



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

Agenda

**** JOINT MEETING AND FINANCE WORKSHOP****

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

April 28, 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.

FINANCE WORKSHOP - 9:00 a.m.

ACTION RECOMMENDED

1. Roll Call
2. MTS: FY 2012 Budget Development (Mike Thompson) Receive
Action would receive a report on MTS's projected FY 2012 operating budget.
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. Adjournment

Please turn off cell phones
during the meeting

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



BOARD MEETING - Meeting will begin when the Finance Workshop ends.

5. a. Roll Call
- b. Approval of Minutes - March 24, 2011 Approve
- c. 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 furnish a copy to the Clerk of the Board.

CONSENT ITEMS

6. MTS: SD 100 & S70 Brake Rehabilitation - Contract Award Approve
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1021.0-11 with Knorr Brake Corporation (Knorr) for a two-year base period with 3 one-year options.
7. MTS: Batteries for Automobiles and Buses - Contract Amendment Ratify/
Approve
Action would: (1) ratify Option Year One of MTS Doc. No. B0481.0-07 with Broding's Battery Warehouse to purchase batteries for buses and automobiles and (2) authorize the CEO to execute MTS Doc. No. B0481.1-07 with Broding's Battery Warehouse for the continued procurement of automotive and bus batteries.
8. MTS: Investment Report - February 2011 Receive
Action would receive a report for information.
9. MTS: Capital Improvement Program (CIP) Funds Transfer Approve
Action would authorize the transfer of \$325,000 from the FY 12 apportionment of the MTS Rail Profile Grinding Project (CIP 11206) and \$1,283 from the MTS Miscellaneous Capital Project (CIP 11200) to the SANDAG Station Platform Retrofit Project (1095400), the Mission Valley West LRT Extension Project (1041600), and the Santee LRT Extension Project (1040300).
10. MTS: Increased Authorization for Legal Services - Law Offices of Michael E. Ripley Approve
Action would authorize the CEO to execute MTS Doc. No. G1080.10-07 with the Law Offices of Michael E. Ripley for legal services and ratify prior amendments entered into under the CEO's authority.
11. MTS: Unallocated Transportation Development Act Funds for Transit-Related Projects Approve
Action would approve the use of unallocated Transportation Development Act (TDA) funds currently held by the County of San Diego (County) for a new service agreement for the City of Santee's Clock Tower.

CONSENT ITEMS - Continued

12. MTS: California Energy Commission Funding of Compressed Natural Gas Station Improvements Approve
Action would approve Resolution No. 11-4 authorizing the use of \$186,148 in California Energy Commission funds for improvements to MTS's compressed natural gas station, which is used to fuel the MTS fleet.
13. MTS: Init USA, Inc. Rural Bus Automatic Passenger Counters - Contract Amendment Approve/
Ratify
Action would: (1) authorize the CEO to execute MTS Doc. No. L0912.2-10 with Init USA, Inc. for the purchase and installation of automatic passenger counters (APC) hardware, software, tax, and support services for eight rural buses; and (2) ratify MTS Doc. No. L0912.1-10, which was previously executed under the CEO's authority in the amount of \$15,616.05 for changes in the components and optional quantities of the Trolley APC Project.
14. MTS: Increased Authorization for Legal Services - McDougal Love Eckis Smith Boehmer & Foley, APC Approve/
Ratify
Action would authorize the CEO to execute MTS Doc. No. G1067.14-07 with McDougal Love Eckis Smith Boehmer & Foley, APC for legal services and ratify prior amendments entered into under the CEO's authority.

CLOSED SESSION

24. a. SDTC: CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS Pursuant to California Government Code Section 54957.6; Agency-Designated Representative - Jeff Stumbo; Employee Organization - International Brotherhood of Electrical Workers, Local Union 465 Possible
Action
- b. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to California Government Code section 54956.9(a): Emanuel McCray v. MTS et al. (Claim No. 37-2010-00097606-CU-PA-CTL) Possible
Action

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. None.

REPORT ITEMS

45. MTS: I-15 Mid-City Bus Rapid Transit (BRT) Station Update (Denis Desmond) Receive
Action would receive an update on the status of planning for the Mid-City stations on the Interstate 15 (I-15) bus rapid transit (BRT) corridor.

REPORT ITEMS - Continued

- | | | |
|-----|---|-------------|
| 46. | <u>MTS: Compass Card Implementation (James Dreisbach-Towle of SANDAG and Sharon Cooney)</u>
Action would receive a status report on development and implementation of the Compass Card fare system. | Receive |
| 47. | <u>MTS: Semiannual Uniform Report of Disadvantaged Business Enterprise Awards or Commitments and Payments (Karen Landers)</u>
Action would receive the Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments. | Receive |
| 48. | <u>SDTC: Copley Park Bus Division (Claire Spielberg)</u>
Action would receive a report for information. | Receive |
| 49. | <u>MTS: Operations Budget Status Report - February 2011 (Mike Thompson)</u>
Action would receive a report on MTS's operations budget status for February 2011. | Receive |
| 50. | <u>MTS: Update on MTS GO! Texting Project (Devin Braun)</u>
Action would receive a report for information. | 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> May 12, 2011 | |
| 66. | <u>Adjournment</u> | |



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Agenda

Item No. 2

MTS OPERATORS FINANCE WORKSHOP

April 28, 2011

SUBJECT:

MTS: FY 2012 BUDGET DEVELOPMENT (MIKE THOMPSON)

RECOMMENDATION:

That the Board of Directors receive a report on MTS's projected FY 2012 operating budget.

Budget Impact

None at this time.

DISCUSSION:

MTS FY 2012 Forecast

MTS staff will present an update on the development of the FY 2012 operating budget, including current assumptions for subsidy revenue, passenger revenue, and expenses. These assumptions will include passenger levels, service levels, personnel costs, fuel costs, purchased transportation, and other outside services.

A handwritten signature in black ink, appearing to read 'Paul C. Jablonski', is positioned above a horizontal line.

Paul C. Jablonski
Chief Executive Officer

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

APRIL28-11.2.FY 12 BUDGET DEVELOPMT.MTHOMPSON

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JOINT MEETING OF THE BOARD OF DIRECTORS FOR THE
METROPOLITAN TRANSIT SYSTEM (MTS),
SAN DIEGO TRANSIT CORPORATION (SDTC), AND
SAN DIEGO TROLLEY, INC. (SDTI)
AND
FINANCE WORKSHOP

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

March 24, 2011

DRAFT MINUTES

FINANCE WORKSHOP

1. Roll Call

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

2. a. MTS: FY 2011 Midyear Adjustment and FY 2012 Preliminary Projections

Mike Thompson, Budget Manager, gave the Board an update on the fiscal year 2011 midyear budget adjustment and the fiscal year 2012 preliminary projections. He gave a brief background on the operating and capital budgets. He then discussed revenue, and stated that passenger revenue remains unfavorable, and advertising revenue is projected to decrease. He also stated that subsidy revenues resulted in a \$14,145,000 favorable midyear adjustment. He explained that in total, consolidated revenues resulted in \$12,059,000 favorable midyear adjustment.

Mr. Thompson talked about expenses and stated that total operating expenses resulted in \$12,059,000 unfavorable midyear adjustment primarily due to changes within personnel-related costs relating to additional pay down of the variable pension debt loan. He explained that outside services, staff projects, energy, general and administrative costs, and vehicle and facility leases resulted in unfavorable midyear adjustments. He explained further that risk management and debt service produced a favorable midyear adjustment.

Mr. Gloria wanted clarification on the amount of STA funds received, the amount used, and the amount of funds still reserved. Mr. Thompson stated that MTS received a total of \$18.8 million in STA funds, and \$1.7 million is left for use in fiscal year 2012. Mr. Gloria asked for an explanation as to the 0.7% ridership loss versus the budgeted fare revenue average decrease of 2.1%. Mr. Thompson explained that the average fare rises and falls depending on the mix of cash or pass passengers. Mr. Mathis added that the migration away from the monthly pass to purchasing day passes for the days riders travel on also has an effect on the numbers.

Ms. England wanted to know based on the increase of personnel costs, the amount of workers' comp payments. Mr. Thompson stated that roughly \$1 million went to workers' comp. Cliff Telfer, Chief Financial Officer, stated that the workers' comp payments are

for injuries and surgeries to employees who are no longer with MTS who have an open medical plan.

Mr. Young questioned if there had been any positive or negative effects on the changes to fare tickets such as the sale of day passes. Mr. Telfer explained that there has been a major transition to 30-day passes, and that currently about 50% of riders purchase a monthly pass and 50% purchase a rolling, 30-day pass, which has had a slight decrease on average fares. He stated that selling day passes has had a positive impact on average fares. Mr. Jablonski added that three years ago, the average revenue per passenger was \$0.78 and now it is \$1.00, so selling day passes was very positive in terms of revenue.

Action Taken

Mr. McClellan moved to (1) approve the combined MTS FY 2011 midyear budget adjustment; and (2) receive a report regarding preliminary projections for FY 2012 and provide guidance on budgetary closure. Ms. England seconded the motion, and the vote was 12 to 0 in favor.

b. MTS: Fiscal Year 2012 Capital Improvement Program (CIP)

Mr. Thompson gave the Board an update on the fiscal year 2012 capital improvement program (CIP). He stated the total estimated funding for fiscal year 2012 is \$89.3 million. He explained that after the utilization of \$41.5 million in preventative maintenance, \$3.9 million for Americans with Disabilities Act (ADA) preventative maintenance (fiscal year 2011 operating budget), and funding for planning studies for the San Diego Association of Governments (SANDAG) totaling \$881,591, \$43 million is available for capital projects. He also stated that 30 projects would be funded by the fiscal year 2012 CIP with a total of \$43,003,000 in funds.

Mr. Thompson talked about the development of the CIP and the funding levels for the year as well as some capital project highlights. He talked about the capital project categories and the funding for each category; bus revenue fleet replacement, major facility and construction projects, information technology, light rail vehicle components, rail infrastructure, other equipment and installations, and miscellaneous operating capital. Mr. Thompson explained that a five-year plan has been created for the fleet replacement in which \$15.7 million will be put into the fund in fiscal year 2012 and \$22.5 million will be put into the fund over the next five years.

Mr. Thompson summarized a high-level look at the five-year capital program and explained that the federal 5307 and 5309 funding levels are projected to increase by 2 percent for fiscal year 2013 and increase by 4 percent through 2016. He also explained that the total capital needs for fiscal year 2013 and beyond exceed the available projected funding levels. He stated that the fiscal year 2013 capital needs total \$95.9 million, and the available funding for the year is 47.2 percent of total project needs.

Mr. Jablonski added that the revenue projections are fairly conservative. He stated that the challenge over the long term is dealing with the recurring fiscal unbalance, and commented that a couple of possibilities could help us have a sustainable budget, such

as STA and TransNet growth, ridership numbers bouncing back, and perhaps a state program being reinstated to rely on funding.

Mr. Castaneda wanted clarification on the basis of operating revenue growth. Mr. Telfer stated that there has already been a slight increase in ridership over January and February, and as fuel prices climb we should continue to see ridership growth.

Action Taken

Mr. McClellan moved to (1) approve the fiscal year 2012 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels. As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels; (2) recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of Federal Sections 5307 and 5309 applications for the MTS fiscal year 2012 CIP; (3) approve the transfer of \$199,312 from previous CIP projects to the fiscal year 2012 CIP; and (4) recommend that the SANDAG Board of Directors approve the amendment of the Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2012 CIP recommendations. Mr. Minto seconded the motion, and the vote was 12 to 0 in favor.

3. Public Comments

There were no public comments.

4. a. Next Meeting Date

The next MTS Finance Workshop is scheduled on April 28, 2011, at 9:00 a.m.

b. Adjournment

Chairman Mathis adjourned the Finance Workshop at 9:39 a.m.

BOARD MEETING

5. a. Roll Call

Chairman Mathis called the Board meeting to order at 9:39 a.m. A roll call sheet listing Board member attendance is attached.

b. Approval of Minutes

Mr. Ovrom moved to approve the minutes of the February 17, 2011, MTS Board of Directors meeting. Ms. England seconded the motion, and the vote was 12 to 0 in favor.

c. Public Comments

There were no public comments.

CONSENT ITEMS:

6. MTS: Increased Authorization for Legal Services

Action would authorize the CEO to execute MTS Doc. No. G1078.6-07 with Ryan, Mercaldo & Worthington, LLP for legal services and ratify prior amendments entered into under the CEO's authority.

7. MTS: Investment Report - January 2011

Action would receive a report for information.

8. MTS: Property Insurance Renewal

Action would authorize the CEO to renew the property insurance coverage for MTS, San Diego Transit Corporation (SDTC), and San Diego Trolley, Inc. (SDTI) with the California State Association of Counties (CSAC) Property Insurance Program, effective March 31, 2011, through March 31, 2012, with a basic coverage deductible of \$25,000, \$100,000 for collision on buses and light rail vehicles, and \$1,500,000 on roads, bridges, and tunnels.

9. MTS: Contract Assignments for On-Call Construction Management Services

Action would authorize the CEO to execute assignments of contracts from the San Diego Association of Governments (SANDAG) for on-call construction management services with AECOM/LAN, PGH Wong Engineering, Inc., and CALTROP.

Action on Recommended Consent Items

Mr. Van Deventer moved to approve Consent Agenda Item Nos. 6, 7, 8, and 9. Mr. McClellan seconded the motion, and the vote was 12 to 0 in favor.

CLOSED SESSION:

24. a. MTS: CLOSED SESSION - PUBLIC EMPLOYEE PERFORMANCE EVALUATION CHIEF EXECUTIVE OFFICER Pursuant to California Government Code Section 54957 (Jeff Stumbo)
- b. MTS: CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to California Government Code Section 54956.8;
Property: The Transit Store, 1010 Second Avenue, Suite 102, San Diego, CA 92101;
Agency Negotiators: Paul Jablonski, CEO; Karen Landers, General Counsel; Ryan McCrary, Hughes Marino; Mark Lowthian, Manager of Passenger Services;
Negotiating Parties: Executive Complex LP and Jamison Realty, Inc.
Under Negotiation: Price and Terms of Payment
- c. SDTC: CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS Pursuant to California Government Code Section 54957.6; Agency-Designated Representative - Jeff Stumbo; Employee Organization - International Brotherhood of Electrical Workers, Local Union 465

- d. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a) Beverly W. Bickler v. MTS, et al. (San Diego Superior Court Case No. 37-2009-00086688-CU-PO-CTL)

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board conducted a performance evaluation of the CEO and authorized the Chairman to execute Amendment No. 4 to the Executive Employment Agreement with MTS CEO Paul Jablonski, awarding a one-time, one-year adjustment to the CEO's fringe benefits pursuant to Paragraph 4(b) of the CEO's Executive Employment Agreement.
- b. The Board received a report on the lease negotiations for The Transit Store at 1010 Second Avenue (aka 102 Broadway) and gave directions to staff.
- c. The Board received a report regarding labor negotiations with IBEW, Local 465 and gave directions to staff.
- d. The Board received a report on the status of the *Bickler v. MTS* litigation and gave directions to staff and outside counsel.

NOTICED PUBLIC HEARINGS:

- 25. None.

DISCUSSION ITEMS:

30. MTS: Leon Williams Station Dedication

Sharon Cooney, Chief of Staff, explained that on January 26, 2006, the Board of Directors instructed the CEO to form a working group to dedicate the San Diego State University (SDSU) Transit Center to former Board Chairman Leon Williams. She further explained that the Board of Directors conveyed its wishes that the dedication include a visual display at the station. She stated that with help from Michel Anderson, funding from a private source for a plaque honoring Leon Williams, has been obtained, and a visual of the plaque was provided and shown for approval.

Mr. Young stated that he had worked for Leon Williams who had given him his first political position. He explained that Leon Williams' vision and advocacy for public transportation is something to be honored.

Mr. Janney also commented that Leon Williams was deserving of recognition and supports the recommendation. He also thanked Michel Anderson for his work on the dedication.

Action Taken

Mr. Young moved to authorize the CEO to move forward with dedication of the San Diego State University (SDSU) Trolley Station to former MTS Chair Leon Williams and to accept the gift of a plaque to commemorate this dedication at the station. Mr. Castaneda seconded the motion, and the vote was 10 to 0 in favor.

31. MTS: Refunding of the 2001 MTS Tower Refunding Certificates of Participation

Ms. Landers provided the Board with an overview of the refunding of the 2001 MTS Tower refunding certificates of participation (COP). She explained that the COP term will remain the same and will be paid off in 2019. She also explained that refinancing will result in an annual savings of roughly \$400,000, and the MTS share will be \$112,000 per year.

Ms. Landers stated that there is a ground lease which leases the land under the office building to the San Diego Regional Board Authority (SDRBA), a lease which leases the office building and the parking garage between SDRBA and the County, and a sublease between the County and MTS, which subleases the 1st, 9th, and 10th floors plus 220 parking spaces in the parking garage. She explained that the 2011 net costs for MTS including the ground lease rent and sublease rent is \$877,363. She further explained that for the years 2012-2019, net costs will be \$723,385 and for 2020, the net costs will be close to \$0.

Action Taken

Mr. Van Deventer moved to (1) adopt Resolution No. 11-3 approving, authorizing, and directing the execution and delivery of certain documents relating to the County of San Diego Certificates of Participation (2011 MTS Tower Refunding); (2) authorize the CEO, General Counsel, and Chief Financial Officer to execute the documents necessary to complete the transaction; and (3) authorize the CEO to execute the "MTDB Option to Purchase County Improvements." Mr. McClellan seconded the motion, and the vote was 9 to 0 in favor.

REPORT ITEMS:

46. MTS: South Bay Maintenance Facility Update

Elliot Hurwitz, Contract Services Administrator, provided the Board with an update on the South Bay Maintenance Facility. He explained that the South Bay Maintenance Facility is located in the City of Chula Vista, is owned by MTS with Veolia Transportation operating the facility, and 158 clean natural gas (CNG) buses currently run from the facility. He stated that the South Bay Facility has been expanded over the last few years and is now 10.6 acres. He also stated that the facility is undergoing development construction, which includes demolition of older structures to improve parking, grading and paving, improving site lighting, drainage and storm water pollution prevention, landscaping and irrigation, and minor modifications to existing maintenance facilities.

Mr. Hurwitz discussed the CNG fuel station upgrades taking place at the South Bay Facility. He explained that the upgrades would expand CNG fueling capacity from 160 buses to 240 buses and that the project is 80% complete. He also talked about the master plan for the South Bay Facility and the goal to accommodate 240 buses. He explained the five-step phasing process, including building a new maintenance shop facility and the addition of a new fueling and

servicing facility. He explained further that the new facilities will be design build and that consultant effort has already begun. Mr. Hurwitz stated that the design-build process will take nine to twelve months with an estimated construction completion date of early 2013.

Mr. Castaneda wanted to know how much of the project could be completed, based on the preliminary engineering cost estimate, with the \$30 million available. Mr. Hurwitz stated that the first goal is to complete the maintenance facility to have a greater capability to accommodate bus rapid transit projects coming down the road. He also mentioned that the operations administration might save some costs during the design build phase.

Mr. Castaneda also wanted to ensure that MTS is working with Chula Vista city staff in terms of the streetscape design frontage. Mr. Hurwitz stated that he has been working with the city's staff and there is a plan currently to add additional trees.

Action Taken

Mr. Castaneda moved to receive a report for information. Mr. Van Deventer seconded the motion, and the vote was 9 to 0 in favor.

45. MTS: Year-End Security Report (January through December 2010)

Bill Burke, Director of Security, provided the Board with a year-end security report for the calendar year 2010. He discussed part I security incidents on rail per 100,000 passengers and noted that robbery was down significantly. He stated that there had been an influx in bike thefts so special plainclothes detail began in August 2010, and only 3 bikes had been stolen the remainder of the year. He also showed a part I incident comparison chart with Denver and Los Angeles and stated that MTS has much lower rates of incidents comparatively.

Mr. Burke talked about part II arrests on rail and stated that 2,337 arrests were made per 100,000 passengers. He then talked about part I incidents on buses with 30 incidents occurring, and part II arrests on buses, which was 219.

Mr. Burke discussed the CCTV 8-station project that was completed with the Transit Security Grant Program (TSGP). He stated that currently, 32 transit stations are using CCTV with high-quality cameras that have increased the visibility of incidents. He also stated that beginning next month, installation for onboard CCTV will begin on trolleys with 12 cameras per vehicle.

Mr. Burke briefly talked about the service interruption problems that occur when the rail line is closed for police investigations and explained that a policy has been implemented by MTS and the chiefs of police from seven police jurisdictions.

Action Taken

A quorum was not present for a vote on this item.

60. Chairman's Report

There was no Chairman's report.

61. Audit Oversight Committee Chairman's Report

There was no Audit Oversight Committee Chairman's report.

62. Chief Executive Officer's Report

Mr. Jablonski talked about his recent trip to Mendoza, Argentina. He explained that the Argentina Government paid for the trip, which included County Supervisor Ron Roberts as a guest of the Mendoza Governor, the Chief Operating Officer of Rail, Wayne Terry, the Superintendent of Light Rail Maintenance Lee Summerlott, and three light rail mechanics to join them as the first 4 trolley cars arrived in Mendoza. He showed a slide show of pictures from their trip, and explained that the group attended political and community events with the Governor. He mentioned that a good relationship has been established with Mendoza leaders and will most likely result in the purchase of additional trolley cars in the near future. Mr. Jablonski recognized the light rail vehicle team for their hard work and recognized Joe Martinez, Revenue Supervisor, for his excellent job interpreting.

Mr. Jablonski commented that a new San Diego County Regional Transit Map was provided to each Board member. He stated that the map was done in house, took many months to complete, and is one of the best system maps he has seen.

63. Board Member Communications

Mr. McClellan wanted to know if any progress had been made for a shaded area in El Cajon for taxicab drivers. Ms. Cooney stated that the proposal will be taken to the Taxicab Subcommittee within a couple weeks.

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, April 14, 2011 at 9:00 a.m.

66. Adjournment

Chairman Mathis adjourned the meeting at 11:32 a.m.

Filed by:

Approved as to form:

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

Office of the General Counsel
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

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METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS
ROLL CALL

MEETING OF (DATE): March 24, 2011

CALL TO ORDER (TIME): 9:39 AM

RECESS: _____

RECONVENE: _____

CLOSED SESSION: 9:41 AM

RECONVENE: 10:48 AM

PUBLIC HEARING: _____

RECONVENE: _____

ORDINANCES ADOPTED: _____

ADJOURN: 11:32 AM

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
CASTANEDA	<input checked="" type="checkbox"/> (Rindone) <input type="checkbox"/>		
CUNNINGHAM	<input type="checkbox"/> (Mullin) <input type="checkbox"/>		
EWIN	<input type="checkbox"/> (Sterling) <input type="checkbox"/>		
EMERALD	<input type="checkbox"/> (Faulconer) <input type="checkbox"/>		
ENGLAND	<input checked="" type="checkbox"/> (Gastil) <input type="checkbox"/>		11:13 AM
GLORIA	<input checked="" type="checkbox"/> (Faulconer) <input type="checkbox"/>		10:47 AM
JANNEY	<input checked="" type="checkbox"/> (Bragg) <input type="checkbox"/>		
LIGHTNER	<input checked="" type="checkbox"/> (Faulconer) <input type="checkbox"/>		
MATHIS	<input checked="" type="checkbox"/> (Vacant) <input type="checkbox"/>		
MCCLELLAN	<input checked="" type="checkbox"/> (Hanson-Cox) <input type="checkbox"/>		
MINTO	<input checked="" type="checkbox"/> (McNelis) <input type="checkbox"/>		
OVROM	<input checked="" type="checkbox"/> (Denny) <input type="checkbox"/>		
ROBERTS	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>		10:47 AM
VAN DEVENTER	<input checked="" type="checkbox"/> (Zarate) <input type="checkbox"/>		11:29 AM
YOUNG	<input checked="" type="checkbox"/> (Faulconer) <input type="checkbox"/>		10:54 AM

SIGNED BY THE OFFICE OF THE CLERK OF THE BOARD: Valerie Vizkeletti

CONFIRMED BY OFFICE OF THE GENERAL COUNSEL: Paul Cox



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Agenda

Item No. 6

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

April 28, 2011

SUBJECT:

MTS: SD 100 & S70 BRAKE REHABILITATION - CONTRACT AWARD

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1021.0-11 with Knorr Brake Corporation (Knorr) (in substantially the same format as Attachment A) for a two-year base period with 3 one-year options.

Budget Impact

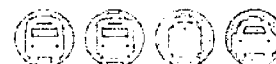
The total cost for Siemens SD 100 and S70 light rail vehicle (LRV) friction brake overhaul kits and services, freight, and taxes would not exceed \$3,691,000. The expenditure would be funded by CIP 11254-0200.

\$491,000	Base Year 1	FY 11
\$800,000	Base Year 2	FY 12
\$800,000	Option Year 1	FY 13
\$800,000	Option Year 2	FY 14
\$800,000	Option Year 3	FY 15

DISCUSSION:

Background

San Diego Trolley, Inc. (SDTI) is currently operating a 52 SD 100 and 11 S70 Siemens LRVs. These rail cars were manufactured by Siemens from 1992 through 1995 (SD 100) and 2005 (S70). The brake system used on these rail cars was manufactured and designed by the Knorr Brake Corporation (Knorr), which is the original equipment manufacturer (OEM) specifically for this type of rail vehicle. Maintenance procedures at SDTI require that these parts and services be obtained from the OEM. All drawings and specifications necessary to manufacture the braking system and services are proprietary to Knorr.



Knorr supplies braking systems specified to meet standards required by the rail car manufacturer as well as the standards set by SDTI. Based on these high levels of design criteria and the need for specialized knowledge of hydraulic braking systems for mass transit, it is required that only Knorr-certified personnel are permitted to overhaul this equipment. Skilled workmanship and an intimate knowledge of the equipment is necessary for an overhaul to ensure that the finished product will maintain the proper levels of reliability and safety required by SDTI. MTS staff also requests the use of Knorr parts in the overhaul of this critical equipment to guarantee its integrity and reliability.

It should be noted that Knorr is now Buy America-compliant. Knorr has completed fleet brake overhauls on Acela high-speed transit equipment, Los Angeles Blue Line equipment, San Francisco Muni LRV equipment, and many others.

Therefore, MTS staff recommends approval of MTS Doc. No. L1021.0-11 with Knorr for the procurement of SD 100 and S70 friction brake-system overhaul kits and services for overhaul equipment and components. Pricing has been determined to be fair and reasonable. A cost analysis of previous purchases is attached (Attachment B).



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Marco Yniguez, 619.557.4576, marco.yniguez@sdmts.com

APRIL28-11.6.BRAKE REHAB CONTRACT.MYNIGUEZ

Attachments: A. Draft MTS Doc. No. L1021.0-11
B. Cost Analysis

Draft

Att. A, AI 6, 4/28/11

STANDARD SERVICES AGREEMENT

L1021.0-11
CONTRACT NUMBER
CIP 11254-0200
FILE NUMBER(S)

THIS AGREEMENT is entered into this ____ day of _____ 2011 in the State of California, by and between San Diego Metropolitan Transit System, a California public agency, and the following contractor, hereinafter referred to as "Contractor":

Name: Knorr Brake Corporation

Address: 29471 Kohoutek Way

Form of Business: Corporation
(corporation, partnership, sole proprietor, etc.)

Union City, CA. 94587

Telephone: (510) 475-0770

Authorized person to sign contracts: Roy Van Wynsberghe Western Regional Manager
Name Title

The attached Standard Conditions are part of this agreement. The Contractor agrees to furnish to MTS services and materials, as follows:

Provide SD 100 and S70 friction brake-system overhaul kits and services in accordance with the Knorr Brake Corporation, Inc.'s pricing dated March 23, 2011, the Standard Services Agreement, the Standard Conditions Services, and the Federal Requirements. If there are any inconsistencies between the Contract Documents, the following order of precedence will govern the interpretation of this contract:

Knorr Brake Corporation, Inc.'s pricing dated March 23, 2011, Standard Services Agreement, including the Standard Conditions Services, and Federal Requirements.

This contract shall remain in effect for five years effective May 1, 2011, through April 30, 2016. The total amount of this contract shall not exceed \$3,691,000.00, including California sales tax and freight, without prior written approval from MTS.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM		CONTRACTOR AUTHORIZATION
By: _____ Chief Executive Officer	Firm: _____	
Approved as to form:	By: _____	
By: _____ Office of General Counsel	Signature	
Title: _____		
AMOUNT ENCUMBERED	BUDGET ITEM	FISCAL YEAR
\$491,000.00 Year 1 (May 1, 2011 – April 30, 2012)		
\$800,000.00 Year 2 (May 1, 2012 – April 30, 2013)		
\$800,000.00 Year 3 (May 1, 2013 – April 30, 2014)		
\$800,000.00 Year 4 (May 1, 2014 – April 30, 2015)		
\$800,000.00 Year 5 (May 1, 2015 – April 30, 2016)		
\$3,691,000.00 Total	CIP 11254-0200	11 - 16

By: _____
Chief Financial Officer Date

COST ANALYSIS

L01021.0-11

Knorr Brake System Overhaul Kits and Services

DESCRIPTION	2010 L0888.0-09	2011 L1021.0-11
SD 100 LIGHT RAIL VEHICLE	\$38,608.39	\$39,639.00
S70 LIGHT RAIL VEHICLE	\$35,779.91	\$35,779.91

The current pricing for the SD 100 materials and services only increased by 2.6 % compared to the pricing established in June 2010; these changes are due to materials price increases incurred and projected through the end of this contract. Original price levels established in July 2010 for all S70 services and materials remain unchanged.



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Agenda

Item No. 7

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

April 28, 2011

SUBJECT:

MTS: BATTERIES FOR AUTOMOBILES AND BUSES – CONTRACT AMENDMENT

RECOMMENDATION:

That the Board of Directors:

1. ratify Option Year One of MTS Doc. No. B0481.0-07 with Broding's Battery Warehouse to purchase batteries for buses and automobiles; and
2. authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0481.1-07 (in substantially the same format as Attachment A) with Broding's Battery Warehouse for the continued procurement of automotive and bus batteries.

Budget Impact

Amendment No. 1 would be funded by Project Code 331/332 54540 in the amount of \$197,463.03.

DISCUSSION:

An Invitation for Bids (IFB) to provide batteries for automobiles and buses was issued on January 25, 2007. A public sealed-bid opening was held on March 6, 2007. The two firms that responded were Broding's Battery Warehouse and Powerstride Battery.

Broding's Battery Warehouse was determined to be the lowest, responsive, and responsible bidder to provide batteries for automobiles and buses. Services commenced on May 1, 2007, and the contract was awarded for a three-year base. The



contract also contained two 1-year renewal options to be exercised solely at the discretion of MTS.

Option Year 1

Staff is requesting that the Board ratify Option Year One of MTS Doc. No. B0481.0-07 in the amount of \$96,863.14. Option Year One was inadvertently exercised without issuing a formal amendment.

Amendment No. 1

Staff is requesting execution of MTS Doc. No. B0481.1-07 with Broding's Battery Warehouse for a total of \$100,599.89. This amendment would extend the contract from May 1, 2011, through April 20, 2012.

The adjusted, not-to-exceed amount of the contact, including the two options years, would be \$468,922.88.

Therefore, staff recommends that the Board ratify Option Year One of MTS Doc. No. B0481.0-07 with Broding's Battery Warehouse to purchase batteries for buses and automobiles; and authorize the CEO to execute MTS Doc. No. B0481.1-07 (in substantially the same format as Attachment A) with Broding's Battery Warehouse for the continued procurement of automotive and bus batteries.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Ray Thompson, 619.238.0100, Ext. 6504, ray.thompson@sdmts.com

APRIL28-11.7.BRODINGS BATTERIES AUTOS & BUSES.KBENSON

Attachment: A. Draft MTS Doc. No. B0481.1-07

DRAFT

April 28, 2011

MTS Doc. No. B0481.1-07

Ms. Cathy Broding
 President
 Broding's Battery Warehouse
 8188 Commercial Street
 La Mesa, CA 91942

Dear Ms. Broding:

Subject: AMENDMENT NO. 1 TO SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) DOC.
 NO. B0481.0-07, BATTERIES FOR AUTOMOBILES AND BUSES; EXERCISE YEAR FIVE
 OPTION YEAR TWO

This shall serve as Amendment No. 1 to our agreement for the Batteries for Automobiles and Buses contract as further described below.

1. This Amendment shall formally memorialize that Option Year One was executed and mutually agreed upon by both parties. The total amount for Option Year One shall not exceed \$96,863.14 and will be effective May, 1, 2010, through April 30, 2011.

<u>Option Year 1</u>	<u>Original Contract</u>	<u>Adjusted Amount</u>
Batteries:	\$89,069.55	\$89,069.55
Revised Tax Rate:	<u>\$ 6,902.89 (7.75%)</u>	<u>\$ 7,793.59 (8.75%)</u>
Total Year 4 Opt. Year 1:	\$95,972.44	\$96,863.14

2. Pursuant to the specifications of MTS IFB No. B0481.0-07, MTS shall exercise Option Year Two of the Batteries for Automobiles and Buses contract and apply the revised tax rate from 7.75% to 8.75% as reflected below.

<u>Option Year 2</u>	<u>Original Contract</u>	<u>Adjusted Amount</u>
Batteries:	\$92,505.65	\$92,505.65
Revised Tax Rate:	<u>\$ 7,169.19 (7.75%)</u>	<u>\$ 8,094.24 (8.75%)</u>
Total Year 5 Opt. Year 2:	\$99,674.84	\$100,599.89

SCHEDULE

The Option Year One contract period shall expire on April 30, 2011, and the Option Year Two contract period shall be effective from May 1, 2011, through April 30, 2012.

Letter to Ms. Cathy Broding
April 14, 2011
Page 2 of 2

PAYMENT

As a result of this Amendment, the total contract value will increase the base contract amount by \$197,463.03. The total value of this contract, including this amendment, shall not exceed \$468,922.88.

CONTRACT OFFICER

Please note that Kimberly Benson is the new Contract Officer for the above-mentioned contract.

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

Sincerely,

Agreed:

Paul C. Jablonski
Chief Executive Officer

Cathy Broding
President

Date: _____

APRIL28-11.7.AttA.BRODINGS
BATTERIES.B0481.1-07.KBENSON



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Agenda

Item No. 8

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

April 28, 2011

SUBJECT:

MTS: INVESTMENT REPORT – FEBRUARY 2011

RECOMMENDATION:

That the Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

Attachment A comprises a report of MTS investments as of February 2011. The combined total of all investments has decreased by \$8.2 million in the current month largely due to scheduled payments for the acquisition of capital assets and normal variations in the timing of cash receipts and payments for normal operating expenses.

The first column of Attachment A provides details about investments restricted for capital improvement projects and debt service—the majority of which are related to the 1995 lease and leaseback transactions. The funds restricted for debt service are structured investments with fixed returns that will not vary with market fluctuations if held to maturity. These investments are held in trust and will not be liquidated in advance of the scheduled maturities. The second column of Attachment A (unrestricted investments) reports the working capital for MTS operations for employee payroll and vendors' goods and services.

A handwritten signature in black ink, appearing to read 'Paul C. Jablonski', is written over a horizontal line.

Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Tom Lynch, 619.557.4538, tom.lynch@sdmts.com

APRIL28-11.8.INVESTMT RPT FEB 2011.TLYNCH

Attachment: A. Investment Report for February 2011

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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.



**San Diego Metropolitan Transit System
Investment Report
February 28, 2011**

	<u>Restricted</u>	<u>Unrestricted</u>	<u>Total</u>	Average rate of return
Cash and Cash Equivalents				
Bank of America - concentration sweep account	\$ 5,291,772	\$ 12,211,778	\$ 17,503,550	0.00%
Total Cash and Cash Equivalents	<u>5,291,772</u>	<u>12,211,778</u>	<u>17,503,550</u>	
Cash - Restricted for Capital Support				
US Bank - retention trust account	2,785,610		2,785,610	N/A *
Local Agency Investment Fund (LAIF) Proposition 1B TSGP grant funds	4,658,049		4,658,049	0.51%
Total Cash - Restricted for Capital Support	<u>7,443,659</u>	<u>-</u>	<u>7,443,659</u>	
Investments - Working Capital				
Local Agency Investment Fund (LAIF) San Diego County Investment Pool		3,430,930 10,645,548	3,430,930 10,645,548	0.51%
Total Investments - Working Capital	<u>-</u>	<u>14,076,478</u>	<u>14,076,478</u>	
Investments - Restricted for Debt Service				
US Bank - Treasury Strips - market value (Par value \$39,474,000)	36,445,286	-	36,445,286	
Rabobank - Payment Undertaking Agreement	83,556,240	-	83,556,240	7.69%
Total Investments Restricted for Debt Service	<u>120,001,526</u>	<u>-</u>	<u>120,001,526</u>	
Total cash and investments	<u>\$ 132,736,957</u>	<u>\$ 26,288,256</u>	<u>\$ 159,025,213</u>	

N/A* - Per trust agreements, interest earned on retention account is allocated to trust beneficiary (contractor)



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Agenda

Item No. 9

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

April 28, 2011

SUBJECT:

MTS: CAPITAL IMPROVEMENT PROGRAM (CIP) FUNDS TRANSFER

RECOMMENDATION:

That the Board of Directors authorize the transfer of \$325,000 from the FY 12 apportionment of the MTS Rail Profile Grinding Project (CIP 11206) and \$1,283 from the MTS Miscellaneous Capital Project (CIP 11200) to the SANDAG Station Platform Retrofit Project (1095400), the Mission Valley West LRT Extension Project (1041600), and the Santee LRT Extension Project (1040300).

Budget Impact

Funding in the amount of \$325,000 would be transferred to the MTS Rail Profile Grinding Project and \$1,283 would be transferred to MTS Miscellaneous Capital Project.

DISCUSSION:

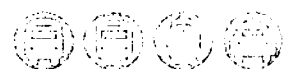
On May 28, 2010, the San Diego Association of Governments (SANDAG) transferred the remaining original TransNet I funds in the amount of \$10.1 million (less the amount retained by SANDAG) for the projected completion of the Station Platform Retrofit Project to MTS.

Due to some unforeseen circumstances, an additional \$310,971 is needed to complete the Station Platform Retrofit Project. Furthermore, an additional \$13,820 and \$1,492 are needed to complete the Mission Valley West Light Rail Transit (LRT) Extension Project and the Santee LRT Extension Project, respectively. Since the TransNet I funds have been expended by MTS as a budget-closure scenario during FY 10, SANDAG has requested that MTS transfer \$326,283 as a repayment utilizing MTS federal funds.

A handwritten signature in black ink, appearing to read 'Paul C. Jablonski', is written over a horizontal line.

Paul C. Jablonski
Chief Executive Officer

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





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Agenda

Item No. 10

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

LEG 491 (PC 50633)

April 28, 2011

SUBJECT:

MTS: INCREASED AUTHORIZATION FOR LEGAL SERVICES – LAW OFFICES OF
MICHAEL E. RIPLEY

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1080.10-07 (in substantially the same form as Attachment A) with the Law Offices of Michael E. Ripley for legal services and ratify prior amendments entered into under the CEO's authority.

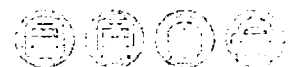
Budget Impact

Not to exceed \$55,000 for the Law Offices of Michael E. Ripley. No additional budget adjustment is proposed at this time. Fiscal year 2012 budgets are being developed, and funds will be designated and included within them.

DISCUSSION:


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

Pursuant to Board Policy No. 52 (Procurement of Goods and Services), the CEO may enter into contracts with service providers for up to \$100,000. The Board must approve all agreements in excess of \$100,000. All attorneys listed have multiple cases that are scheduled to proceed to trial, and the total cost of their legal services will exceed the CEO's authority.



The Law Offices of Michael E. Ripley is currently under contract with the Agencies for \$410,000. Michael E. Ripley has successfully defended the Agencies in a number of tort-liability matters. Pending invoices for recent and current services are anticipated to exceed current contract authority due to legal-defense costs.

The CEO has approved contracts up to the \$100,000 authority level. Staff is requesting Board approval of MTS Doc. No. G1080.10-07 with the Law Offices of Michael E. Ripley for legal services and ratification of prior contracts/amendments entered into under the CEO's authority.


Paul C. Jablonski
Chief Executive Officer

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

APRIL28-11.10.LEGAL SVCS RIPLEY.JDOW

Attachment: A. MTS Doc. No. G1080.10-07

DRAFT

April 28, 2011

MTS Doc. No. G1080.10-07
LEG 491 (PC 50633)

Mr. Michael Ripley
Law Offices of Michael E. Ripley
12520 High Bluff Drive, Suite 360
San Diego, CA 92130

Dear Mr. Ripley:

Subject: AMENDMENT NO. 10 TO MTS DOC. NO. G1080.0-07: LEGAL SERVICES – GENERAL
LIABILITY

This letter will serve as Amendment No. 10 to MTS Doc. No. G1080.0-07. This contract amendment authorizes additional costs not to exceed \$55,000 for professional services. The total value of this contract, including this amendment, is \$465,000. Additional authorization is contingent upon MTS approval.

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

Sincerely,

Accepted:

Paul C. Jablonski
Chief Executive Officer

Michael Ripley
Law Offices of Michael E. Ripley

Date: _____

APRIL28-11.10.AttA.RIPLEY LEGAL SVCS
G1080.10-07.JDOW



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Agenda

Item No. 11

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

April 28, 2011

SUBJECT:

MTS: UNALLOCATED TRANSPORTATION DEVELOPMENT ACT FUNDS FOR
TRANSIT-RELATED PROJECTS

RECOMMENDATION:

That the Board of Directors approve the use unallocated Transportation Development Act (TDA) funds currently held by the County of San Diego (County) for a new service agreement for the City of Santee's Clock Tower.

Budget Impact

The use of unallocated TDA funds set aside by the County for transit-related projects in various jurisdictions would have no impact on MTS's operating or capital budgets. The total available unallocated TDA held for the benefit of the City of Santee would be reduced by \$6,460 resulting in a remaining balance of \$236,616 held by the County for future transit-related projects (pending Board approval).

DISCUSSION:

On April 4, 2011, MTS received a request from the City of Santee for the use of \$6,460 of the unallocated TDA funds held by the County to enter into a new service agreement for the maintenance of the City of Santee's Clock Tower at the Santee Trolley Square. The agreement would provide 17 additional months of coverage, which is the maximum the manufacturer will provide due to the age of the display/computer equipment. This clock tower display includes a subroutine for displaying the arrival and departure times of trolleys.


Paul C. Jablonski
Chief Executive Officer

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





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Agenda

Item No. 12

JOINT MEETING OF THE BOARD OF DIRECTORS

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

April 28, 2011

SUBJECT:

MTS: CALIFORNIA ENERGY COMMISSION FUNDING OF COMPRESSED NATURAL GAS STATION IMPROVEMENTS

RECOMMENDATION:

That the Board of Directors approve Resolution No. 11-4 (Attachment A) authorizing the use of \$186,148 in California Energy Commission funds for improvements to MTS's compressed natural gas station, which is used to fuel the MTS fleet.

Budget Impact

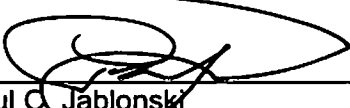
None at this time.

DISCUSSION:

Through State Assembly Bill 118, the California Energy Commission provides funds for capital investment in alternative and renewable-fuels infrastructure. The funds were awarded to MTS through a competitive-grant-proposal process. As shown in Attachment A, the California Energy Commission would provide \$186,148 in capital assistance to MTS.

Recommendation

Grant requirements include submission of a resolution by the Board of Directors authorizing submittal and project programming. Therefore, staff recommends that the Board approve Resolution No. 11-4 (Attachment A) for submission of a grant application and project programming authorizing the use of \$186,148 in California Energy Commission funds for improvements to MTS's compressed natural gas station.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Nancy Dall, 619.557.4537, nancy.dall@sdmts.com

APRIL28-11.12.CNG STATION IMPROVEMT FUNDING.NDALL

Attachment: A. Resolution No. 11-4

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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.



SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 11-4

Resolution Authorizing State Assembly Bill 118 Funding
with the California Energy Commission

WHEREAS, the California Energy Commission is authorized to make grants to public agencies to support capital investments in alternative and renewable-fuel infrastructure projects under State Assembly Bill 118, and

WHEREAS, San Diego Metropolitan Transit Systems (MTS) desires to apply for said financial assistance to make improvements to its compressed natural gas infrastructure used for fueling the transit revenue fleet in the San Diego County area;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that MTS does hereby authorize the Chief Executive Officer, or designated representative, to file and execute any actions necessary on behalf of MTS with the California Energy Commission to aid in the financing of capital assistance projects pursuant to Assembly Bill 118; that the designated representatives are:

1. The Chief of Staff is authorized to file and execute any actions necessary on behalf of MTS with the California Energy Commission to aid in financing capital assistance projects pursuant to Assembly Bill 118.
2. The Chief Financial Officer is authorized to provide additional information as the California Energy Commission may require in connection with the application for projects.

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



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Agenda

Item No. 13

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

April 28, 2011

SUBJECT:

MTS: INIT USA, INC. RURAL BUS AUTOMATIC PASSENGER COUNTERS -
CONTRACT AMENDMENT

RECOMMENDATION:

That the Board of Directors:

1. authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L0912.2-10 (in substantially the same form as Attachment A) with Init USA, Inc. for the purchase and installation of automatic passenger counters (APC) hardware, software, tax, and support services for eight rural buses; and
2. ratify MTS Doc. No. L0912.1-10, which was previously executed under the CEO's authority in the amount of \$15,616.05 for changes in the components and optional quantities of the Trolley APC Project.

Budget Impact

The total cost of MTS Doc. No. L0912.2-10 would be \$95,796.57. The total contract amount including all amendments would be \$1,576,050.09.

Amendment No. 1's (MTS Doc. No. L0912.1-10) costs were covered by previous Board authority given on March 11, 2010, for an amount of up to \$1,500,000 from the Trolley APC Capital Improvement Project.

Amendment No. 2 (MTS Doc. No. L0912.2-10) would be covered by two federal American Recovery and Reinvestment Act (ARRA) grants. Grant No. 649886 (Rural Minibus Procurement) provided funding of \$52,034, which was a remainder after procuring the five rural vehicles. Grant No. 649310 provided \$49,468 specifically for this project. The total available funding under ARRA is \$101,502.



DISCUSSION:

Trolley APCs

On March 11, 2010, the MTS Board approved the purchase of a Trolley APC system from Init USA, Inc., for an amount not to exceed \$1,500,000. Subsequently, the contract was amended to remove certain hardware, which was no longer needed and to exercise some options for additional vehicle installations. The total cost of the first amendment was \$15,616.05 and was approved under the CEO's authority.

Rural Bus APCs

MTS applied for and was granted \$49,468 for the purchase of APCs for rural buses through an ARRA grant. In addition, another ARRA grant provided funding for five rural buses. After the procurement for buses was complete, \$52,034 remained from the grant and the California Department of Transportation approved the use of the funds to supplement the rural APC procurement. The MTS rural routes include Route 864 (Alpine), Route 888 (Jacumba), Route 891 (Borrego Springs via Shelter Valley), Route 892 (Borrego Springs via Ranchita), and Route 894 (Tecate/Campo).

After researching costs for an APC system for rural buses from current vendors and new vendors, staff decided that a sole-source procurement from one of MTS's current APC vendors would provide significant cost savings and operational efficiencies because MTS already owned the backend hardware and software for these systems. After discussions with Motorola, Inc., and Init USA, Inc., the current providers of APC systems on MTS vehicles, it was determined that Motorola's solution was not practical due to technical and cost limitations. Specifically, Motorola's solution required the installation of the full Regional Transit Management System equipment, which is a considerable increase in cost.

Init USA, Inc. provided pricing for the rural bus APCs, which staff determined to be fair and reasonable based on recent procurements of APCs at MTS and North County Transit District. Staff also determined that a competitive procurement would not result in savings that would justify the substantial duplication costs of procuring a new system.

The rural bus APCs will be tied directly into the Trolley APC system's servers allowing staff to use the same software to access and report ridership data for both modes



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Devin Braun, 619.595.4916, devin.braun@sdmts.com

APRIL28-11 13.INIT L0912.2-10. RURAL APCS.DBRAUN

Attachment: A. Draft MTS Doc. No. L0912.2-10 with Init USA, Inc.

DRAFT

April 28, 2010

MTS Doc. No. L0912.2-10
CIP 11278

Mr. Roland Staib
President
INIT USA, Inc.
1420 Kristina Way, Suite 101
Chesapeake, VA 23320

Dear Mr. Staib:

Subject: AMENDMENT NO. 2 TO MTS DOC. NO. L0912.0-10; TROLLEY AUTOMATIC
PASSENGER COUNTER SYSTEM – ADDITION OF RURAL SERVICE BUSES

This letter will serve as Amendment No. 2 to the above-referenced contract. MTS is processing this Amendment to reflect the additional products and services as reflected in INIT's proposal "2010-209-2 MTS Bus" (5-page document attached) for the purpose of equipping five (5) fixed-route minibuses and three (3) fixed-route, 40-foot transit buses that serve rural areas of San Diego County. This Amendment includes the necessary hardware, software, warranty, installation, operations equipment, and other miscellaneous items in support of this purchase with the exception of referenced MTS-provided equipment or support (also referenced on the attached INIT quotation).

SCOPE OF WORK

Provide an Automatic Passenger Counting System pursuant to the terms and conditions of the original agreement on five (5) fixed-route minibuses and three (3) fixed-route, 40-foot transit buses. The system shall be integrated with the existing Trolley Automatic Passenger Counting System, including reporting capabilities. The installation of the equipment listed in this amendment shall be completed by June 30, 2011.

PAYMENT

See the attached INIT proposal "2010-209-2 MTS Bus." Original payment terms and conditions shall apply to this Amendment. The total increase of this Amendment, including applicable sales tax, is \$95,796.57.

ADDITIONAL TERMS AND CONDITIONS

The funding for this portion of the contract has been made available through a grant under the American Recovery and Reinvestment Act of 2009 (ARRA). As a requirement under this funding, the ARRA terms and conditions will apply to the work associated with MTS Doc. No. L0912.2-10. These terms and conditions are in addition to the existing terms and conditions as stated in MTS Doc. No. L0912.0-10.

All other terms and conditions of MTS Doc. No. L0912.0-10 remain unchanged. 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

Roland Staib
INIT USA, Inc.

APRIL28-11.13.AttA.INIT APCs L0912.2-10.DBRAUN

Date: _____

Attachment: INIT 2010-209-2 MTS Bus

Date: March 24, 2011
To: Procurement File
From: Devin Braun
Subject: SOLE-SOURCE JUSTIFICATION FOR RURAL APCS

BACKGROUND

San Diego Metropolitan Transit System (MTS) has received a grant under the American Recovery and Reinvestment Act of 2009 (ARRA) for the purchase of Automatic Passenger Counters (APCs) for rural transit bus services. The APCs will provide MTS with data regarding passenger on- and off-boarding specific to each bus stop, including the date and time. This data will allow MTS to better analyze the ridership volumes, needs, and scheduling requirements in order to provide a more efficient service to its ridership. MTS has initially selected five (5) fixed-route minibuses and three (3) fixed-route, forty-foot (40') buses that service routes in rural communities of San Diego County.

In anticipation of the receipt of the ARRA funds for the purpose of installing them on rural transit buses, MTS held discussions with two qualified firms, Motorola, Inc. (Motorola) and Init USA, Inc. (Init). Both firms have experience installing APCs on light rail vehicles (LRVs) and buses in the MTS system.

MTS has an existing contract (L0912.0-10) with Init to provide and install APCs (including warranty support) and the necessary operational support equipment, hardware, and software on MTS LRVs.

During the discussions, it was determined that Motorola was not able to install APCs on MTS transit buses as a stand-alone system because Motorola's system would require the installation of satellite-based automatic vehicle location (AVL) equipment manufactured by Orbital Sciences Corporation, referred to as "Orbital AVL," in addition to the APC hardware. This hardware would add considerable cost to the project for the extra equipment, ongoing operating costs, and installation required to support the Orbital AVL system, all of which is outside the scope of this project.

Init was able to use its same back-end hardware and software it uses for LRV APCs, allowing MTS to realize significant savings in areas such as procurement, purchases of hardware and software, installation, warranty support, and training.

FAIR AND REASONABLE JUSTIFICATION

The MTS Contract L0912.0-10 was a competitively bid request for proposal (RFP) and awarded to Init in accordance with MTS Procurement Policy No. 52, Best Practices Procurement Manual (BPPM), and FTA Circular 4220.1F to provide APCs for fifty-three (53) LRVs with options for twenty-six (26) more and all associated equipment, installation, training, etc.. The eight (8) APCs for rural buses would be an addition to the existing Trolley APC contract, with the addition of AARA funding terms and conditions, specific to this portion of the contract. The total price, inclusive of taxes, shall not exceed \$95,796.57.

Based on the pricing received from Init and compared to pricing received for similar equipment for San Diego Transit Corporation and North Country Transit District buses, in accordance with FTA Circular 4220.1F, Chapter VI, 3, i(1)(b)1c, a sole source is justified by the following:

Substantial Duplication Costs. In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.

CONCLUSION

MTS staff has determined that, as indicated herein, the cost and installation of the APC for eight rural transit buses by Init for a price of \$95,796.57 (including applicable taxes) is fair and reasonable and a sole-source procurement is justified. MTS staff recommends the Board of Directors authorize the Chief Executive Officer to award additional funds to Init under MTS Contract L0912.0-10.

Devin Braun,
Project Manager



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

Agenda

Item No. 14

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

LEG 491 (PC 50633)

April 28, 2011

SUBJECT:

MTS: INCREASED AUTHORIZATION FOR LEGAL SERVICES - McDUGAL LOVE
ECKIS SMITH BOEHMER & FOLEY, APC

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1067.14-07 (in substantially the same form as Attachment A) with McDougal Love Eckis Smith Boehmer & Foley, APC for legal services and ratify prior amendments entered into under the CEO's authority.

Budget Impact

Not to exceed \$90,000 for McDougal Love Eckis Smith Boehmer & Foley, APC.
The budget for this action would be covered in FY 11 and FY 12.

DISCUSSION:

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


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



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

McDougal Love Eckis Smith Boehmer & Foley, APC is currently under contract with the Agencies for \$720,000. Attorney Steven Boehmer has successfully defended the Agencies in a number of tort liability matters. Pending invoices for recent and current services are anticipated to exceed current contract authority due to legal defense costs.

The CEO has approved contracts up to the \$100,000 authority level. Staff is requesting Board approval of MTS Doc. No. G1067.14-07 with McDougal Love Eckis Smith Boehmer & Foley, APC for legal services and ratification of prior contracts/amendments entered into under the CEO's authority.


Paul G. Jablonski
Chief Executive Officer

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

APRIL28-11.14.LEGAL SVCS McDUGAL LOVE.JDOW

Attachment: A. MTS Doc. No. G1067.14-07

DRAFT

Att. A, AI 14, 4/28/11

April 28, 2011

MTS Doc. No. G1067.14-07
LEG 491 (PC 50633)

Mr. Steven E. Boehmer
McDougal Love Eckis Smith & Boehmer, APC
8100 La Mesa Blvd, Suite 200
La Mesa, CA 91942-6476

Dear Mr. Boehmer:

Subject: AMENDMENT NO. 14 TO MTS DOC. NO. G1067.0-07: LEGAL SERVICES – GENERAL
LIABILITY

This letter will serve as Amendment No. 14 to MTS Doc. No. G1067.0-07. This contract amendment authorizes additional costs not to exceed \$90,000 for professional services. The total value of this contract, including this amendment, is \$810,000. Additional authorization is contingent upon MTS approval.

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

Sincerely,

Accepted:

Paul C. Jablonski
Chief Executive Officer

Steven E. Boehmer
McDougal Love Eckis Smith & Boehmer, APC

Date: _____

APRIL28-11.14.AttA.LEGAL SVCS McDOUGAL LOVE.JDOW



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Agenda

Item No. 45

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

April 28, 2011

SUBJECT:

MTS: I-15 MID-CITY BUS RAPID TRANSIT (BRT) STATION UPDATE
(DENIS DESMOND)

RECOMMENDATION:

That the Board of Directors receive an update on the status of planning for the Mid-City stations on the Interstate 15 (I-15) bus rapid transit (BRT) corridor.

Budget Impact

This is a TransNet funded project with no direct impact to MTS's capital budget. There are currently \$21.45 million of TransNet funds programmed in the Regional Transportation Improvement Plan (RTIP) for this project. The cost of the preferred alternative is currently \$40.7 million. The project is fully funded through design and partially funded through construction. No funds are being requested of the San Diego Association of Governments (SANDAG) at this time, but additional funds will be required prior to advertising this project for construction.

DISCUSSION:

Background

In the late 1990s, when I-15 was upgraded to a freeway through City Heights, the California Department of Transportation (Caltrans) and the City of San Diego entered into a series of agreements, including one with terms that provided for future construction of light rail transit (LRT) or BRT in the median of I-15. As a result, the El Cajon Blvd. and University Ave. bridges were designed and constructed to enable vertical connections to future transit stations at freeway level and to provide room for commercial and retail uses on the bridge decks.



In late 2007, SANDAG and Caltrans initiated a community-based planning process to determine the most effective location and design of BRT stations at El Cajon Blvd. and University Ave. A working group representing the local community and agencies, including MTS, was convened for the development of the I-15 station design concepts for the Mid-City area. The group identified four alternatives for further review in an environmental document. Two of these alternatives included stations at freeway level in the median, one alternative included stations at freeway level on the outside shoulder, and the final alternative included stations at the on-ramps to the freeway. The shoulder alternative was eliminated from further review during the environmental phase due to operational and safety concerns. The three remaining alternatives, ranging from \$22 million to \$54 million in cost, were evaluated in an Initial Study/Environmental Assessment (IS/EA).

A draft environmental document for these stations was released for public review and comments between December 30, 2010, and February 14, 2011, and a public hearing was held on January 26, 2011. After reviewing the comments submitted by the public for this project, SANDAG and Caltrans have selected the median alternative with offset side platforms as the preferred alternative. The median station with offset side platforms is the most cost-effective alternative that meets the purpose and objectives of this project and minimizes environmental impacts.

Preferred Alternative Features

This alternative includes a four-mile-long dedicated transit lane in each direction of I-15 within the existing median between I-8 and I-805 and stations at freeway level at El Cajon Blvd. and University Ave. (see Attachment A). The proposed stations would serve the I-15 BRT route from Downtown San Diego to Escondido and the I-805 BRT route from Otay Mesa to Sorrento Mesa (pending future completion of inside connector ramps at the I-15/I-805 junction). The transit lanes would be marked with signage, striping, and barriers to physically separate them from general-purpose lanes. The BRT platforms would be accessed by pedestrians via elevators and stairs from the bridges overhead (see Attachment B).

Typical features of the proposed bus stations may include shelters and benches, ticket vending machines, electronic and static message signs and boards, real-time bus arrival information, bike racks, trash cans, noise/wind barriers or screens, and security staffing and cameras. To maximize safety and improve pedestrian circulation, a fourth-leg crosswalk is proposed at both bridge's two signalized intersections under the preferred alternative. This feature would reduce travel time for transferring passengers.

The 2050 RTP contemplates operating LRT through this corridor. This preferred station alternative retains the dedication of the freeway median to transit use but does not require the construction of costly grade-separated crossovers that might later need to be removed for future LRT conversion.

Environmental Analysis

The final environmental document is expected to be completed in mid-2011. The environmental process analyzed the impacts of three build alternatives and developed avoidance, minimization and mitigation measures. Areas analyzed include: traffic; air and water quality; land use/community; park land, biological, and cultural/archeological resources; and visual impacts. In all areas, the project was found to have no impact or impacts reduced to insignificant due to mitigation measures.

The traffic model indicated that the preferred alternative would have slightly better main-line freeway operations than the no-build alternative. Some surface-street intersections modeled with a slight reduction in level of service due to the new crosswalk on the fourth leg of each intersection.

Public Comments Summary

During the public hearing 15 comment cards were received. Key comments included pedestrian safety and security, pedestrian circulation, and providing connections with other transit services within the community and with other communities. One individual preferred the ramp alternative, and six individuals preferred the median alternative with center platforms.

During the time that the Draft IS/EA was circulated for public review, five letters were received from two state agencies, one local government agency, one nonprofit organization, and one community group. All of the comments will be responded to in the final environmental document, which is expected to be completed in mid-2011.

Maintenance and Operations

The dedicated transit lanes and stations will be maintained and operated by MTS and funded by TransNet. Caltrans, SANDAG, and MTS will enter into a maintenance agreement prior to implementation. Discussions between the California Highway Patrol, San Diego Police Department, and MTS are ongoing regarding enforcement issues on the transit lanes and stations.



Paul C. Jablonski
Chief Executive Officer

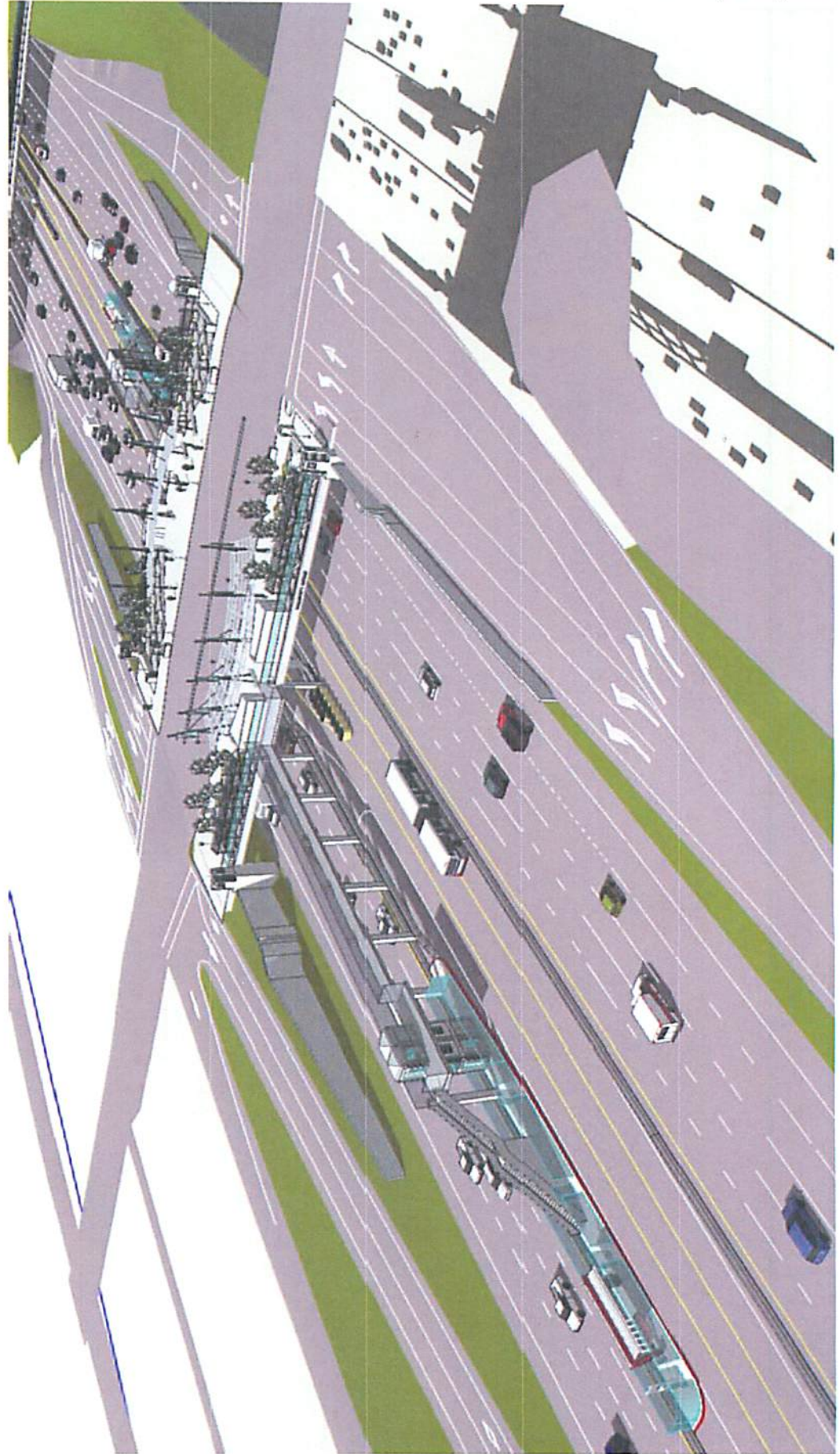
Key Staff Contact: Denis Desmond, 619.515.0929, Denis.Desmond@sdmts.com

APRIL28-11.45.I-15 MIDCITY BRT STATIONS.DDESMOND

Attachments: A. Preferred Alternative Station Design Concept
B. Preferred Alternative Station 3-D View

SR 15 Mid-City BRT PA/ED

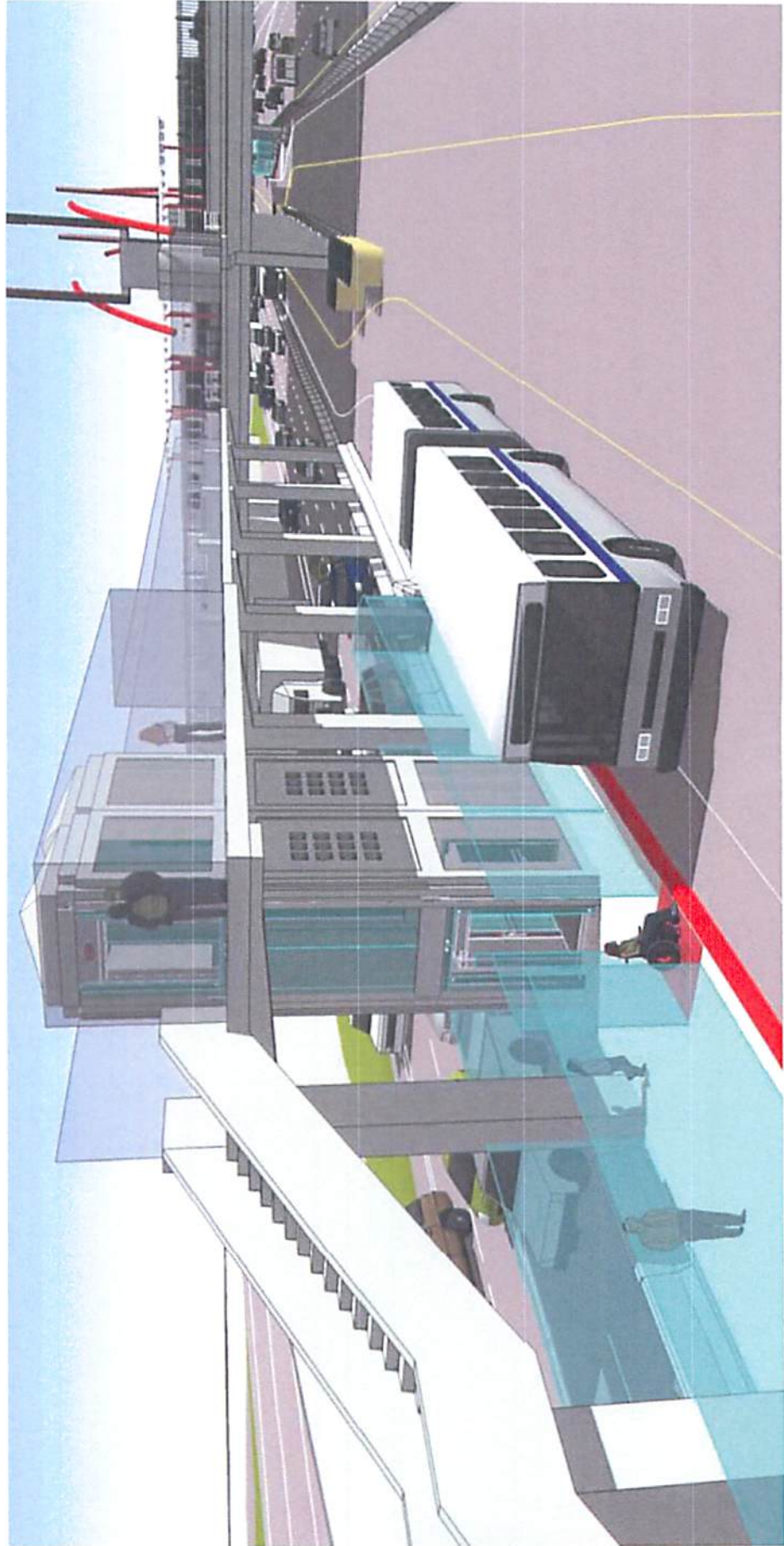
- ALTERNATIVE 2: SIDE PLATFORM



Att. B, AI 45, 4/28/11

SR 15 Mid-City BRT PA/ED

- **ALTERNATIVE 2: SIDE PLATFORM**





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Agenda

Item No. 46

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

CIP 11457

April 28, 2011

SUBJECT:

MTS: COMPASS CARD IMPLEMENTATION (JAMES DREISBACH-TOWLE OF SANDAG
AND SHARON COONEY)

RECOMMENDATION:


That the Board of Directors receive a status report on development and implementation of the Compass Card fare system.

Budget Impact

None.

DISCUSSION:

The Compass Card is a multiyear project (under the San Diego Association of Governments' [SANDAG's] Capital Improvement Program [CIP] 1145700) that will create a fare collection system for the San Diego region's fixed-route bus and rail operations. Formerly known as "Smart Card," the Compass Card was designed by Cubic and was intended to provide a better fare product for transit customers and to allow the area's transit operators to collect enhanced ridership and revenue data. The plastic cards are reusable and reloadable and will replace all paper fare media for MTS and North County Transit District (NCTD) operations once fully implemented. SANDAG staff will provide a report on progress.



Paul C. Jablonski
Chief Executive Officer

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

APRIL28-11.46.COMPASS CARD.COONEY.doc





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Agenda

Item No. 47

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

LEG 430

April 28, 2011

SUBJECT:

MTS: SEMIANNUAL UNIFORM REPORT OF DISADVANTAGED BUSINESS
ENTERPRISE AWARDS OR COMMITMENTS AND PAYMENTS (KAREN LANDERS)

RECOMMENDATION:

That the Board of Directors receive the Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments (Attachment A).

Budget Impact

None.

DISCUSSION:

As a Federal Transit Administration (FTA) grantee, MTS complies with the federal regulations set forth in Title 49 of the Code of Federal Regulations Part 26 regarding participation by DBEs in the U.S. Department of Transportation (DOT) Program. The DBE regulations require FTA grantees to prepare DBE goals based upon the number of ready, willing, and able DBE-certified contractors available to bid on certain categories of MTS capital projects. The second component of the DBE regulations requires MTS to prepare a triennial DBE program. The program outlines how MTS ensures that DBE contractors have an equal opportunity to receive and participate in DOT-assisted contracts.



The goals of the program are:

1. to ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. to create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. to ensure that the DBE program is narrowly tailored in accordance with applicable law;
4. to ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. to help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. to assist the development of firms that can compete successfully in the marketplace outside of the DBE program; and
7. to provide appropriate flexibility to recipients of federal financial assistance in establishing and providing opportunities for DBEs.

Contract "quotas" for DBE participation can only be used if there is a documented history of specific discrimination against a particular protected group of DBEs, and that discriminatory effect cannot be corrected by race-neutral methods. MTS does not have sufficient evidence for a race-conscious, or quota-like, DBE program. Instead, MTS's DBE program is a race-neutral program. This means that MTS sets aspirational goals for DBE participation and engages in outreach to the DBE community to ensure that they are aware of contracting opportunities with MTS. No special points or advantages are provided to DBEs in the contracting process.

The FTA recommends that grantees perform a disparity study to analyze the actual utilization of minority- and women-owned contractors, the current market conditions, and any barriers to participation in FTA-funded contracts on a regular basis (generally every 5 to 10 years). In April 2010, the Board received the results of a disparity study prepared by BBC Research & Consulting and adopted a new three-year goal that includes participation from DBEs and other business groups, such as Minority-Owned Business Enterprises (MBE), Women-Owned Business Enterprises (WBE), Veteran-Owned Business Enterprises (VDBE), and Certified Small Business Enterprises (SBE). As a result of the disparity study, the Board-approved goal for participation by all of these groups is 12.6%; however, *MTS may only count certified DBE participation on federally funded contracts when submitting its semiannual DBE reports to the FTA and the California Department of Transportation (Caltrans)*. This goal remains in effect until June 30, 2012.

Summary of Semiannual DBE Report Findings

The current FTA semiannual reporting period runs from October 1, 2010, to March 31, 2011. For projects using federal funds, there were a total of 52 contracts and purchase orders that were entered into during the reporting period, and 23 contracts that were completed during the reporting period.

The following table summarizes the participation of certified business entities in federally funded projects:

	CONTRACTS EXECUTED	AMOUNT
Total Contracts	52	\$11,545,746.55
DBE Contracts	0	\$ 0
MBE Contracts ¹	1	\$ 399,949.44
WBE Contracts	1	\$ 15,616.05
VDBE Contracts	2	\$ 9,352.33
TOTAL BE Participation:		\$424,917.82
Percentage of BE Participation:		3.68%

DBE	MBE	WBE	VDBE	Amount
			Dick Miller, Inc.	\$3,301.58
			Dick Miller, Inc.	\$6,050.75
	Industrial Millwright Services			\$399,949.44
		Init Innovations in Transport		\$15,616.05
	1	1	2	\$424,917.82

	CONTRACTS COMPLETED	AMOUNT
Total Contracts	22	16,092,041.86
DBE Contracts	0	0
MBE Contracts	1	\$399,949.44
WBE Contracts	1	\$15,616.05
VDBE Contracts	1	74,058.75
TOTAL BE Participation:		\$489,624.24
Percentage of BE Participation		3.04%

DBE	MBE	WBE	VDBE	Amount
	Industrial Millwright Services			\$399,949.44
		Init Innov. in Transport		\$15,616.05
			Dick Miller, Inc.	\$74,058.75
TOTAL				\$489,624.24

For FTA reporting purposes, MTS may only count participation from vendors that are registered as DBEs doing business in the State of California whose contracts were awarded during the reporting period. A list of the contracts eligible for participation is set forth above.

¹ Industrial Millwright Services is both MBE and WBE certified. To avoid double counting, it has only been included in the MBE category.

Counting only federally funded contracts and certified DBEs, MTS had the following participation statistics:

	CONTRACTS EXECUTED	AMOUNT
Total FTA Contracts	52	\$11,545,746.55
DBE Contracts	0	\$0
TOTAL DBE Participation:		\$0
Percentage of DBE Participation:		.00%

	CONTRACTS COMPLETED	AMOUNT
Total FTA Contracts	22	\$16,092,041.86
DBE Contracts	0	\$0
TOTAL DBE Participation:		\$0
Percentage of DBE Participation:		.00%

This information will be submitted by MTS to the California Department of Transportation's (Caltrans') program representative in a written semiannual report (Attachment A) and to the FTA via an electronic submission on TEAM. Staff is requesting that the Board review and receive the second semiannual FTA report for federal fiscal year 10/11.

ANALYSIS OF MTS DBE PROGRAM

Based upon a review of the DBE participation in federally funded MTS contracts over the previous 12 months, MTS's actual experiences with certified DBE contractors is not tracking with the targeted goal of 12.6% participation:

12.6% Goal Adopted June 2010 (applies through June 2012)

DBE Participation April 2010 - September 2010:	0.007%	Contracts Executed
	0.06%	Contracts Completed
DBE Participation October 2010 - March 2011	0.0%	Contract Executed
	0.0%	Contracts Completed

Based on these experiences, staff has begun an extensive review of the DBE program, including the following factors:

DBE Outreach Opportunities


Currently, MTS provides a copy of all MTS competitive solicitations to various local and small business organizations, and MBE, WBE, VDBE, and DBE organizations. MTS procurement staff also occasionally attends DBE outreach events. Staff is identifying additional outreach opportunities within the local community.

Reevaluation of DBE Goal

The previous 12 months' experience under the 12.6% goal has revealed several inconsistencies in the disparity study's recommended goal and the actual MTS contracting opportunities available. For example:

- *The 12.6% goal was based in large part on a pool of MBE and WBE contractors who were not certified as DBEs but who the study's authors thought had the "potential" to become certified.* MTS is not allowed to include participation of these contractors in its Caltrans and FTA reporting. The DBE certification process is very complicated and time-consuming. It is estimated to take a minimum of 6 months but often much longer for a company to become DBE-certified. DBE certification requires that a business be majority-owned by a recognized minority group member and also that the owner's personal net worth be below a certain threshold. The disparity study acknowledged that if only certified DBEs were used, a goal of 4.5% would apply. Staff recommends reviewing statistics regarding how many businesses are certified as DBEs each year and whether those businesses work in the transit industry. Non-certified DBEs should only be included in the goal-setting process if there is a reasonable likelihood that the businesses will become certified within the goal-period.
- *The 12.6% goal was calculated after excluding various types of contracts.* The disparity study expressly disregarded contracts with third-party operators, such as Veolia and First Transit, when it calculated its 12.6% goal. These contracts were disregarded because of the high-dollar values and the very low likelihood that a certified DBE would be qualified to perform these contracts. However, MTS is required to include these contracts in its DBE reporting. Therefore, the result is a lower percentage of DBE participation since the total contracts available is significantly increased by including contracts with transit operators.
- *The 12.6% goal was based on a review of MTS contracts between 2003 and 2007, which included significantly more construction work than MTS currently performs.* Prior to 2006, MTS included specific DBE goals in its contracts. Various court decisions in California and the 9th Circuit required MTS to move to a race-neutral DBE program without any quotas or specific contract goals. In addition, after the substantial completion of the Mission Valley East construction in 2005, the San Diego Association of Governments has taken over most of MTS's major construction projects. Subcontracting opportunities on major construction projects was formerly a source of robust DBE participation. MTS is no longer able to take credit for these contracts in its DBE reporting since it is not the contracting agency. In addition, it appears that the switch from specific DBE participation requirements to a more voluntary, race-neutral program has reduced the amount of DBE participation on construction projects. Staff recommends that this factor be evaluated more closely and that a new goal be based on MTS's projected contracting needs for the goal period. MTS's contracting experiences between 2003 and 2007 do not appear to be an accurate basis for projecting its contracting needs between 2010 and 2012.

Staff will conduct a thorough review of the MTS DBE Program and return to the Board within 90 days to request approval of any recommended changes that result from the review.



Paul G. Jablonski
Chief Executive Officer

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

APRIL28-11.47.SEMIANNUAL DBE RPT.KLANDERS

Attachment: A. Semiannual Caltrans DBE Report 10/1/10 - 3/31/11

**DISADVANTAGED BUSINESS ENTERPRISE PROGRAM REPORTING FORM
AWARDS/COMMITMENTS (Vendor Selected)**

**Att. A, AI 47,
4/28/11**

All subrecipients of the Federal Transit Administration Federally-funded Caltrans Division of Mass Transportation administered programs under Sections 5310, 5311, ARRA 5311, 5316 and 5317 must report ALL DBE contracting opportunities.

A. Subrecipient: San Diego Metropolitan Transit System

B. DBE Liaison Officer Name and Phone #: Karen Landers 619.557.4512

C. Date: April 15, 2011

D. ☒ Report due April 15 for the period October 1 to March 31 ☐ Report due October 15 for the period April 1 to September 30

E. Identify Grant Program Section (5310, 5311, ARRA 5311, 5316, 5317)	F. Caltrans Agreement Number	G. Caltrans Agreement Amount	H. Contractor/ Subcontractor/Vendor	I. Type of Contract	J. DBE Y/N	K. If yes, Identify Ethnicity & Gender	L. DBE Cert Number http://www.dot.ca.gov/hq/bep/find_certified.htm	M. Contract/ Subcontract Amount	N. Local Share
			Apollo Video Technology	Materials	N			\$14,400.00	
			Barney and Barney	Services	N			\$177,650.00	
			Best Best & Krieger LLP	Services	N			\$15,000.00	
			Canon Business Solutions	Materials	N			\$22,346.20	
			Cox Media	Services	N			\$50,000.00	
			Creative Bus Sales, Inc.	Vehicles	N			\$1,146,555.90	
			Creative Bus Sales, Inc.	Vehicles	N			\$150,894.12	
			Cubic Transportation Systems	Services	N			\$1,250.32	
			Cubic Transportation Systems	Services	N			\$13,200.00	
			Cummins Cal Pacific, Inc.	Services	N			\$1,290,746.59	
			Dick Miller, Inc.	Construction	N	Veteran	53651	\$3,301.58	
			Dick Miller, Inc.	Construction	N	Veteran	53651	\$6,050.75	
			Dynamic Instruments, Inc.	Materials	N			\$20,587.06	
			Electro Specialty Systems	Materials	N			\$2,407.54	
			Electro Specialty Systems	Construction	N			\$9,786.00	
			Electro Specialty Systems	Construction	N			\$15,625.39	
			Grainger	Services	N			\$600.95	
			IACCESS Inc	Materials	N			\$1,109.25	
			IACCESS Inc	Materials	N			\$1,386.56	
			IACCESS Inc	Materials	N			\$2,773.13	
			ICX360 Surveillance, Inc.	Services	N			\$10,118.00	
			Industrial Millwright Services	Materials/Construct	N	Women; Hispan	20087	\$399,949.44	
			Init Innovations in Transport	Services	N	Women	33229	\$15,616.05	
			IPKeys	Services	N			\$8,280.93	
			Keenan & Associates	Services	N			\$446,050.00	
			Keenan & Associates	Services	N			\$177,650.00	
			Lloyds Collision Center, Inc.	Services	N			\$3,883.60	
			Los Angeles County Metro	Materials	N			\$2,743.75	
			Los Angeles County Metro	Materials	N			\$60,000.00	
			Madden Construction, Inc.	Construction	N			\$979.83	
			Madden Construction, Inc.	Construction	N			\$3,528.52	
			Michelin North America, Inc.	Services	N			\$200,000.00	
			Mohawk Manufacturing and Supply Co	Vehicle Parts	N			\$109,746.04	

Ethnicity and Gender Legend:

- 1) Black American 2) Hispanic American
3) Native American 4) Subcont. Asian American
5) Asian-Pacific American 6) Women

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM REPORTING FORM

AWARDS/COMMITMENTS (Vendor Selected)

All subrecipients of the Federal Transit Administration Federally-funded Caltrans Division of Mass Transportation administered programs under Sections 5310, 5311, ARRA 5311, 5316 and 5317 must report ALL DBE contracting opportunities.

A. Subrecipient: San Diego Metropolitan Transit System

B. DBE Liaison Officer Name and Phone #: Karen Landers 619.557.4512

C. Date: April 15, 2011

D. ☒ Report due April 15 for the period October 1 to March 31 ☐ Report due October 15 for the period April 1 to September 30

E. Identify Grant Program Section (5310, 5311, ARRA 5311, 5316, 5317)	F. Caltrans Agreement Number	G. Caltrans Agreement Amount	H. Contractor/ Subcontractor/Vendor	I. Type of Contract	J. DBE Y/N	K. If yes, Identify Ethnicity & Gender	L. DBE Cert Number http://www.dot.ca.gov/hq/bep/find_certified.htm	M. Contract/ Subcontract Amount	N. Local Share
			Neopart LLC	Vehicle Parts	N			\$124,892.42	
			New Flyer Industries, Ltd	Vehicle Parts	N			\$178,378.44	
			NMS Management, Inc.	Services	N			\$15,475.68	
			Nth Generation Computing, Inc.	Materials	N			\$8,470.50	
			Park West Landscape	Services	N			\$21,220.62	
			Prudential Overall Supply	Services	N			\$953,784.81	
			Rael & Letson	Services	N			\$177,650.00	
			SD Friction Products, Inc.	Vehicle Parts	N			\$222,045.32	
			Siemens	Vehicle Parts	N			\$2,459,403.00	
			Siemens Industry, Inc.	Vehicle Parts	N			\$95,265.00	
			South Coast Hearing and Air	Services/Construct	N			\$89,222.00	
			Southland Transit, Inc.	Services	N			\$1,570,085.17	
			The ABY Manufacturing Group	Materials	N			\$363.58	
			Trapeze Software Group, Inc.	Materials	N			\$5,031.00	
			Trick Shot	Materials	N			\$150.00	
			Trillium USA	Construction	N			\$23,995.00	
			Truck Trailer Transit	Vehicle Parts	N			\$249,209.43	
			United Transmission Exchange	Vehicle Parts	N			\$958,887.08	
			Vehical Technical Consultants	Services	N			\$8,000.00	
				Sub-Total Number of Yes DBE's	0		Sub-Total Amount of Yes DBE's	\$0.00	
				Sub-Total Number of No DBE's	52		Sub-Total Amount of No DBE's	\$11,545,746.55	\$0.00
				GRAND TOTAL	52		GRAND TOTAL	\$11,545,746.55	\$0.00

Ethnicity and Gender Legend:

- 1) Black American 2) Hispanic American
3) Native American 4) Subcont. Asian American
5) Asian-Pacific American 6) Women

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM REPORTING FORM

ACTUAL PAYMENTS (Vendor Payment Record)

All subrecipients of the Federal Transit Administration Federally-funded Caltrans Division of Mass Transportation administered programs under Sections 5310, 5311, ARRA 5311, 5316 and 5317 must report ALL DBE contracting opportunities.

A. Subrecipient: San Diego Metropolitan Transit System

B. DBE Liaison Officer Name and Phone #: Karen Landers 619.557.4512

C. Date: April 15, 2011

D. ☒ Report due April 15 for the period October 1 to March 31 ☐ Report due October 15 for the period April 1 to September 30

E. Identify Grant Program Section (5310, 5311, ARRA 5311, 5316, 5317)	F. Caltrans Agreement Number	G. Caltrans Agreement Amount	H. Contractor/ Subcontractor/Vendor	I. Type of Contract	J. DBE Y/N	K. If yes, Identify Ethnicity & Gender	L. DBE Cert Number http://www.dot.ca.gov/hq/bep/find_certified.htm	M. Contract/ Subcontract Amount	N. Local Share
			Altec Industries, Inc.	Vehicle Parts	N			\$381,918.00	
			Altec Industries, Inc.	Vehicle Parts	N			\$190,959.00	
			Apollo Video Technology	Materials	N			\$14,400.00	
			Bureau Veritas	Services	N			\$450,000.00	
			Dick Miller, Inc.	Construction	N	Veteran	53651	\$74,058.75	
			Electro Specialty Systems	Construction	N			\$15,625.39	
			Industrial Millwright Services	Materials/Construct	N	Women; Hisp	20087	\$399,949.44	
			Init Innovations in Transport	Services	N	Women	33229	\$15,616.05	
			MCI Service Parts	Vehicle Parts	N			\$289,520.00	
			Miramar Ford Truck Sales	Vehicle Parts	N			\$876,409.00	
			Padilla & Associates	Services	N			\$32,000.00	
			PGH Wong	Services	N			\$300,000.00	
			Prudential Overall Supply	Services	N			\$25,135.37	
			Prudential Overall Supply	Services	N			\$113,767.51	
			Randall Construction	Construction	N			\$40,303.46	
			San Diego Friction Products	Vehicle Parts	N			\$594,584.00	
			Siemens Transportation	Vehicle Parts	N			\$1,755,327.24	
			Siemens Transportation	Vehicle Parts	N			\$489,202.09	
			South Coast Heating and Air	Services/Construct	N			\$13,256.00	
			The Business Cleaning Company	Services	N			\$12,010.56	
			Transit Systems Security	Services	N			\$10,000,000.00	
			Vehicle Technical Consultants	Services	N			\$8,000.00	
				Sub-Total Number of Yes DBE's	0		Sub-Total Amount of Yes DBE's		
				Sub-Total Number of No DBE's	22		Sub-Total Amount of No DBE's	\$16,092,041.86	
				GRAND TOTAL	22		GRAND TOTAL	\$16,092,041.86	
									\$0.00

Ethnicity and Gender Legend:

- 1) Black American 2) Hispanic American
3) Native American 4) Subcont. Asian American
5) Asian-Pacific American 6) Women



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

Agenda

Item No. 48

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

CIP 10485

April 28, 2011

SUBJECT:

SDTC: COPLEY PARK BUS DIVISION (CLAIRE SPIELBERG)

RECOMMENDATION:

That the Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

MTS's paratransit and minibus fleets will be consolidated at the new facility on Copley Park Place in San Diego and operated by First Transit. The site is currently being readied to begin paratransit operations on May 15 and minibus operations on June 12. Staff will provide an update.

A handwritten signature in black ink, appearing to read 'Paul C. Jablonski', is written over a horizontal line.

Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Claire Spielberg, 619.238.0100, Claire.Spielberg@sdmts.com

APRIL28-11.48.COPLEY PARK.CSPIELBERG





1255 Imperial Avenue, Suite 1000
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(619) 231-1466 • FAX (619) 234-3407

Agenda

Item No. 49

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

April 28, 2011

SUBJECT:

MTS: OPERATIONS BUDGET STATUS REPORT - FEBRUARY 2011 (MIKE THOMPSON)

RECOMMENDATION:

That the Board of Directors receive a report on MTS's operations budget status for February 2011.

Budget Impact

None at this time.

DISCUSSION:

This report summarizes MTS's operating results for February 2011 compared to the amended fiscal year 2011 budget. Attachment A-1 combines the operations, administration, and other activities results for February 2011. Attachment A-2 details the February 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 February 2011 results for MTS's other activities (Taxicab/San Diego and Arizona Eastern Railway Company).

MTS NET-OPERATING SUBSIDY RESULTS

As indicated within Attachment A-1, the year-to-date February 2011 MTS net-operating income favorable variance totaled \$398,000 (0.5%). Operations produced a \$345,000 (0.4%) favorable variance, and the administrative/other activities areas were favorable by \$54,000.



MTS COMBINED RESULTS

Revenues

Year-to-date combined revenues through February 2011 were \$61,873,000 compared to the year-to-date amended budget of \$61,435,000 representing a \$438,000 (0.7%) positive variance. This is primarily due to a favorable variance within passenger revenue.

Expenses

Year-to-date combined expenses through February 2011 were \$145,400,000 compared to the year-to-date amended budget of \$145,361,000 resulting in a \$39,000 (-0.0%) unfavorable variance.

Personnel Costs. Year-to-date personnel-related costs totaled \$75,800,000 compared to a year-to-date budgetary figure of \$75,876,000 produced a favorable variance of \$75,000 (0.1%).

Outside Services and Purchased Transportation. Total outside services for the first eight months of the fiscal year totaled \$45,564,000 compared to a budget of \$45,613,000 resulting in a year-to-date favorable variance of \$49,000 (0.1%).

Materials and Supplies. Total year-to-date materials and supplies expenses totaled \$5,022,000 compared to a budgetary figure of \$4,901,000 resulting in an unfavorable expense variance of \$121,000 (-2.5%). This is primarily due to materials and supplies unfavorable variances within transit operations.

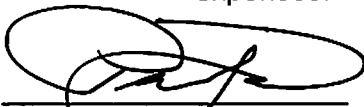
Energy. Total year-to-date energy costs were \$14,845,000 compared to the budget of \$14,816,000 resulting in a year-to-date unfavorable variance of \$29,000 (-0.2%). Year-to-date diesel prices averaged \$2.58 per gallon compared to the amended budgetary rate of \$2.60 per gallon. Year-to-date gasoline prices averaged \$3.06 per gallon compared to the amended budgetary rate of \$3.16 per gallon. Year-to-date compressed natural gas prices averaged \$0.929 per therm compared to the amended budgetary rate of \$0.937 per therm.

Risk Management. Total year-to-date expenses for risk management were \$2,607,000 compared to the year-to-date budget of \$2,629,000 resulting in a favorable variance totaling \$22,000 (0.8%).

General and Administrative. Year-to-date general and administrative costs, including vehicle and facilities leases, were \$37,000 (-2.6%) unfavorable to budget, totaling \$1,448,000 through February 2011, compared to a year-to-date budget of \$1,411,000.

YEAR-TO-DATE SUMMARY

The February 2011 year-to-date net-operating income totaled a favorable variance of \$398,000 (0.5%). These factors include favorable variances in passenger revenue, personnel costs, outside services and risk-management costs partially offset by unfavorable variances in materials and supplies, energy, and general and administrative expenses.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Comparison to Budget

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

**MTS
CONSOLIDATED**

Att. A, AI 49, 4/28/11

**COMPARISON TO BUDGET - FISCAL YEAR 2011
FEBRUARY 28, 2011
(in \$000's)**

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 57,747	\$ 57,414	\$ 333	0.6%
Other Revenue	4,126	4,022	104	2.6%
Total Operating Revenue	\$ 61,873	\$ 61,435	\$ 438	0.7%
Personnel costs	\$ 75,800	\$ 75,876	\$ 75	0.1%
Outside services	45,564	45,613	49	0.1%
Transit operations funding	-	-	-	-
Materials and supplies	5,022	4,901	(121)	-2.5%
Energy	14,845	14,816	(29)	-0.2%
Risk management	2,607	2,629	22	0.8%
General & administrative	1,053	1,010	(43)	-4.3%
Vehicle/facility leases	395	401	6	1.6%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	114	114	(0)	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 145,400	\$ 145,361	\$ (39)	0.0%
Operating income (loss)	\$ (83,527)	\$ (83,926)	\$ 398	0.5%
Total public support and nonoperating revenues	4,921	4,842	79	1.6%
Income (loss) before capital contributions	\$ (78,606)	\$ (79,084)	\$ 478	0.6%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Att. A, AI 49, 4/28/11

**OPERATIONS
CONSOLIDATED OPERATIONS**

COMPARISON TO BUDGET - FISCAL YEAR 2011

FEBRUARY 28, 2011

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 57,747	\$ 57,414	\$ 333	0.6%
Other Revenue	385	411	(27)	-6.5%
Total Operating Revenue	\$ 58,132	\$ 57,825	\$ 306	0.5%
Personnel costs	\$ 66,467	\$ 66,612	\$ 145	0.2%
Outside services	39,939	39,959	19	0.0%
Transit operations funding	-	-	-	-
Materials and supplies	5,009	4,892	(116)	-2.4%
Energy	14,422	14,392	(30)	-0.2%
Risk management	2,243	2,272	30	1.3%
General & administrative	197	182	(16)	-8.8%
Vehicle/facility leases	290	296	6	2.1%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	14,291	14,291	(0)	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 142,858	\$ 142,896	\$ 38	0.0%
Operating income (loss)	\$ (84,726)	\$ (85,071)	\$ 345	0.4%
Total public support and nonoperating revenues	5,782	5,751	31	0.5%
Income (loss) before capital contributions	\$ (78,944)	\$ (79,320)	\$ 375	0.5%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
TRANSIT SERVICES (SAN DIEGO TRANSIT CORPORATION)
COMPARISON TO BUDGET - FISCAL YEAR 2011
FEBRUARY 28, 2011
(in \$000's)

Att. A, AI 49, 4/28/11

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 17,107	\$ 17,039	\$ 67	0.4%
Other Revenue	14	22	(8)	-35.0%
Total Operating Revenue	\$ 17,121	\$ 17,062	\$ 59	0.3%
Personnel costs	\$ 46,087	\$ 46,009	\$ (78)	-0.2%
Outside services	1,216	1,183	(34)	-2.9%
Transit operations funding	-	-	-	-
Materials and supplies	2,855	2,763	(92)	-3.3%
Energy	3,680	3,639	(41)	-1.1%
Risk management	1,041	1,076	36	3.3%
General & administrative	81	77	(4)	-5.2%
Vehicle/facility leases	152	153	1	0.8%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	5,037	5,037	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 60,148	\$ 59,936	\$ (212)	-0.4%
Operating income (loss)	\$ (43,027)	\$ (42,875)	\$ (153)	-0.4%
Total public support and nonoperating revenues	3,252	3,221	31	1.0%
Income (loss) before capital contributions	\$ (39,775)	\$ (39,653)	\$ (122)	-0.3%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
RAIL OPERATIONS (SAN DIEGO TROLLEY, INCORPORATED)
COMPARISON TO BUDGET - FISCAL YEAR 2011
FEBRUARY 28, 2011
(in \$000's)

Att. A, AI 49, 4/28/11

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 23,488	\$ 23,321	\$ 167	0.7%
Other Revenue	370	389	(19)	-4.9%
Total Operating Revenue	\$ 23,858	\$ 23,710	\$ 148	0.6%
Personnel costs	\$ 19,598	\$ 19,841	\$ 243	1.2%
Outside services	2,153	2,190	37	1.7%
Transit operations funding	-	-	-	-
Materials and supplies	2,149	2,126	(23)	-1.1%
Energy	5,621	5,669	47	0.8%
Risk management	1,202	1,194	(8)	-0.7%
General & administrative	114	99	(15)	-15.0%
Vehicle/facility leases	117	121	4	3.6%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	8,265	8,265	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 39,220	\$ 39,505	\$ 285	0.7%
Operating income (loss)	\$ (15,362)	\$ (15,795)	\$ 433	2.7%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (15,362)	\$ (15,795)	\$ 433	2.7%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

OPERATIONS

Att. A, AI 49, 4/28/11

MULTIMODAL OPERATIONS (FIXED ROUTE)

COMPARISON TO BUDGET - FISCAL YEAR 2011

FEBRUARY 28, 2011

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 14,092	\$ 14,023	\$ 69	0.5%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 14,092	\$ 14,023	\$ 69	0.5%
Personnel costs	\$ 220	\$ 218	\$ (3)	-1.3%
Outside services	26,009	25,993	(16)	-0.1%
Transit operations funding	-	-	-	-
Materials and supplies	-	-	-	-
Energy	3,556	3,517	(39)	-1.1%
Risk management	-	-	-	-
General & administrative	1	1	(0)	-4.0%
Vehicle/facility leases	21	21	0	1.9%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	668	668	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 30,475	\$ 30,418	\$ (57)	-0.2%
Operating income (loss)	\$ (16,384)	\$ (16,396)	\$ 12	0.1%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (16,384)	\$ (16,396)	\$ 12	0.1%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
MULTIMODAL OPERATIONS (PARATRANSIT)
COMPARISON TO BUDGET - FISCAL YEAR 2011
FEBRUARY 28, 2011
(in \$000's)

Att. A, AI 49, 4/28/11

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 1,239	\$ 1,207	\$ 32	2.6%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 1,239	\$ 1,207	\$ 32	2.6%
Personnel costs	\$ 93	\$ 95	\$ 1	1.5%
Outside services	6,882	6,903	21	0.3%
Transit operations funding	-	-	-	-
Materials and supplies	-	-	-	-
Energy	1,257	1,252	(5)	-0.4%
Risk management	-	-	-	-
General & administrative	2	3	2	51.8%
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	235	235	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 8,469	\$ 8,489	\$ 19	0.2%
Operating income (loss)	\$ (7,230)	\$ (7,282)	\$ 51	0.7%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (7,230)	\$ (7,282)	\$ 51	0.7%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
CONSOLIDATED CHULA VISTA TRANSIT OPERATIONS
COMPARISON TO BUDGET - FISCAL YEAR 2011
FEBRUARY 28, 2011
(in \$000's)

Att. A, AI 49, 4/28/11

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 1,822	\$ 1,824	\$ (2)	-0.1%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 1,822	\$ 1,824	\$ (2)	-0.1%
Personnel costs	\$ 280	\$ 262	\$ (18)	-7.0%
Outside services	3,431	3,441	11	0.3%
Transit operations funding	-	-	-	-
Materials and supplies	4	4	(1)	-14.2%
Energy	307	315	8	2.5%
Risk management	-	2	2	-
General & administrative	0	1	1	85.5%
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	85	85	(0)	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 4,108	\$ 4,110	\$ 3	0.1%
Operating income (loss)	\$ (2,285)	\$ (2,286)	\$ 1	0.0%
Total public support and nonoperating revenues	2,437	2,437	-	0.0%
Income (loss) before capital contributions	\$ 151	\$ 150	\$ 1	-0.7%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

**OPERATIONS
CORONADO FERRY**

Att. A, AI 49, 4/28/11

**COMPARISON TO BUDGET - FISCAL YEAR 2011
FEBRUARY 28, 2011
(in \$000's)**

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	-	-	-	-
Total Operating Revenue	\$ -	\$ -	\$ -	-
Personnel costs	\$ -	\$ -	\$ -	-
Outside services	93	93	-	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	\$ 93	\$ 93	\$ -	0.0%
Operating income (loss)	\$ (93)	\$ (93)	\$ -	0.0%
Total public support and nonoperating revenues	93	139	(46)	-33.3%
Income (loss) before capital contributions	\$ (0)	\$ 46	\$ (46)	100.0%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

**ADMINISTRATION
CONSOLIDATED**

Att. A, AI 49, 4/28/11

**COMPARISON TO BUDGET - FISCAL YEAR 2011
FEBRUARY 28, 2011
(in \$000's)**

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	2,917	2,785	132	4.7%
Total Operating Revenue	\$ 2,917	\$ 2,785	\$ 132	4.7%
Personnel costs	\$ 8,915	\$ 8,840	\$ (76)	-0.9%
Outside services	5,543	5,571	28	0.5%
Transit operations funding	-	-	-	-
Materials and supplies	13	8	(5)	-58.3%
Energy	418	418	0	0.0%
Risk management	342	335	(7)	-2.2%
General & administrative	788	760	(28)	-3.7%
Vehicle/facility leases	105	105	0	0.2%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	(14,232)	(14,232)	(0)	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 1,893	\$ 1,806	\$ (88)	-4.9%
Operating income (loss)	\$ 1,023	\$ 979	\$ 44	-4.5%
Total public support and nonoperating revenues	(860)	(909)	49	-5.3%
Income (loss) before capital contributions	\$ 163	\$ 70	\$ 93	-133.0%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

**OTHER ACTIVITIES
CONSOLIDATED**

Att. A, AI 49, 4/28/11

**COMPARISON TO BUDGET - FISCAL YEAR 2011
FEBRUARY 28, 2011
(in \$000's)**

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	825	826	(1)	-0.1%
Total Operating Revenue	\$ 825	\$ 826	\$ (1)	-0.1%
Personnel costs	\$ 418	\$ 424	\$ 6	1.4%
Outside services	81	83	2	2.2%
Transit operations funding	-	-	-	-
Materials and supplies	0	1	0	49.5%
Energy	5	6	1	18.4%
Risk management	22	22	(0)	-0.1%
General & administrative	68	69	1	1.3%
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	55	55	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 650	\$ 660	\$ 10	1.5%
Operating income (loss)	\$ 175	\$ 166	\$ 9	-5.7%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ 175	\$ 166	\$ 9	-5.7%



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

Agenda

Item No. 50

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

April 28, 2011

SUBJECT:

MTS: UPDATE ON MTS GO! TEXTING PROJECT (DEVIN BRAUN)

RECOMMENDATION:

That the Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

The MTS GO! Texting Program provides next arrivals for customers at any stop in the MTS bus and trolley system.

MTS has obtained a short messaging service (SMS) short code, MTSGO (46687), to which customers can send a text message and receive a text message back containing the next arrivals of buses and trolleys at their stop. While the GO! Texting Program is being refined before an official rollout on June 1, 2011, MTS has asked for customers willing to test the service and provide feedback. So far, feedback has been generally positive, and the system has proved to be robust.

Staff will provide a demonstration on how to use the service.

A handwritten signature in black ink, appearing to read 'Paul C. Jablonski', is written over a horizontal line.

Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Devin Braun, 619.595.4916, devin.braun@sdmts.com

APRIL28-11 50. MTS GO UPDATE DBRAUN

Attachment: A. MTS GO! Quick Reference Sheet





READY. TEXT. GO!



GO! Arrival Times via Text Message

You can now use the text messaging feature on your cell phone to find out what time your bus or trolley will arrive. It's easy:

1. Find the stop number for your stop.
2. Text the stop number to **GOMTS** (46687).
3. Receive next-arrival times on your cell phone!

Text & data rates may apply.

Sample GO! text result:

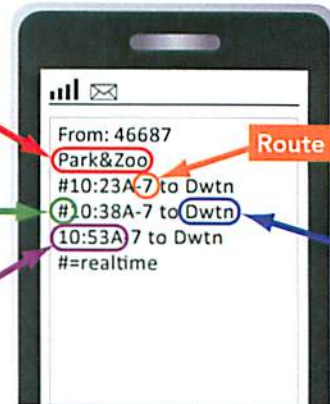
Stop location

Route number

Real-time arrival

Destination

This is a **scheduled** arrival time (notice there is no # symbol to indicate real-time arrival)



For more info, visit sdmts.com/go.asp or text **HELP** to **GOMTS** (46687)

Quick Reference Card

READY.

Find your stop number.

ONLINE

at a **BUS STOP**

on the **PHONE**

TEXT.

Text stop number to GOMTS (46687).

GO!

Get next-arrival times on your cell phone!

For more info, visit sdmts.com/go.asp or text **HELP** to **GOMTS** (46687).

Messaging and data rates may apply.

GO! **Frequently-Used Stops | Quick Reference**

Write down the stop numbers and information for your favorite stops and keep this wallet-sized card with you for quick reference on the go!

STOP NUMBER	STOP LOCATION / ROUTE / DIRECTION

READY.

Find your stop number.

ONLINE

at a **BUS STOP**

on the **PHONE**

TEXT.

Text stop number to GOMTS (46687).

GO!

Get next-arrival times on your cell phone!

For more info, visit sdmts.com/go.asp or text **HELP** to **GOMTS** (46687).

Messaging and data rates may apply.

GO! **Frequently-Used Stops | Quick Reference**

Write down the stop numbers and information for your favorite stops and keep this wallet-sized card with you for quick reference on the go!

STOP NUMBER	STOP LOCATION / ROUTE / DIRECTION



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Agenda

Item No. 62

Chief Executive Officer's Report

ADM 121.7

April 28, 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 March 17, 2011, through April 21, 2011.

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EXPENSE CONTRACTS

Doc #	Organization	Subject	Amount	Day
G1064.3-07	WILLIAM NORRIS	CONSULTING SERVICES	\$24,999.00	3/21/2011
G1087.10-07	LIEBMAN, QUIGLEY, SHEPPARD	LEGAL SERVICES GENERAL & TORT LIABILITY	\$45,000.00	3/21/2011
G1274.2-09	BEST BEST & KRIEGER, LLP	INCREASE IN LEGAL SERVICES	\$15,000.00	3/21/2011
G1380.0-11	LUTH RESEARCH	ANNUAL CUSTOMER SERVICE SURVEY	\$98,444.00	3/21/2011
L5245.0-11	MIKE MATI	LEASE AGREEMENT	\$1,750.00	3/22/2011
G1067.13-07	MCDUGAL LOVE ECKIS SMITH BOEH	LEGAL SERVICES GENERAL & TORT LIABILITY	\$35,000.00	3/25/2011
G1078.6-07	RYAN, MERCALDO & WORTHINGTON	LEGAL SERVICES - GENERAL LIABILITY	\$45,000.00	3/25/2011
G1378.0-11	CANON BUSINESS SOLUTIONS, INC.	CANON COPIER PURCHASE	\$22,346.20	3/25/2011
PWG128.1-11	RANDALL CONSTRUCTION, INC.	TECATE BUS STOP IMPROVEMENTS	\$742.28	3/25/2011
PWB127.1-10	TRILLIUM USA	LIMIT HOSE LENGTH LIMIT	\$23,995.00	3/28/2011
G1078.6-07	RYAN MERCALDO & WORTHINGTON	LEGAL SERVICES - GENERAL LIABILITY	\$45,000.00	4/11/2011
G1382.0-11	SAN DIEGO SHERIFF'S DEPT.	GRAFFITI TRACKER PROGRAM	\$12,700.00	4/15/2011

REVENUE CONTRACTS

Doc #	Organization	Subject	Amount	Day
S200-11-475	ERICKSON AIR CRANE	ROE PERMIT - SUNRISE POWER LINK	(\$500.00)	3/21/2011
S200-11-481	SAN DIEGO GAS AND ELECTRIC	ROE PERMIT - SUNRISE POWER LINK	(\$2,000.00)	3/21/2011
S200-11-482	PAR ELECTRICAL CONTRACTORS	ROE PERMIT - SUNRISE POWER LINK	(\$1,500.00)	3/21/2011
L6655.0-11	UNDERGROUND SOLUTIONS	JROE PERMIT SANDAG CIP 1239801	\$0.00	3/22/2011
L6659.0-11	CASCADE DRILLING	JROE PERMIT SANDAG DOUBLE TRACK NCTD	\$0.00	3/22/2011
L1018.0-11	TURNER CONSTRUCTION	ROE PERMIT - WEB CAM CLOCK TOWER	(\$1,500.00)	3/24/2011
L5718.0-11	USGS	ROE PERMIT - FIELD SURVEY	\$0.00	3/24/2011
L4603.0-11	INTEGRATED SIGN ASSOCIATES	ROE PERMIT TO REMOVE SIGN	(\$1,200.00)	3/25/2011
S200-11-483	NAVY REGION SOUTHWEST	ROE PERMIT - BAY BRIDGE ONE	(\$500.00)	3/25/2011
L1011.0-11	GRAN FONDO USA, LLC	ROE PERMIT FOR BIKE RIDE	(\$500.00)	4/4/2011
L1019.0-11	SDG&E	ROE PERMIT - COMMERCIAL ST	(\$2,100.00)	4/4/2011
S200-11-484	ORTIZ CORP	ROE PERMIT - SD SEWER GRP 748	(\$1,750.00)	4/4/2011
L1020.0-11	OLYMPIQUE EXPERT BUILDING CARE	ROE PERMIT - SMART CORNER HOA WINDOW	(\$1,000.00)	4/6/2011
S200-11-485	CITY OF LA MESA	ROE PERMIT FOR FLAG DAY	\$0.00	4/6/2011
S200-11-486	AGUIRRE ENGINEERING	ROE PERMIT - GENERAL LAND SURVEY	(\$1,000.00)	4/6/2011

REVENUE CONTRACTS

Doc #	Organization	Subject	Amount	Day
S200-11-487	KIMLEY HORN ASSOC	ROE PERMIT - SANDAG CIP 13000602 FREIGHT	\$0.00	4/6/2011
S200-11-488	AGUIRRE ENGINEERING	ROE PERMIT - SANDAG CIP 1300602 SDAE	\$0.00	4/6/2011
S200-11-486	AGUIRRE ENGINEERING	ROE PERMIT - GENERAL LAND SURVEY	(\$1,000.00)	4/7/2011
S200-11-488	AGUIRRE ENGINEERING	ROE PERMIT - SANDAG CIP 1300602 SDAE	\$0.00	4/7/2011
L1022.0-11	KIMLEY-HORN & ASSOCIATES	ROE PERMIT - SANDAG CIP 12100030	\$0.00	4/8/2011
G1388.0-11	MOTHER INDUSTRIES, LLC	ROE PERMIT TO FILM AT 12TH AND IMPERIAL	\$0.00	4/11/2011
S200-11-487	KIMLEY-HORN & ASSOCIATES	ROE PERMIT - SANDAG CIP 13000602 FREIGHT	\$0.00	4/12/2011

PURCHASE ORDERS

DATE	Organization	Subject	AMOUNT
3/21/2011	UNION TRIBUNE	JACKET WRAP AD	\$10,275.00
3/21/2011	PHONE SUPPLEMENTS	HEADSET EARPADS	\$105.76
3/25/2011	CLEAR CHANNEL OUTDOOR	ECO POSTERS	\$27,050.00
3/28/2011	IACCESS INC.	HID CARDS	\$2,773.13
3/28/2011	RIDOUT PLASTICS	BUS SCHEDULE RACK	\$782.35
4/4/2011	CUBIC TRANSPORTATION SYSTEMS	REPAIRS TO HANDHELD UNITS	\$5,000.00
4/11/2011	BORDEAUX PRINTERS, INC.	BROCHURE	\$3,135.24
4/11/2011	VENDSIGHT, INC.	ADS ON REFRESHMENT KIOSKS	\$16,875.00
4/12/2011	US POSTAL SERVICE	POSTAGE	\$6,000.00