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## Agenda

### MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

October 18, 2012

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 two working days prior to the meeting to ensure availability. Assistive Listening Devices (ALDs) are available from the Clerk of the Board/Assistant Clerk of the Board prior to the meeting and are to be returned at the end of the meeting.

#### ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - September 20, 2012 Approve
3. Public Comments - Limited to five speakers with three minutes per speaker. Others will be heard after Board Discussion items. If you have a report to present, please give your copies to the Clerk of the Board.

Please SILENCE electronics  
during the meeting

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



## CONSENT ITEMS

- |     |  |                    |
|-----|--|--------------------|
| 6.  | <u>State Lobbying Services Contract - Exercise Contract Option Year Two</u><br>Action would: (1) ratify MTS Doc. No. G1204.1-09 with Smith Watts & Company LLC for continued state lobbying services; and (2) authorize the CEO to execute MTS Doc. No. G1204.2-09 with Smith Watts & Company LLC to exercise option year two for state lobbying services.   | Ratify/<br>Approve |
| 7.  | <u>Compass Card Risk Follow-up - Audit Report</u><br>Action would receive an internal audit report on Compass Card risk follow-up for information.   | Receive            |
| 8.  | <u>LRV Warranty Operations - Audit Report</u><br>Action would receive an internal audit consultative report on light rail vehicle (LRV) warranty operations  | Receive            |
| 9.  | <u>Follow-up Audit Reports - Status Updates</u><br>Action would receive internal audit reports as a status update on follow-up reviews.  | Receive            |
| 10. | <u>Vehicle Advertising Services</u><br>Action would authorize the CEO to execute MTS Doc. No. G1140.2-08 with Michael-Allen & Associates for vehicle advertising services.   | Approve            |
| 11. | <u>Hazardous Materials Disposal Services - Contract Award</u><br>Action would authorize the CEO to execute MTS Doc. No. G1474.0-12 with Environmental Logistics, Inc. for a five-year period to provide hazardous materials disposal services to San Diego Transit Corporation (SDTC) and San Diego Trolley, Inc. (SDTI).  | Approve            |
| 12. | <u>Reallocated Transportation Development Act Funds for the La Mesa Village Trolley Access Improvements Project</u><br>Action would approve the use of Transportation Development Act (TDA) Article 4 funds currently held by the City of La Mesa for MTS's La Mesa Village Trolley Access Improvements Project.   | Approve            |
| 13. | <u>Increased Authorization for Legal Services - Law Offices of Michael Ripley</u><br>Action would authorize the CEO to execute MTS Doc. No. G1428.1-12 with the Law Offices of Michael Ripley for current and future legal expenses throughout the remainder of FY 2013.   | Approve            |
| 14. | <u>Federal Transit Administration 5316 Grant Applications</u><br>Action would adopt Resolution No. 12-14 authorizing the CEO to submit applications for federal fiscal year 2012 Job Access and Reverse Commute (JARC) funding.  | Adopt              |
| 15. | <u>Transmissions and In-Frame Engine Overhaul Services – Contract Award</u><br>Action would authorize the CEO to: (1) execute MTS Doc. No. B0592.0-13 with Harbor Diesel and Equipment, Inc. for the provision of transmission and in-frame engine overhaul services for Group II-Transmission Rebuilds for a three-year base period with 2 one-year options; and (2) exercise each option year at his discretion. | Approve            |

## CONSENT ITEMS - Continued

16. Federal Legislative Representation Ratify/  
Approve  
Action would: (1) ratify the Chief Executive Officer's (CEO) approval of Amendment No. 4 to Task Order 5 of the San Diego Association of Governments' (SANDAG's) contract with Blank Rome Government Relations, LLP (MTS Doc. No. G0980.5-06/ Ref. SANDAG Contract No. 5000276), which assigned the remainder of the contract to Peyser Associates, LLC; and (2) authorize the CEO to execute Task Order 6 and Amendment No. 5 of the tri-agency contract with Peyser Associates, LLC effective November 1, 2012.
17. MTS Job Order Contract Work Order for Track Way Pavement Replacement on C Street Approve  
Action would authorize the CEO to execute Work Order No. MTSJOC1582-07 with Herzog Contracting (MTS Doc No. PWL134.0-12) to remove the existing asphalt paving and install new rubber rail interfacing boot along C Street.
18. Adoption of Amended 2012 Conflict of Interest Code Adopt  
Action would: (1) adopt Resolution No. 12-15 amending the MTS Conflict of Interest Code pursuant to the Political Reform Act (PRA) of 1974; (2) adopt the amended 2012 MTS Conflict of Interest Code; and (3) forward the amended 2012 MTS Conflict of Interest Code to the County of San Diego (the designated code-reviewing body).

## CLOSED SESSION

24. a. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION PURSUANT to California Government Code Section 54956.9(a): Possible  
Action  
Norma Calloway v. MTS (SDSC Case Nos. 0414096, 0212699, and 10289196 )  
  
Oral Report of Final Actions Taken in Closed Session

## NOTICED PUBLIC HEARINGS

25. None.

## DISCUSSION ITEMS

30. An Ordinance Amending Ordinance No. 5, An Ordinance Relating to the Enforcement Authorities of Code Compliance Inspectors, Assistant Code Compliance Supervisors, the Code Compliance Inspection Supervisor, and Taxicab Inspectors I & II, and An Ordinance Amending Ordinance No. 11, An Ordinance Regarding Prohibited Conduct Onboard Transit Vehicles and Prohibited Actions On or About a Transit Facility, Trolley Station, or Bus Stop (Karen Landers) Read/  
Waive/  
Introduce/  
Direct  
Action would: (1) read the title of Ordinance No. 5, An Ordinance Relating to the Enforcement Authorities of Code Compliance Inspectors, Assistant Code Compliance Supervisors, the Code Compliance Inspection Supervisor, and Taxicab Inspectors I & II and Ordinance No. 11, an Ordinance Regarding Prohibited Conduct Onboard Transit Vehicles and Prohibited Actions on or About a Transit Facility, Trolley Station, or Bus Stop; (2) waive further readings of the ordinance; (3) introduce the ordinances for further consideration at the next Board meeting on November 15; and (4) direct publication of an ordinance summary.

## DISCUSSION ITEMS - Continued

- |     |   |         |
|-----|---|---------|
| 31. | <u>Lease and Management Agreement with SYPS, LLC for San Ysidro Intercity Bus Terminal Facility at Rail Court (Tim Allison and Karen Landers)</u><br>Action would authorize the CEO to enter into an agreement with SYPS, LLC for the lease and management of the San Ysidro Intercity Bus Terminal Facility on Rail Court in the City of San Diego | Approve |
|-----|---|---------|

## REPORT ITEMS

- |     |   |             |
|-----|---|-------------|
| 45. | <u>San Diego Transit Corporation (SDTC) Pension Investment Status (Cliff Telfer and Representatives from RVKuhns &amp; Assoc.)</u><br>Action would receive a report for information.  | Receive     |
| 46. | <u>Semiannual Security Report (January through June 2012) (Bill Burke)</u><br>Action would receive a report for information.  | Receive     |
| 47. | <u>East County Bus Maintenance Facility Project Update (Claire Spielberg)</u><br>Action would receive a report for information on the East County Bus Maintenance Facility.   | Receive     |
| 48. | <u>Operations Budget Status Report for August 2012 (Mike Thompson)</u><br>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><br>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> November 15, 2012   |             |
| 66. | <u>Adjournment</u>  |             |