conduct	40	21		3	17
Trespassing	0	0		0	0
Fare evasion	12	9		0	9
Curfew & loitering laws	12	12		0	12

Total Transit Property Damage		\$ 600.00	
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Internal Use Only

Report Run Date	Report Run Time	Reporting Period
10/11/2011	10:55:29AM	01/01/2010 To 06/30/2010

Semi-annual Security Report

(William Burke)

January – June 2011

November 10, 2011



1



Part I Incidents – Rail

January through June

	2009	2010	2011
Ridership	16,004,284*	14,842,200	15,940,468
Homicide	0	0	0
Rape	0	0	0
Robbery	24	17	20
Agg. Assault	9	10	9
Burglary	0	1	0
Theft	32	39	35
MV Theft	9	7	3
Arson	0	0	0
Part I Incidents	74	74	67
Per 100,000 passengers	.46	.49	.42

*2009 Ridership figure revised by SANDAG



2



Part II Arrests – Rail

January through June

	2009	2010	2011
Ridership	16,004,284*	14,842,200	15,940,468
Other Assaults	30	30	40
Vandalism	81	51	79
Sex Offenses	7	10	5
Drug Abuse	159	226	89
DUI	2	2	2
Drunkenness	134	141	22
Disorderly Conduct	500	491	474
Trespassing	227	212	165
Curfew/Loitering	118	142	99
Total**	1,258	1,305	1,075

*2009 Ridership figure revised by SANDAG

**Does not include citations for fare evasion.



Part I Incidents – SDTC Bus

January through June

	2009	2010	2011
Ridership	14,445,015	13,252,737	13,985,614
Homicide	1	0	0
Rape	0	0	0
Robbery	1	3	4
Agg. Assault	2	6	1
Burglary	0	0	0
Theft	2	7	5
MV Theft	0	0	0
Arson	0	0	0
Total	6	16	10
Per 100,000 passengers	.04	.12	.07



Part II Arrests – SDTC Bus

January through June

	2009	2010	2011
Ridership	14,445,015	13,252,737	13,985,614
Other Assaults	3	4	0
Vandalism	4	3	10
Sex Offenses	0	1	0
Drug Abuse	11	17	7
DUI	0	1	2
Drunkenness	34	26	24
Disorderly Conduct	34	28	30
Trespassing	3	0	1
Curfew/Loitering	18	31	20
Total*	107	111	94

*Does not include citations for fare evasion.



Update on TSGP Grants and Proposition 1B Wireless CCTV Onboard LRV

Four external cameras (two each side)

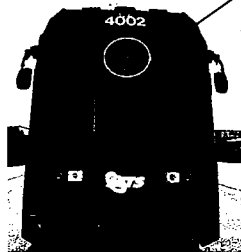


Update on TSGP Grants and Proposition 1B Wireless CCTV Onboard LRV

Four interior cameras plus two in each train cab

Four interior cameras

Two cameras inside each train cab



7



Update on TSGP Grants and Proposition 1B Wireless CCTV Onboard LRV

Equipment Inside Train Operator Cab



Video tag button

DVR installed inside each cab



8



Update on TSGP Grants and Proposition 1B Wireless CCTV Onboard LRV

Inside Train Operator Cab



SanDiego MTS3010 15:36:40 28 Sep 11



Forward View



9



Update on TSGP Grants and Proposition 1B Wireless CCTV Onboard LRV

Exterior Camera – View from each end of Train

SanDiego MTS3010 15:31:00 28 Sep 11



SanDiego MTS3010 15:31:30 28 Sep 11



View of same bike from opposite ends of train



10



Update on TSGP Grants and Proposition 1B Wireless CCTV Onboard LRV Equipment

Interior Camera



11



Thefts iPods and Cellular Telephones

- Small spike in thefts of iPods and Cellular telephones noted in March
- 90,000 Take One bulletins ordered and placed onboard both bus and rail in mid-April



TAKE ONE Safety and Security Tips

The safety and security of our passengers are top priorities at the Metropolitan Transit System, and we are proud of our record of providing a safe and secure environment for passengers.

To make your travel safer, please practice these important safety tips when riding public transportation.

- Be aware of your surroundings and always be alert for suspicious activity that causes concern for your safety.
- Keep your valuables secure and always hold your bag, backpack, purse or other possessions in your lap or other secure location to prevent easy access by others.
- Cell phones and iPods are increasingly popular, and thefts of these devices occur throughout the region. While using these devices, be discreet and aware of other people who may be interested in them.
- Criminal activity: If you are a victim of a crime or see a crime taking place, call MTS Security at 415-557-4000. You can also alert the bus operator, call the main dispatcher on the transit's intercom, or notify other MTS employees.

We value you as a customer and we want you to have a safe and enjoyable trip. If you have any questions or comments, please call us at 415-557-4000 or fill out a customer service form at www.mts.com.



12



K9 Team

Reports of Suspicious Objects

Nineteen live searches, no explosives found

17 MTS Initiated, 2 PD Initiated

NCPD requested search on BNSF Track



5th Avenue Station
officer requested
search of batteries,
black electrical tape
and wires in light
post



13



Service Interruption

Single Track Opportunities

Provide an Alternative to Closing the Rail Line



When possible, allows law enforcement to open rail line for single track operation, passing crime/incident scenes, rather than shutting down entire line.

Developed by MTS and all jurisdictional law enforcement agencies.



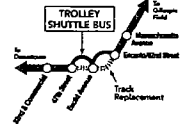
14



Trolley Renewal



Sept. 10 & 11 and Sept. 17 & 18



Two Security officers staffing each weekend for a total of 16 hours per week.

Two CCIs riding bus bridges and inspecting fares



15



SEU

January – June 2011

- 56,251 passengers inspected this period
- 1,528 citations issues
- 2.71% evasion rate
- 100% of all passengers onboard trains and in stations are inspected
- Up to 30 MTS personnel conduct inspections
- Evaders are de-boarded, cited and instructed to purchase a fare



Beyer Blvd. Station



16



Graffiti Tracker

- GPS-enabled digital cameras used to photograph incidents of graffiti.
- Photos uploaded to web-based system and analyzed within 48 hours.
- Trained analysts read the graffiti and input the intelligence into the system.
- Identify whether the graffiti is gang-related and alert law enforcement to potential threats.
- Graffiti Tracker has analyzed over 2 million images.



17

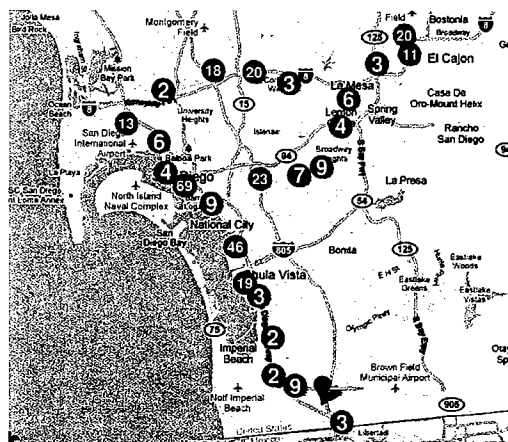


Graffiti Tracker

Interactive Mapping – MTS Property Bus and Rail

MTS Specific

- 464 pictures uploaded since March 2011
- 3 arrests made
- 1 conviction to date
- 3,968 sq. ft. graffiti removed

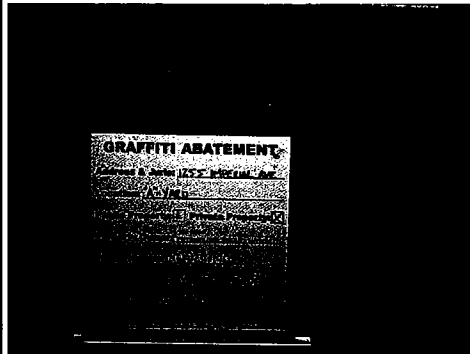


18

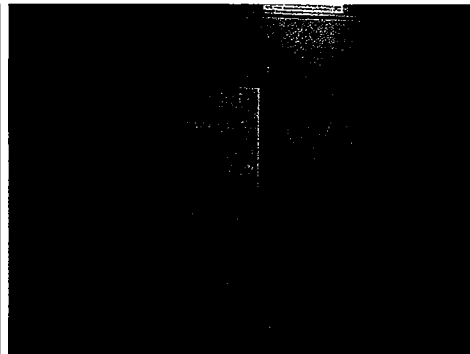


Graffiti Tracker

Crew "SAB"; Moniker "STRESS"
20 Incidents - \$14,709.81 in MTS Damage



Cost of Repair: \$77.31



Cost of Repair: \$86.93

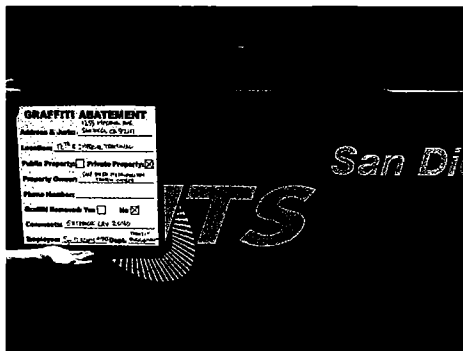


19

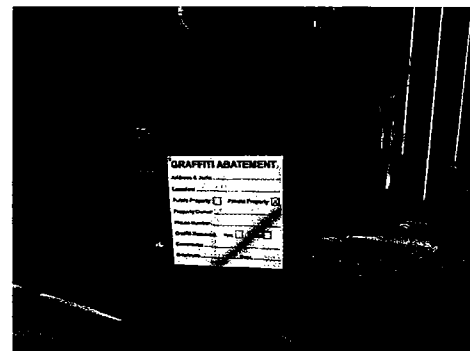


Graffiti Tracker

Crew "SAB"; Moniker "STRESS"
20 Incidents - \$14,709.81 in MTS Damage



Cost of Repair: \$4,949.13



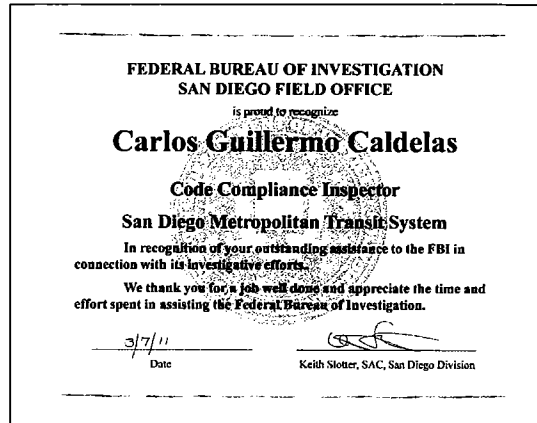
Cost of Repair: \$2,252.88



20



Surveillance Video Identification and Subsequent Arrest of Suspect wanted by FBI La Mesa Bank Robbery



2/4/11 Bank of the West Robbery

MTS Surveillance video showed man matching suspect's description de-board at Grossmont Center Station and re-board 20 minutes later. FBI issued a federal arrest warrant. A flyer with suspect's photo was distributed to MTS enforcement staff.

2/16/11 Recognized, and arrested, by CCI Caldelas at the Palomar Station



21



End



22





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

Agenda Item No. 47

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

November 10, 2011

SUBJECT:

OPERATIONS BUDGET STATUS REPORT FOR SEPTEMBER 2011
(MIKE THOMPSON)

RECOMMENDATION:

That the Board of Directors receive an MTS operations budget status report for September 2011.

Budget Impact

None at this time.

DISCUSSION:

This report summarizes MTS's operating results for September 2011 compared to the approved fiscal year 2012 budget. Attachment A-1 combines the operations, administration, and other activities results for September 2011. Attachment A-2 details the September 2011 combined operations results, and Attachments A-3 to A-8 present budget comparisons for each MTS operation. Attachment A-9 details budget comparisons for MTS Administration, and A-10 provides September 2011 results for MTS's other activities (Taxicab/San Diego and Arizona Eastern Railway Company/debt service).

MTS NET-OPERATING SUBSIDY RESULTS

As indicated within Attachment A-1, the year-to-date September 2011 MTS net-operating income favorable variance totaled \$833,000 (2.7%). Operations produced a \$315,000 (1.0%) favorable variance and the administrative/other activities areas were favorable by \$518,000.



Metropolitan Transit System (MTS) is comprised of the Metropolitan Transit Development Board (MTDB) a California public agency, San Diego Transit Corp., and San Diego Trolley, Inc., in cooperation with Chula Vista Transit and National City Transit. MTS is Taxicab Administrator for eight cities. MTDB is owner of the San Diego and Arizona Eastern Railway Company. MTDB Member Agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.

MTS COMBINED RESULTS

Revenues

Year-to-date combined revenues through September 2011 were \$25,493,000 compared to the year-to-date budget of \$24,840,000 representing a \$653,000 (2.6%) positive variance. This is due to a favorable variance within passenger revenue.

Expenses

Year-to-date combined expenses through September 2011 were \$56,057,000 compared to the year-to-date budget of \$56,238,000 resulting in a \$181,000 (0.3%) favorable variance.

Personnel Costs. Year-to-date personnel-related costs totaled \$28,638,000 compared to a year-to-date budgetary figure of \$28,384,000 producing an unfavorable variance of \$255,000 (-0.9%). This is primarily due to unfavorable year-to-date variances within transit service operations due to workers' compensation costs.

Outside Services and Purchased Transportation. Total outside services for the first three months of the fiscal year totaled \$17,969,000 compared to a budget of \$18,603,000 resulting in a year-to-date favorable variance of \$634,000 (3.4%). This is primarily due to purchased transportation favorable variances within paratransit operations.

Materials and Supplies. Total year-to-date materials and supplies expenses totaled \$2,044,000 compared to a budgetary figure of \$1,846,000 resulting in an unfavorable expense variance of \$199,000 (-10.8%). This is primarily due to unfavorable variances within rail operations.

Energy. Total year-to-date energy costs were \$6,043,000 compared to a budget of \$5,850,000 resulting in a year-to-date unfavorable variance of \$193,000 (-3.3%). Year-to-date energy rates are as follows:

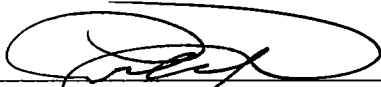
- Diesel: cost per gallon was \$3.31 versus a budgeted rate of \$3.24
- Gasoline: cost per gallon was \$3.61 versus a budgeted rate of \$3.84
- CNG: cost per therm was \$0.894 versus a budgeted rate of \$0.892

Risk Management. Total year-to-date expenses for risk management were \$862,000, compared to the year-to-date budget of \$959,000 resulting in a favorable variance of \$97,000 (10.1%).

General and Administrative. Year-to-date general and administrative costs, including vehicle and facilities leases, were \$96,000 (16.1%) favorable to budget totaling \$501,000 through September 2011 compared to a year-to-date budget of \$597,000. This is primarily due to favorable cost recovery within rail operations.

YEAR-TO-DATE SUMMARY

The September 2011 year-to-date net-operating subsidy totaled a favorable variance of 833,000 (2.7%). These factors include favorable variances in passenger revenue, outside services, general and administrative, and risk management, offset by unfavorable variances in other operating revenue, personnel costs, materials and supplies, and energy.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Mike Thompson, 619.557.4557, mike.thompson@sdmts.com

NOV10-11.47.OPS BUDGET SEPT.MTHOMPSON

Attachment: A. Comparison to Budget

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
MTS
CONSOLIDATED
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 23,987	\$ 23,217	\$ 769	3.3%
Other Revenue	1,506	1,623	(117)	-7.2%
Total Operating Revenue	\$ 25,493	\$ 24,840	\$ 653	2.6%
Personnel costs	\$ 28,638	\$ 28,384	\$ (255)	-0.9%
Outside services	17,969	18,603	634	3.4%
Transit operations funding	-	-	-	-
Materials and supplies	2,044	1,846	(199)	-10.8%
Energy	6,043	5,850	(193)	-3.3%
Risk management	862	959	97	10.1%
General & administrative	344	422	78	18.5%
Vehicle/facility leases	157	175	18	10.4%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	0	0	(0)	-287.1%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 56,057	\$ 56,238	\$ 181	0.3%
Operating income (loss)	\$ (30,564)	\$ (31,398)	\$ 833	2.7%
Total public support and nonoperating revenues	(277)	(337)	60	-17.8%
Income (loss) before capital contributions	\$ (30,841)	\$ (31,734)	\$ 893	-2.8%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
CONSOLIDATED OPERATIONS
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 23,987	\$ 23,217	\$ 769	3.3%
Other Revenue	61	187	(127)	-67.6%
Total Operating Revenue	\$ 24,047	\$ 23,405	\$ 642	2.7%
Personnel costs	\$ 24,935	\$ 24,548	\$ (387)	-1.6%
Outside services	15,619	16,010	391	2.4%
Transit operations funding	-	-	-	-
Materials and supplies	2,040	1,840	(201)	-10.9%
Energy	5,909	5,675	(234)	-4.1%
Risk management	763	819	55	6.7%
General & administrative	26	67	41	61.0%
Vehicle/facility leases	120	127	7	5.3%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	6,036	6,036	0	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 55,449	\$ 55,121	\$ (328)	-0.6%
Operating income (loss)	\$ (31,402)	\$ (31,716)	\$ 315	1.0%
Total public support and nonoperating revenues	454	384	70	18.1%
Income (loss) before capital contributions	\$ (30,948)	\$ (31,332)	\$ 384	-1.2%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
TRANSIT SERVICES (SAN DIEGO TRANSIT CORPORATION)
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 7,090	\$ 6,696	\$ 394	5.9%
Other Revenue	4	5	(1)	-26.3%
Total Operating Revenue	\$ 7,094	\$ 6,701	\$ 393	5.9%
Personnel costs	\$ 16,953	\$ 16,413	\$ (540)	-3.3%
Outside services	451	517	66	12.8%
Transit operations funding	-	-	-	-
Materials and supplies	1,105	1,047	(59)	-5.6%
Energy	1,364	1,419	54	3.8%
Risk management	382	363	(19)	-5.3%
General & administrative	41	33	(8)	-25.0%
Vehicle/facility leases	59	61	2	3.5%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	2,272	2,272	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 22,626	\$ 22,123	\$ (504)	-2.3%
Operating income (loss)	\$ (15,532)	\$ (15,421)	\$ (111)	-0.7%
Total public support and nonoperating revenues	(489)	(558)	70	-12.5%
Income (loss) before capital contributions	\$ (16,021)	\$ (15,980)	\$ (42)	0.3%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
RAIL OPERATIONS (SAN DIEGO TROLLEY, INCORPORATED)
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 9,826	\$ 9,789	\$ 37	0.4%
Other Revenue	57	182	(125)	-68.8%
Total Operating Revenue	\$ 9,883	\$ 9,971	\$ (88)	-0.9%
Personnel costs	\$ 7,598	\$ 7,724	\$ 126	1.6%
Outside services	921	914	(7)	-0.8%
Transit operations funding	-	-	-	-
Materials and supplies	933	791	(142)	-17.9%
Energy	2,357	2,180	(176)	-8.1%
Risk management	378	456	78	17.1%
General & administrative	(17)	31	48	152.8%
Vehicle/facility leases	58	62	4	5.9%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	3,370	3,370	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 15,598	\$ 15,528	\$ (70)	-0.5%
Operating income (loss)	\$ (5,716)	\$ (5,557)	\$ (158)	-2.9%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (5,716)	\$ (5,557)	\$ (158)	2.9%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
MULTIMODAL OPERATIONS (FIXED ROUTE)
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 5,874	\$ 5,531	\$ 343	6.2%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 5,874	\$ 5,531	\$ 343	6.2%
Personnel costs	\$ 119	\$ 87	\$ (31)	-36.1%
Outside services	10,093	10,185	91	0.9%
Transit operations funding	-	-	-	-
Materials and supplies	2	1	(1)	-65.1%
Energy	1,535	1,379	(156)	-11.3%
Risk management	-	-	-	-
General & administrative	0	1	1	67.0%
Vehicle/facility leases	4	5	1	21.5%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	268	268	0	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 12,021	\$ 11,926	\$ (95)	-0.8%
Operating income (loss)	\$ (6,146)	\$ (6,395)	\$ 248	3.9%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (6,146)	\$ (6,395)	\$ 248	-3.9%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
MULTIMODAL OPERATIONS (PARATRANSIT)
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 473	\$ 482	\$ (9)	-1.8%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 473	\$ 482	\$ (9)	-1.8%
Personnel costs	\$ 34	\$ 42	\$ 8	18.3%
Outside services	2,552	2,790	237	8.5%
Transit operations funding	-	-	-	-
Materials and supplies	-	-	-	-
Energy	593	624	31	5.0%
Risk management	4	-	(4)	-
General & administrative	1	2	1	54.5%
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	95	95	0	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 3,279	\$ 3,553	\$ 274	7.7%
Operating income (loss)	\$ (2,806)	\$ (3,071)	\$ 265	8.6%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (2,806)	\$ (3,071)	\$ 265	-8.6%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
CONSOLIDATED CHULA VISTA TRANSIT OPERATIONS
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 723	\$ 720	\$ 3	0.4%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 723	\$ 720	\$ 3	0.4%
Personnel costs	\$ 42	\$ 93	\$ 52	55.4%
Outside services	1,407	1,410	3	0.2%
Transit operations funding	-	-	-	-
Materials and supplies	0	1	1	75.6%
Energy	60	73	13	17.4%
Risk management	-	-	-	-
General & administrative	1	0	(0)	-109.1%
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	32	32	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 1,541	\$ 1,609	\$ 68	4.2%
Operating income (loss)	\$ (818)	\$ (889)	\$ 71	8.0%
Total public support and nonoperating revenues	903	903	-	0.0%
Income (loss) before capital contributions	\$ 85	\$ 15	\$ 71	482.7%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
CORONADO FERRY
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	-	-	-	-
Total Operating Revenue	\$ -	\$ -	\$ -	-
Personnel costs	\$ -	\$ -	\$ -	-
Outside services	26	26	-	0.0%
Transit operations funding	-	-	-	-
Materials and supplies	-	-	-	-
Energy	-	-	-	-
Risk management	-	-	-	-
General & administrative	-	-	-	-
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	-	-	-	-
Depreciation	-	-	-	-
Total Operating Expenses	\$ 26	\$ 26	\$ -	0.0%
Operating income (loss)	\$ (26)	\$ (26)	\$ -	0.0%
Total public support and nonoperating revenues	26	26	-	0.0%
Income (loss) before capital contributions	\$ -	\$ -	\$ -	-

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
ADMINISTRATION
CONSOLIDATED
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	1,360	1,325	35	2.6%
Total Operating Revenue	\$ 1,360	\$ 1,325	\$ 35	2.6%
Personnel costs	\$ 3,538	\$ 3,667	\$ 129	3.5%
Outside services	2,366	2,553	187	7.3%
Transit operations funding	-	-	-	-
Materials and supplies	3	6	3	48.4%
Energy	132	172	40	23.4%
Risk management	93	131	39	29.6%
General & administrative	291	328	37	11.2%
Vehicle/facility leases	36	48	11	24.0%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	(6,061)	(6,061)	(0)	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 398	\$ 844	\$ 446	52.8%
Operating income (loss)	\$ 962	\$ 481	\$ 481	-100.1%
Total public support and nonoperating revenues	(731)	(721)	(10)	1.4%
Income (loss) before capital contributions	\$ 231	\$ (240)	\$ 471	-196.1%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OTHER ACTIVITIES
CONSOLIDATED
COMPARISON TO BUDGET - FISCAL YEAR 2012
SEPTEMBER 30, 2011
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	85	110	(25)	-22.5%
Total Operating Revenue	\$ 85	\$ 110	\$ (25)	-22.5%
Personnel costs	\$ 165	\$ 169	\$ 3	1.9%
Outside services	(16)	40	56	141.4%
Transit operations funding	-	-	-	-
Materials and supplies	1	1	(1)	-108.3%
Energy	2	3	1	22.2%
Risk management	6	9	3	32.0%
General & administrative	27	27	(0)	-0.1%
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	24	24	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 210	\$ 272	\$ 62	22.9%
Operating income (loss)	\$ (124)	\$ (162)	\$ 37	23.1%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (124)	\$ (162)	\$ 37	-23.1%

Metropolitan Transit System FY 2012 - September 2011 Financial Review

MTS Board of Directors Meeting
November 10, 2011

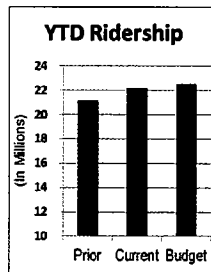


1



COMBINED MTS TRANSIT OPERATORS COMPARISON TO BUDGET - SEPTEMBER 30, 2011 - FY 2012 (in \$000's)

	ACTUAL	BUDGET	VARIANCE	VAR. %
Fare Revenue	\$ 23,987	\$ 23,217	\$ 769	3.3%
Other Revenue	61	187	(127)	-67.6%
Total Operating Revenue	\$ 24,047	\$ 23,405	\$ 642	2.7%

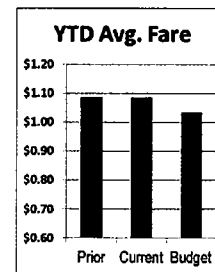


Ridership Comparison

- Budget: 1.5% lower
- (\$337K) negative variance
- Prior Year: 4.9% higher

Average Fare Comparison

- Budget: 4.8% higher
- \$1.1M positive variance
- \$1.083 versus \$1.033 budgeted
- Prior Year: Equal to current year
- \$1.083 versus \$1.083



2



**COMBINED MTS TRANSIT OPERATORS
COMPARISON TO BUDGET - SEPTEMBER 30, 2011 - FY 2012
(in \$000's)**

	ACTUAL	BUDGET	VARIANCE	VAR. %
Personnel Costs	\$ 24,935	\$ 24,548	\$ (387)	-1.6%
Purchased Transportation	13,695	13,933	239	1.7%
Other Outside Services	1,924	2,076	152	7.3%
Energy	5,909	5,675	(234)	-4.1%
Other Expenses	8,987	8,889	(98)	-1.1%
Total Expenses	\$ 55,449	\$ 55,121	\$ (328)	-0.6%

Personnel

- Bus operations: \$540K unfavorable variance

Purchased Transportation

- Paratransit Operations: \$237K favorable variance

Other Outside Services

- Engines and Transmissions: \$80K favorable variance



3



**METROPOLITAN TRANSIT SYSTEM
COMPARISON TO BUDGET - SEPTEMBER 30, 2011 - FY 2012
TOTAL OPERATING REVENUE LESS EXPENSES (\$000's)**

Combined Net Operating Variance

MTS Operating Revenue	\$ 642
MTS Operating Expenses	<u>(328)</u>
Combined MTS Operators	\$ 315
MTS Administration / Other Activities	<u>518</u>
Total Combined Net Operating Variance	\$ 833



4



METROPOLITAN TRANSIT SYSTEM
COMPARISON TO BUDGET - SEPTEMBER 30, 2011 - FY 2012
ON-GOING CONCERNS DASHBOARD

	FY12			Status
	Budget	YTD Actual	Projection	
Sales Tax Subsidy Revenue	4.0%	5.7%	4.0%	Y
Energy Prices				
CNG	0.892	0.894	0.892	Y
Diesel	3.240	3.306	3.240	
Gas	3.840	3.607	3.840	
Passenger Levels	86.8 M	22.2 M	88.0 M	G
State of California Budget	0	\$3.9 M	\$3.9 M	G

G Positive
Y Holding
R Negative



5



Metropolitan Transit System
FY 2012 - September 2011
Financial Review

MTS Board of Directors Meeting
November 10, 2011



6





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

Agenda

Item No. 62

Chief Executive Officer's Report

ADM 121.7

November 10, 2011

In accordance with Board Policy No. 52, Procurement of Goods and Services, attached are listings of contracts, purchase orders, and work orders that have been approved within the CEO's authority (up to and including \$100,000) for the period September 26, 2011, through October 27, 2011.

\\Sdmtsnas\Mts_Users\Valerie.Vizkeleti\Agenda Item 62\2011\AI 62 11-10-11.Docx



EXPENSE CONTRACTS

Doc #	Organization	Subject	Amount	Day
G1305.2-10	PLANET BIDS, INC.	ADD USERS TO E-PROCUREMENT	\$24,100.00	10/13/2011
L1041.0-12	SUNROAD BCV AUTO - BMW SOUTH	ROE SLOPE FAILURE CLAIM	\$25,000.00	10/13/2011
B0567.0-12	CUYAMACA COLLEGE	40-HOUR HAZWOPER TRAINING AND CERTIFICAT	\$21,000.00	10/20/2011
G1072.8-07	LAW OFFICES OF R. MARTIN BOHL	LEGAL SERVICES - LAND USE	\$50,000.00	10/20/2011
B0453.2-06	VEOLIA TRANSPORTATION SERVICES	POWER WASHING SERVICES	\$92,100.32	10/25/2011
B0566.0-12	EF ENTERPRISES	IN-PLANT INSP, PRE-DELIV INSP, POST COMP	\$4,800.00	10/25/2011
G1078.9-07	RYAN, MERCALDO & WORTHINGTON	LEGAL SERVICES - GENERAL & TORT LIABILIT	\$50,000.00	10/27/2011
G1087.12-07	LIEBMAN, QUIGLEY, SHEPPARD & S	LEGAL SERVICES - GENERAL & TORT LIABILIT	\$70,000.00	10/27/2011
B0545.1-11	TRUCK TRAILER TRANSIT	AMEND 1 - DELETE PART	\$1,344.00	10/27/2011

REVENUE CONTRACTS

Doc #	Organization	Subject	Amount	Day
B0510.0-09	SANDAG	BRT STATION MAINT. AND TRANSIT OPS	(\$90,000.00)	10/13/2011
G1409.0-12	WESTFIELD, LLC	USE & OPER. OF TRANSIT CNTR AT UTC	\$0.00	10/13/2011
L4605.0-12	SDG&E	ROE PERMIT METER PEDESTAL UPGRADES CCDC	(\$1,700.00)	10/13/2011
M6677.2-10	SANDAG	LEASE AMENDMENT FOR PORTABLE TRAILER	\$0.00	10/13/2011
S200-12-503	KEHOE TESTING & ENGINEERING	ROE PERMIT GEOTECH TESTING SVCS SANDAG	\$0.00	10/13/2011
S200-12-508	SWEETWATER AUTHORITY	ROE PERMIT - GENERAL MAINTENANCE AND INS	(\$1,500.00)	10/13/2011
L1042.0-12	SDG&E	ROE PERMIT ELEC SERV UPGRADES BLUE LINE	\$0.00	10/18/2011
L1046.0-12	WEST COAST GENERAL CORP.	ROE PERMIT ORANGE LINE PLATFORM MOD	\$0.00	10/18/2011
S200-12-509	SDG&E	ROE PERMIT UTILITY UPGRADE SAN YSIDRO	(\$2,400.00)	10/18/2011
G0259.5-94	GOODWILL INDUSTRIES OF SD COUN	ROE FOR SPRING STREET	\$0.00	10/20/2011
L1019.1-11	SDG&E	TIME EXTENSION	(\$500.00)	10/20/2011
L1026.0-11	CITY OF LA MESA	ALLISON AVE FENCE/RETAINING WALL/SIGN	(\$655.00)	10/20/2011
L5698.0-09	TW TELECOM	LIC TO TIME WARNER AERIAL CROSS JUNIPER	(\$825.00)	10/25/2011
L7049.0-12	SD COUNTY WATER AUTHORITY	JUA BETWEEN WATER AUTH & MTS - ESPOLA RD	\$0.00	10/25/2011
S200-12-512	INTEGRATED MARINE SERVICES	ROE PERMIT GEN MAINT MAIN ST CHULA VISTA	\$0.00	10/27/2011

PURCHASE ORDERS

DATE	PO NUMBER	Organization	Subject	Amount
9/26/2011	PW001068	COMMUNICATION WIRING SPECIALIS	APC HARDWARE MATERIAL AND LABOR	\$1,519.06
9/27/2011	3061	IPSWITCH	SERVICER LICENSE	\$4,020.00
9/30/2011	3062	E.F. JOHNSON COMPANY	ES MOBILE RADIO	\$54,861.55
9/30/2011	3063	KRONOS INCORPORATED	TIME CLOCKS	\$13,152.50
10/5/2011	PW001069	FLUORESCO LIGHTING SIGN MAINTNE	LCD/LED SIGN MATERIAL AND LABOR	\$4,945.01
10/5/2011	3064	PENN JONES	APPRAISAL FEE	\$5,300.00
10/6/2011	3066	CDW GOVERNMENT, INC.	ANTENNAS HAWKING	\$921.57
10/6/2011	3065	EN POINTE TECHNOLOGIES	SMART UPS POWER SUPPLY	\$6,075.85
10/7/2011	3054	ASPARIAN LLC	DBA SERVICES	\$3,000.00
10/7/2011	3068	EN POINTE TECHNOLOGIES	SMART UPS	\$21,986.53
10/7/2011	3067	TRAFFIC CONTROL SERVICES, INC.	CLIPS - BANDING	\$2,183.87
10/10/2011	3071	CDW GOVERNMENT, INC.	CISCO CATALYST, FIBER CABLE	\$1,292.72
10/10/2011	3069	CDW GOVERNMENT, INC.	TAPE DRIVE	\$11,046.53
10/10/2011	3070	EN POINTE TECHNOLOGIES	BES ADVANTAGE PROGRAM	\$1,404.57
10/12/2011	3072	ARAMARK REFRESHMENT SERV INC	COFFEE BEVERAGE SERVICES AGREEMENT	\$6,600.24
10/13/2011	3073	LOADBALANCER.ORG, INC.	COMPUTER HARDWARE	\$1,868.75
10/14/2011	3074	LINKEDIN CORP.	RECRUITER ACCOUNT	\$10,000.00

WORK ORDERS

Doc #	Organization	Subject	Amount
G1132.0-08.03.2	LAN ENGINEERING CORP	RAW ENGINEERING SERVICES	\$22,600.00
PWL123.0-1582-01	HERZOG CONTRACTING CORP.	JOC REPLACE TRACK AT 10TH & C STREE	\$181,123.10



AGENDA ITEM NO.

64

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

5

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM

1. INSTRUCTIONS

This Request to Speak form must be filled out and submitted in advance of the discussion of your item to the Clerk of the Board (please attach any written statement to this form). Communications on hearings and agenda items are generally limited to three minutes per person unless the Board authorizes additional time; however, the Chairperson may limit comment to one or two minutes each if there are multiple requests to speak on a particular item. General public comments on items not on the agenda are limited to three minutes. Please be brief and to the point. No yielding of time is allowed. Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

(PLEASE PRINT)

DATE	10 Nov 11		
Name	Allen Witt		
Address			
Telephone	760.828.7044		
Organization Represented	SPFPA		
Subject of Your Remarks	Union Strike		
Regarding Agenda Item No.			
Your Comments Present a Position of:	☒	SUPPORT	☐ OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

3. DISCUSSION OF AGENDA ITEMS

The Chairman may permit any member of the public to address the Board on any issue relevant to a particular agenda item.

4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Public comment on matters not on the agenda will be limited to five speakers with three minutes each, under the Public Comment Agenda Item. Additional speakers will be heard at the end of the Board's Agenda.

NOTE: Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

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(PLEASE PRINT)

DATE	11-10-11		
Name	LORRAINE M. Leighton		
Address	1097 EMERALD AVE CI CTSON, CT 06202		
Telephone	-		
Organization Represented	Disabled Persons		
Subject of Your Remarks	Vedlic Bus operators leaving unattended vehicles w/ keys in them.		
Regarding Agenda Item No.			
Your Comments Present a Position of:	☐	☒ SUPPORT	☐ OPPOSITION

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No Show

AGENDA ITEM NO.

64

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

3

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM

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(PLEASE PRINT)

DATE	11-10-11		
Name	Michael Hough		
Address	5519 Chiremont Mesa Blvd		
Telephone	855-886-6655		
Organization Represented	SPRPA		
Subject of Your Remarks	Labor Dispute w/Heritage		
Regarding Agenda Item No.			
Your Comments Present a Position of:	☐	☒ SUPPORT	☐ OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

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No STOW

AGENDA ITEM NO.

64

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

2

**PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM**

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(PLEASE PRINT)

DATE	11-10-11		
Name	JOHN LEHNHERR		
Address	5996 SALLISAW CT SAN DIEGO CA 92120		
Telephone	619 778-7100		
Organization Represented	SPFPA		
Subject of Your Remarks	LABOR DISPUTE WITH HERITAGE		
Regarding Agenda Item No.			
Your Comments Present a Position of:	☒	SUPPORT	☐ OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

3. DISCUSSION OF AGENDA ITEMS

The Chairman may permit any member of the public to address the Board on any issue relevant to a particular agenda item.

4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Public comment on matters not on the agenda will be limited to five speakers with three minutes each, under the Public Comment Agenda Item. Additional speakers will be heard at the end of the Board's Agenda.

NOTE: Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.



No. 57106

AGENDA ITEM NO.

64

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

1

**PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM**

1. INSTRUCTIONS

This Request to Speak form must be filled out and submitted in advance of the discussion of your item to the Clerk of the Board (please attach any written statement to this form). Communications on hearings and agenda items are generally limited to three minutes per person unless the Board authorizes additional time; however, the Chairperson may limit comment to one or two minutes each if there are multiple requests to speak on a particular item. General public comments on items not on the agenda are limited to three minutes. Please be brief and to the point. No yielding of time is allowed. Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

(PLEASE PRINT)

DATE	Nov 10, 2011		
Name	Dwayne Phillips		
Address	25510 Kelly Rd, Roseville		
Telephone	586-872-5634		
Organization Represented	SPFPA		
Subject of Your Remarks	MTS Security		
Regarding Agenda Item No.			
Your Comments Present a Position of:	☐	☒ SUPPORT	☐ OPPOSITION

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