

MEETING OF THE BOARD OF DIRECTORS FOR THE
METROPOLITAN TRANSIT SYSTEM (MTS)

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

July 19, 2012

MINUTES

1. Roll Call

Chairman Mathis called the Board meeting to order at 9:05 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Mr. Minto moved to approve the minutes of the June 21, 2012, MTS Board of Directors meeting. Mr. Gloria seconded the motion, and the vote was 10 to 0 in favor with members Emerald, England, McClellan, Roberts, and Young absent.

3. Public Comments

Juliet Bracamonte – Ms. Bracamonte has been a driver for 5 years and is outraged at the offered contract and feels that drivers deserve more than what is being offered.

John Wood – Mr. Wood stated that the roof is finally on the shelter at the Lemon Grove Depot station. He noted that the project manager has taken a long time to complete the work, and it has been an inconvenience to the riders.

K. Lawler – Mr. Lawler is asking the Board to support bus operators. He stated that Mr. Jablonski has had to lead during very tough times, so he has asked all agency employees to do more with less. He stated that bus operators earn every penny they work for, and they want to be valued employees.

Lisa Irving – Ms. Irving is speaking about the new cart policy. She explained that there is not a cart/stroller area on the New Flyer buses by the disabled seating which creates a problem for those occupying the disabled seating. She would like MTS to find an appropriate area, by the back of the bus, to allow cart and stroller storage. She feels that seating for people with disabilities has been trumped by people with children and strollers.

Lyn Gwizdak – Ms. Gwizdak is addressing the disabled seating on buses, and explained that her guide dog needs a secure area to sit. She thinks that it would be helpful for drivers to assist disabled people in finding seating.

CONSENT ITEMS:

6. Fiscal Year 2013 Transportation Development Act (TDA) Claim

Action would adopt Resolution Nos. 12-7, 12-8, and 12-9 approval fiscal year (FY) 2013 Transportation Development Act (TDA) Article 4.0, 4.5, and 8.0 claims.

7. Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) - Transit Security Grant Program

Action would adopt Resolution No. 12-11 authorizing the CEO, or designated representative, to take any actions necessary to obtain funds provided by the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA).

8. Parking Lot Sweeping Services for San Diego Transit Corporation and San Diego Trolley, Inc. - Contract Award

Action would authorize the CEO to: (1) execute MTS Doc. No. G1450.0-12 for a three- year base period with 2 one-year options with Alpha & Omega Venture Group LLC for parking lot sweeping services for San Diego Transit Corporation (SDTC) and San Diego Trolley, Inc. (SDTI); and (2) exercise the option years at the CEO's discretion.

9. Light Rail Vehicle Pantograph Carbon Strips

Action would authorize the CEO to: (1) execute MTS Doc. No. L1074.0-12 with Schunk Graphite Industries for provision of light rail vehicle (LRV) pantograph carbon strips for a five-year period from August 1, 2012, through July 31, 2017; and (2) adjust annual expenditures to address any fluctuations in demand during the contract term.

10. Internal Audit Plan for Fiscal Year 2013

Action would receive the MTS Internal Auditor's Audit Plan for fiscal year 2013.

11. Type II Class B Paratransit Buses - Contract Award

Action would authorize the CEO: (1) to execute MTS Doc. No. B0588.0-12 with Creative Bus Sales to purchase 40 Class B Cutaway buses manufactured by Starcraft Bus; (2) exercise an option to purchase up to 6 additional Class B Cutaway buses for paratransit services; and (3) amend the contract to adjust the sales tax rate if necessary to be consistent with state law during the term of the contract. This is a piggyback procurement under the CalACT Purchasing Cooperative Contract No. 11-03 CBS.

12. Sperry Rail Service/Ultrasonic Rail Testing - Contract Amendment

Action would: (1) ratify MTS Doc. No. L0936.0-10 dated December 17, 2009, with Sperry Rail Services for ultrasonic rail testing, which was previously executed pursuant to the CEO's authority; and (2) authorize the CEO to negotiate and execute an amendment to MTS Doc. No. L0936.0-10 for ultrasonic rail testing through December 2012.

13. San Diego and Arizona Eastern (SD&AE) Railway Company Quarterly Reports and Ratification of Actions Taken at its Meeting on July 10, 2012

Action would: (1) receive the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association (Museum), and Pacific Imperial Railroad, Inc. (PIR)

quarterly reports for information; and (2) ratify actions taken by the SD&AE Board at its quarterly meeting on July 10, 2012.

14. Job Order Contract (JOC) Approval and SDSU Station Fire Alarm and Security System Upgrade - Contract Award

Action would authorize the CEO to approve Job Order No. 1337-10 under MTS Doc. No. PWL132.0-11 with Southland Electrical Inc. for SDSU station fire alarm and security system upgrades and installation.

15. RTMS for 26 Premium Express Coach Buses - Sole Source

Action would authorize the CEO to execute MTS Doc. No. G1481.0-12 with ACS Transport Solutions, Inc. (ACS) to install, test, verify, and warranty Regional Transportation Management System (RTMS) equipment for 26 Premium Express coach buses.

Action on Recommended Consent Items

Mr. Cunningham moved to approve Consent Agenda Item Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15. Mr. Minto seconded the motion, and the vote was 13 to 0 in favor with Mr. McClellan and Mr. Young absent.

CLOSED SESSION:

24. Closed Session Items

The Board convened to Closed Session at 9:18 a.m.

a. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to California Government Code section 54957.6

Agency-Designated Representative - Jeff Stumbo;

Employee Organization - Amalgamated Transit Union, Local 1309

b. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION

PURSUANT to California Government Code Section 54956.9(a): Barton Bair v. MTS
(SDSC Case No. 37-2009-00103892-CU-PA-CTL)

c. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to California Government Code Section 5956.9(b) (One Potential Case)

The Board reconvened to Open Session at 10:53 a.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board received a report and gave direction to the negotiating team.

- b. The Board authorized a settlement of \$150,000 with a vote of 13 to 0 in favor with McClellan and Young absent.
- c. The Board received a report from staff.

NOTICED PUBLIC HEARINGS:

25. None.

DISCUSSION ITEMS:

30. None.

REPORT ITEMS:

45. City/Park Streetcar Feasibility Study Update and Final Report

Denis Desmond, Manager of Planning, gave the Board a final report on the City/Park Streetcar Feasibility Study. He explained that MTS received a Caltrans planning grant last year to study the feasibility of constructing and operating a streetcar line between Downtown San Diego and Balboa Park. He explained the purpose of the study and stated that there had been public participation including a Stakeholders Steering Committee.

Mr. Desmond provided an aerial view of the proposed alignment, which includes in-street/mixed-flow alignment, future light rail transit right-of-way, class 2 bicycle facility, pedestrian enhancements, and retention of the existing landscaped median. He then introduced Jeff Howard of Parsons-Brinkerhoff who explained that 5 different alignment options were identified and scored.

Mr. Howard provided a conceptual drawing to articulate the 5 options and showed a drawing of the highest-scoring concept. He talked about the Interstate 5 Bridge that would most likely need to be rebuilt and the Balboa Park Pedestrian Bridge that may also require a rebuild. He discussed the different types of vehicles that could be used as streetcars and provided photographs of options.

Mr. Desmond talked about the service concept and estimated costs associated with service as well as the capital costs.

Sharon Cooney, Chief of Staff, discussed the considered ways of funding streetcar lines and provided an estimated time line once the project is identified.

Mr. Gloria and Chairman Mathis expressed their support for the streetcar project and stated their intent to continue advocating for funding options.

Mr. Roberts stated his concern about the restrictiveness of a streetcar operation and the high cost of service associated with the operation.

Action Taken

Mr. Minto moved to receive a report for information. Mr. Gloria seconded the motion, and the vote was 10 to 0 with members Emerald, Arapostathis, McClellan, Alvarez, and Young absent.

46. Semiannual Uniform Report of Disadvantaged Business Enterprise Awards or Commitments and Payments

The staff report was waived.

Action Taken

Mr. Minto moved to receive the Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments. Ms. England seconded the motion, and the vote was 10 to 0 in favor with members Emerald, Arapostathis, McClellan, Alvarez, and Young absent.

47. 2012 Comic-Con Service Recap and Rock 'n' Roll Marathon Overview

The staff report was waived.

Action Taken

Mr. Minto moved to receive a report for information. Mr. Roberts seconded the motion, and the vote was 10 to 0 in favor with members Emerald, Arapostathis, McClellan, Alvarez, and Young absent.

48. Operations Budget Status Report for May 2012

The staff report was waived.

Action Taken

Mr. Minto moved to receive the MTS operations budget status report for May 2012. Mr. Ovrom seconded the motion, and the vote was 10 to 0 with members Emerald, Arapostathis, McClellan, Alvarez, and Young absent.

60. Chairman's Report

Chairman Mathis made no report.

61. Audit Oversight Committee Chairman's Report

There was no Audit Oversight Committee report.

62. Chief Executive Officer's Report

Mr. Jablonski stated that through the federal government grant program, the agency was just awarded \$13 million for state-of-good repair; \$3 million for a new asset management system,

and \$10 million for the East County Bus Maintenance Facility, which is a \$25 million project or roughly 40% of the project costs.

63. Board Member Communications

Mr. Rindone explained that LOSSAN has been meeting regularly and has proposed legislation that will be presented to the state legislature before the end of August. The proposed legislation includes operating heavy rail through the joint corridor and coordinating with Amtrak and Caltrans.

64. Additional Public Comments on Items Not on the Agenda

Lorraine Leighton – Ms. Leighton stated that her bus was 2 hours late on July 4. She stated that last week she was waiting for the 833 and the bus driver drove away while she was waiting to be taken up on the lift. She explained that she recently discovered that Super Shuttle is in trouble with the CPUC, which needs to be addressed since it is run by Veolia.

65. Next Meeting Date

The next regularly scheduled Board meeting is Thursday, August 16, 2012.

66. Adjournment

Chairman Mathis adjourned the meeting at 11:45 a.m.



Chairperson
San Diego Metropolitan Transit System

Filed by:



Clerk of the Board
San Diego Metropolitan Transit System

Approved as to form:



General Counsel
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS
ROLL CALL

MEETING OF (DATE): July 19, 2012

CALL TO ORDER (TIME): 9:05 AM

RECESS: _____

RECONVENE: _____

CLOSED SESSION: 9:18 AM

RECONVENE: 10:53 AM

PUBLIC HEARING: _____

RECONVENE: _____

ORDINANCES ADOPTED: _____

ADJOURN: 11:45 AM

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ALVAREZ	<input checked="" type="checkbox"/> (Faulconer) <input type="checkbox"/>	9:06 AM	10:53 AM
BRAGG	<input checked="" type="checkbox"/> (King) <input type="checkbox"/>		
CASTANEDA	<input type="checkbox"/> (Rindone) <input checked="" type="checkbox"/>		
CUNNINGHAM	<input checked="" type="checkbox"/> (Mullin) <input type="checkbox"/>	9:06 AM	
EWIN	<input type="checkbox"/> (Arapostathis) <input checked="" type="checkbox"/>		11:22 AM
EMERALD	<input checked="" type="checkbox"/> (Faulconer) <input type="checkbox"/>	9:07 AM	10:53 AM
ENGLAND	<input checked="" type="checkbox"/> (Gastil) <input type="checkbox"/>		
GLORIA	<input checked="" type="checkbox"/> (Faulconer) <input type="checkbox"/>		
MATHIS	<input checked="" type="checkbox"/>		
MCCLELLAN	<input type="checkbox"/> (Ambrose) <input type="checkbox"/>		
MINTO	<input checked="" type="checkbox"/> (McNelis) <input type="checkbox"/>		
OVROM	<input checked="" type="checkbox"/> (Denny) <input type="checkbox"/>		11:42 AM
RIOS	<input checked="" type="checkbox"/> (Zarate) <input type="checkbox"/>		
ROBERTS	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>		11:40 AM
YOUNG	<input type="checkbox"/> (Faulconer) <input type="checkbox"/>		

SIGNED BY THE CLERK OF THE BOARD: Valerie Vizkylet

CONFIRMED BY THE GENERAL COUNSEL: Keller