

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

September 13, 2012

MINUTES

A. ROLL CALL

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

B. APPROVAL OF MINUTES

Mr. Minto moved for approval of the minutes of the July 12, 2012, MTS Executive Committee meeting. Mr. Ovrom seconded the motion, and the vote was 3 to 0 in favor with Mr. Roberts and Mr. Young absent.

C. COMMITTEE DISCUSSION ITEMS

1. Trolley Renewal Project Update

John Haggerty of the San Diego Association of Governments (SANDAG) gave the Executive Committee an update on the Trolley Renewal Project. He provided an update of the station construction schedule for the Blue and Orange Line Improvement Corridor and provided a layout of the trolley stations that have been completed, are under construction, and planned construction. He talked about the budget and total expended dollars stating that 33% of the total budget has been expended. Mr. Haggerty talked about the project status in terms of design, construction, work completed, and work in progress. He provided before-and-after photographs of station improvements at the 12th & Imperial Station, Washington Street Station, Gaslamp Quarter Station, Convention Center Station, Santa Fe Depot Station, Middletown Station, Seaport Village Station, and the County Center/Little Italy Station.

Mr. Haggerty talked about the work taking place at Orange Line stations. He provided before-and-after photographs of station improvements at the 47th Street Station, Encanto/62nd Street Station, Massachusetts Avenue Station, Lemon Grove Depot Station, La Mesa Boulevard Station, 25th & Commercial Station, 32nd Street & Commercial Station, and the Spring Street Station. He showed pictures of the platform improvements in progress at the Lemon Grove Depot Station, Euclid Avenue Station, and 25th & Commercial Station. He also showed pictures of the platform work being done at the Civic Center Station, Park & Market Station, 5th Avenue Station, and the City College Station.

Wayne Terry, Chief Operating Officer of Rail, stated that 42 new light rail vehicles have been delivered from the Siemens plant at this time with 8 currently in production.

Denis Desmond, Manager of Planning, talked about the service changes that were implemented on September 2, 2012. He discussed the preparations, outreach efforts, challenges that occurred as well as the next steps.

Public Comments

Clive Richard – Mr. Richard stated that the trolley renewal work and new operating plan is quite an accomplishment, and he was able to make the trolley-to-bus connection smoothly.

Action Taken

Mr. Minto moved to receive a report for information. Mr. Ovrom seconded the motion, and the vote was 5 to 0 in favor.

2. Proposed Revisions to MTS Policy No. 42 – Transit Service Evaluation and Adjustment

Denis Desmond presented proposed changes to Policy No. 42 regarding Transit Service Evaluation and Adjustment. He explained that Policy No. 42 is the Board-adopted road map for evaluating service, and that the Board had last reviewed and approved the policy in 2007. He explained the two primary areas needing updating; performance indicators and Title VI requirements.

Mr. Desmond stated that there are 21 difference performance indicators and explained the four major indicator recommendations; total passengers, average weekday passengers, missed trips, frequency at major transfer points, and explained the reason the recommendations were being updated. He talked about the recommended changes based on Title VI analysis and explained that any of the changes that would require a Title VI analysis will be presented to the MTS Board of Directors before a final implementation decision is made.

Action Taken

Mr. Minto moved to forward a recommendation to the Board of Directors to approve the proposed revisions to MTS Policy No. 42 – Transit Service Evaluation and Adjustment. Mr. Ovrom seconded the motion, and the vote was 5 to 0 in favor.

3. Disadvantaged Business Enterprise (DBE) Goal

Karen Landers, General Counsel, provided a report to the Committee regarding the agency Disadvantaged Business Enterprise (DBE) goal. She explained the requirements for the DBE program and the 2-step, goal-setting methodology. She explained the history of MTS DBE participation for the triennial period and stated that the new triennial DBE goal for the Federal Fiscal Year 2013 to 2015, is 4.1%.

Action Taken

Mr. Minto moved to forward a recommendation to the Board of Directors to adopt a 4.1% goal for DBE-participation in federally funded contracts over the Federal Fiscal Year (FFY) 2013 to FFY 2015 triennial period. Mr. Ovrom seconded the motion, and the vote was 5 to 0 in favor.

4. California Public Employees' Pension Reform Act of 2013 (PEPRA)

Karen Landers presented information regarding the California Public Employees' Pension Reform Act of 2013 (PEPRA) that becomes effective January 1, 2013. She explained that reform measures included in the law affect all agencies that participate in the California Public Employees' Retirement System, including MTS. She provided highlights of the bill that would have an effect on MTS. She explained that there is a reduced benefit formula of 2% at 62 (includes 1% at 52 and 2.5% at 67); currently MTS has the formula of 2.7% at 55, and SDTI is 2.0% at 55. Ms. Landers explained that there will be a new maximum compensation for calculating pension benefits and new limits on pensionable compensation. She then talked about what "normal cost" is and employees will contribute 50% of total annual normal cost. She stated that final compensation for new employees will be calculated using the highest annual compensation over a consecutive 36-month period versus 12-month period that is currently in place. She covered assigning pension liability for employees hired from other PERS agencies, health benefit vesting, and the prohibiting of purchasing airline to gain service credit. She explained that much of the new legislation needs to be interpreted and thus the full impact of the legislation is still unclear.

Action Taken

Mr. Minto moved to receive a report for information and provide comments. Mr. Roberts seconded the motion, and the vote was 4 to 0 in favor with Mr. Young absent.

5. Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (LOSSAN) Update

Sharon Cooney gave the Committee information regarding recently approved legislation for the Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (LOSSAN). She explained that Senate Bill 1225 (Padilla) is awaiting the Governor's signature and permits the transfer of the management authority of the Pacific Surfliner intercity passenger rail service from the California Department of Transportation (Caltrans) to a LOSSAN member agency. She explained that the interagency transfer agreement may be entered into on or after June 30, 2014, but not later than June 30, 2015. She stated that the state must fund the service for at least 3 years at levels equal to those at the time of the agreement.

Ms. Cooney explained that the draft amendments to the LOSSAN joint powers agreement (JPA) adds Riverside County Transportation Commission as a voting member agency and 10 votes will be spread among the member agencies. She explained the dynamics of the new voting structure and the nuances of the new managing agency.

Action Taken

Mr. Roberts moved to receive a report for information and provide comments and direction regarding the next steps in response to LOSSAN actions and Senate Bill 1225. Mr. Minto seconded the motion, and the vote was 4 to 0 in favor with Mr. Young absent.

The Executive Committee convened to Closed Session at 11:16 a.m. (Taken Out of Order)

6. **CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS
PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8**

Property: The San Diego and Arizona Eastern Railway Company (SD&AE) Desert Line from approximate Mile Post 60 to approximate Mile Post 130 (Division to Plaster City) in San Diego and Imperial Counties

Agency Negotiators: Karen Landers, General Counsel; Tim Allison, Manager of Real Estate Assets; and Paul Jablonski, Chief Executive Officer

Negotiating Parties: San Diego and Imperial Valley Railroad (SDIV) and Pacific Imperial Railroad, Inc. (PIR)

Under Negotiation: Price and Terms of Payment for Assigned Operating Rights

7. 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

8. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL ANTICIPATED

LITIGATION Pursuant to California Government Code section 54956.9(b) (One Potential Case)

The Executive Committee reconvened to Open Session at 11:57 a.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

6. The Committee received a report for information.
7. The Committee moved to forward a staff recommendation to the Board of Directors.
8. The Committee received a report for information.

D. REVIEW OF DRAFT SEPTEMBER 20, 2012, BOARD AGENDA

Recommended Consent Items

6. Investment Report - June 2012

Action would receive a report for information.

7. Compass Card Back-Office Implementation and Commissions on Fare Media - Amendment to MOU with SANDAG and NCTD

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1248.3-09 amending the Memorandum of Understanding (MOU) between the San Diego Association of Governments (SANDAG) and North County Transit District (NCTD) regarding Compass Card back-office implementation and commissions on fare media.

8. State Transit Assistance (STA) Claims

Action would adopt Resolution No. 12-12 approving fiscal year (FY) 2013 State Transit Assistance (STA) claims.

9. Job Order Contract Work Order for San Miguel Grade-Crossing Renewal Project

Action would authorize the CEO to execute Job Order Contract (JOC) No. 11183 (under Work Order No. MTSJOC1582-02) with Herzog Contracting Corporation to perform work under MTS Doc. No. PWL134.0-12 for the San Miguel Grade-Crossing Renewal Project on the Orange Line.

10. General Engineering Contracts - Various

Action would authorize the CEO to execute General Engineering On-Call Services contracts piggybacking on contracts between the San Diego Association of Governments (SANDAG) and Parsons Brinckerhoff, Kimley-Horn Associates, Inc., Pacific Railway Enterprises, PGH Wong Engineering, Inc., and RailPros, Inc.

11. High-Speed Circuit Breaker Replacement and Installation - Contract Award

Action would authorize the CEO to execute MTS Doc. No. L1052.0-12 with Siemens Transportation Systems, Inc. (Siemens) to furnish and install high-speed circuit breakers on MTS's fleet of 52 SD 100 light rail vehicles (LRVs).

12. Replacement Bus Radios for MTS Paratransit and Rural Bus Fleets

Action would authorize the CEO to purchase 92 new 5300 ES Mobile Radios for the MTS Access and Rural bus fleets.

13. Platform Card Interface Devices (PCIDs) for Trolley Renewal Project

Action would authorize the CEO to execute MTS Doc. No. L1111.0-13 as a sole-source contract with Cubic Transportation System for the procurement of Platform Card Interface Devices (PCIDs) and associated PCID spare parts to support the additional fare equipment requirements called for in the Trolley Renewal Project's station design specifications.

14. Transmissions and In-Frame Engine Overhaul Services - Contract Award

Action would authorize the CEO to: (1) execute MTS Doc. No. B0574.0-12 with Cummins Cal Pacific, LLC for the provision of transmission and in-frame engine overhaul services for Group I (In-Frame Engine Overhauls) for a three-year base period with two 1-year options; and (2) exercise each option year at the CEO's discretion.

15. Engineering Support Services for the Mission Valley East Orange Line Signal Print Verification Project

Action would authorize the CEO to execute Work Order No. 13.01 to MTS Document No. G1494.0-13 with Pacific Railway Enterprises, Inc.

16. Janitorial Services for MTS LRV Fleet - Additional Services

Action would: (1) ratify MTS Doc. No. G1387.2-11 dated September 30, 2011, with NMS Management for janitorial and light rail vehicle (LRV) cleaning services, which was previously executed pursuant to the CEO's authority; and (2) authorize the CEO to execute MTS Doc. No. G1387.3-11 for LRV cleaning services through September 30, 2016.

17. Disadvantaged Business Enterprise (DBE) Goal

Action would adopt a 4.1% goal for DBE-participation in federally funded contracts over the Federal Fiscal Year (FFY) 2013 to FFY 2015 triennial period.

18. SD 100 Complete Gearbox Assemblies for Light Rail Vehicles - Contract Award

Action would authorize the CEO to execute MTS Doc. No. L1053.0-12 with Hi-Tec Enterprises (Hi-Tec) to furnish complete gearbox assemblies for MTS's fleet of 52 SD 100 LRVs.

19. Proposed Revisions to Policy No. 42 - Transit Service Evaluation and Adjustment

Action would approve the proposed revisions to MTS Policy No. 42 - Transit Service Evaluation and Adjustment.

20. LiveScan Authorization

Action would approve Resolution No. 12-13 authorizing staff to execute a request to the California Department of Justice to become a contributing agency for LiveScan fingerprinting.

21. San Diego Trolley Building B Roof Replacement

Action would authorize the CEO to execute Work Order No. MTSJOC1337-12 with Southland Electric (MTS Doc. No. PWL132.0-11) for repairs to San Diego Trolley, Inc.'s (SDTI's) Building B.

There was no additional discussion of the recommended Consent Items.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

There was no SANDAG Transportation Committee agenda discussion.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

There was no Committee Member Communications and Other Business discussion.

G. PUBLIC COMMENTS

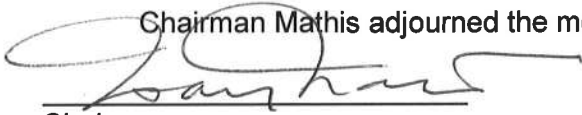
There were no Public Comments.

H. NEXT MEETING DATE

The next Executive Committee meeting is scheduled for October 11, 2012, at 9:00 a.m. in the Executive Committee Conference Room.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 11:57 a.m.

A handwritten signature in black ink, appearing to read "Mathis", is written over a horizontal line.

Chairman

Attachment: A. Roll Call Sheet

**EXECUTIVE COMMITTEE
METROPOLITAN TRANSIT SYSTEM**

ROLL CALL

MEETING OF (DATE) September 13, 2012

CALL TO ORDER (TIME) 9:02 AM

RECESS _____

RECONVENE _____

CLOSED SESSION 11:16 AM

RECONVENE 11:56 AM

ADJOURN 11:57 AM

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
YOUNG	<input checked="" type="checkbox"/> (Gloria) <input type="checkbox"/>	9:17 AM	10:15 AM
MATHIS	<input checked="" type="checkbox"/>		
OVROM	<input checked="" type="checkbox"/> (Bragg) <input type="checkbox"/>		
ROBERTS	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:11 AM	
MINTO	<input checked="" type="checkbox"/> (Cunningham) <input type="checkbox"/>		
Transportation Committee Rep Slot (Mathis)			

SIGNED BY THE CLERK OF THE BOARD:

Valerie Vizkelety

CONFIRMED BY THE GENERAL COUNSEL

John Lao