

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

1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101

October 10, 2013

MINUTES

**BOARD MEETING**

1. Roll Call

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

2. Approval of Minutes

Mr. Ovrom moved to approve the minutes of the September 12, 2013, MTS Board of Directors meeting. Mr. Ewin seconded the motion, and the vote was 9 to 0 in favor with Messrs. Alvarez, Cunningham, Roberts and Meses. Bragg, Emerald, Zapf absent.

3. Public Comments

John L. Wood – Mr. Wood questioned if there were policies and procedures in place with regard to equipment and where Mr. Wood resides several of these vehicles go through his residential area. He asked about the status of the Blue Line completion and announcement / message boards.

Lorraine Leighton – Ms. Leighton commented regarding an incident on the 833 [PROFANITY] where a passenger used the ramp instead of the stairs when they were not disabled and asked what the Board would do to remedy the situation .

**CONSENT ITEMS**

6. Investment Report - July 2013

Action would receive a report for information.

7. Centralized Train Control and Customer Information Systems Maintenance Services MOU with SANDAG

Action would authorize the Chief Executive Officer (CEO) to execute Addendum 17 Project Scope of Work 29 (MTS Doc. No. G0930.17-04-29) with SANDAG for the productive and preventative maintenance services on software and equipment through the end of the Calendar year (CY) 2015 for the Centralized Train Control (CTC) and Customer Information System (CIS).

8. Increased Authorization for Wheel Truing Machine Pit Design Services

Action would: 1.) ratify the previous actions of the CEO; and 2.) authorize the CEO to execute Amendment No. 2 to Work Order 09.10 to MTS Document No. G1246.0-09 with David Evans and Associates, Inc. for engineering services for wheel truing machine pit design for Building C.

BOARD MEMBER COMMENTS

None.

Action on Consent Item 6 through 8

Ms. Rios moved to approve Consent Items 6 through 8. Mr. McClellan seconded the motion, and the vote was 11 to 0 in favor with Messrs. Cunningham, Roberts and Meses. Bragg, Emerald absent.

**The Board convened to Closed Session at 9:08 a.m.**

CLOSED SESSION

24. a. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION  
Pursuant to California Government Code Section 54956.9(a):  
Josh Barthlow and Kathleen Barthlow v. Metropolitan Transit System, et al.  
(SDSC Case No. 37-2013-00040878-CU-PO-CTL; MTS Claim No. TL-09-4873-12)

**The Board reconvened to Open Session at 9:21 a.m.**

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board received a report from legal counsel and gave instructions.

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. None.

REPORT ITEMS

45. San Diego Transit Corporation (SDTC) Pension Investment Status

Larry Marinesi, Director of Finance provided a presentation from RVKuhns & Associates, Inc. and introduced Jeremy Mill of RVKuhns & Associates, Inc. provided a capital markets overview as of June 30, 2013 and discussed the SDTC employees' retirement

plan including AA by manager, AA vs. target and schedule of investable assets as of June 30, 2013. He reviewed comparative performance and provided an addendum.

Mr. Minto questioned with regard to page A-3 he advised the \$142M is different on the screen and indicates \$149M. Mr. Marinesi advised the online number was for the calendar year and what is being presented is the number for the fiscal year.

Mr. Cunningham asked with regard going into the next quarter. Mr. Miller answered there was a lot of uncertainty, but believes given all the tumultuous times, the market has maintained relatively stable and is in hopes this trend continues.

#### Action Taken

Mr. McClellan moved to receive the investment report for information. Ms. Rios seconded the motion, and the vote was 14 to 0 in favor with Ms. Bragg absent.

#### 46. San Ysidro Intermodal Transportation Center Project Update

Sharon Cooney, Chief of Staff advised this item was being brought before the Board in order to receive feedback and introduced Rachel Kennedy of SANDAG. Ms. Kennedy provided a presentation on the San Ysidro Intermodal Transportation Center Study. She provided images of the area and explained the layout of the Center. She discussed public outreach and findings of commercial and institutional market analysis. She reviewed three options of concepts in development with the 3<sup>rd</sup> option in the early stage. She discussed next steps.

Mr. Mathis asked what the cost would be and where the funding would come from. Ms. Kennedy advised for concept 1, estimating \$90 - \$100 million and the second \$150 - \$200 million. She advised both concepts would require significant private funding and it is currently in the planning stage.

Mr. Ovrom asked which property was owned by MTS. Ms. Kenney reviewed maps and pointed out MTS's property.

Ms. Cole stated the Center will create many jobs and asked if the plan was to hire locally and if there would be outreach to local contractors, etc. Ms. Kennedy said that assuming the project would be successfully funded hiring locally would be considered.

Mr. Roberts asked regarding public / private partnership and where it is anticipated the private dollars would come from. Ms. Kennedy responded there are high risk and low risk public / partnerships and advised she was not privy to the details at this time. Mr. Roberts stated it would require a significant public investment and usually in the planning phase there is some focus on where the investment would come from especially for this project as it is very expensive and will likely be largely funded by the public. He requested possible scenarios.

Ms. Salas stated beneficiaries would be on both sides of the border for those willing to invest for their future bottom line and stated it is however important not to build false expectations into the community.

Mr. Gastil mentioned he was concerned with regard to Mexican sales tax which he thought could possibly have a significant impact creating business on the US side. He asked Mr. Roberts why he believes it will take considerable public investment. Mr. Roberts responded this belief is based on his previous experience as he doesn't often see private investment to the level expected for this project and there needs to be realistic expectations with the focus being placed on future requirements.

Mr. Ewin asked Ms. Kennedy to clarify what the max capacity is for retail. Ms. Kennedy advised of the square footage.

Ms. Emerald asked if simpler designs would be more affordable. Ms. Kennedy said all three concepts presented could be phased over time. Ms. Emerald stated she would like to see less expensive plans that could potentially be funded with a combination of public sources as it is an important project.

Ms. Salas reiterated Ms. Emerald's sentiments and stated she believes it is important to implement the Center as soon as possible and solutions needs to be reviewed to help achieve the objectives of implementing the Transportation Center as it is important to the entire San Diego region and not just the border cities. She stated that there is a new heavily funded program related to medical tourism and there can be a great benefit to facilitate ease of movement to and from the border.

Mr. Alvarez stated it is the busiest port of entry in the world. It is about the region and how we invite, accept and ensure people coming across of the border. He stated there is a very successful outlet center in San Ysidro and the easier it is for people to shop there the more the region will gain financially. He also agrees with the sentiment that it is important to be realistic in phasing and there are many opportunities out there for financing with possible investment by foreigners and there are many tools out there the region has not utilized at this time.

Mr. Roberts stated he believes there is a market and would like to see it work and there could likely be a phasing solution, but he believes it is important to look for financing sooner than later.

#### Action Taken

Mr. Cunningham moved to receive a report on conceptual planning for an intermodal facility at the San Ysidro Port of Entry. Ms. Cole seconded the motion, and the vote was 14 to 0 in favor with Ms. Bragg absent.

#### 47. The City of San Diego's Downtown Quiet Zone - Operational Update

Wayne Terry, Chief Operating Officer provided a history and background of the Quiet Zone program. He discussed the regulatory supplemental safety measures, supplemental safety measures for the quadrant gates, installation of crossing median and Broadway pedestrian gates. He reviewed the crossing bell and approach modification, Kettner Blvd. and G Street crossing, Broadway crossing, Seaport Village Station – near-side station stop, typical crossing gate and mitigation measures in process with the California Public Utilities Commission (CPUC).

Public Speakers:

Melissa Blackburn – Joniaux – Ms. Joniaux commented that much has been accomplished thus far and she appreciates the results. She stated that issues related to safety can only be achieved by working with State and Federal agencies and this is the type of collaboration with MTS leading the way that the residents are looking forward to. She understands MTS's limits, but asks MTS that they continue their collaboration efforts. She is also concerned with out of service trolleys and their impact on the noise and traffic and that with the Mid-Coast project this will increase the number of trolleys in the Bayside corridor which will become an issue in the future.

Ron Vandenberg – Mr. Vandenberg stated he represents the S.W. Marina District. He stated he appreciates the work that has occurred since the last Board meeting, but wants to emphasize there is still more to be done to continue the efforts to lower the height of the bells, install shrouds on the bells, support BNSF and work with the CPUC to reduce the number of bells to get rid of the redundant bells.

Donn Bleu – Mr. Bleu advised he lives on Kettner Blvd. and thanked MTS for being so responsive. He stated one of the things that has not been discussed are tests that were conducted on the decibel levels that when they are many bells it increases the decibel level and he is hoping this problem can be remedied before going to the CPUC.

Jacqueline Turner - Ms. Turner advised she has double paned windows and cannot sleep at night without ear plugs and requests that when all the improvements are being made that they continue up towards Laurel at a timely pace where the Quiet Zone ends and hopes that shared use from the BNSF is involved as it would be terrible to have the MTS bells lowered and not the big trains.

Mr. Mathis asked Mr. Terry if they had spoke to the CPUC about the number of bells. Mr. Terry advised if they can maintain the appropriate decibel level it is a possibility the CPUC would be responsive in reducing the number.

Mr. Mathis stated that as an Agency we are not personal advocates and this is what elected officials are there for - to advocate for the public. MTS operates under the mandates of the CPUC and the Federal Transit Agency (FTA) and MTS is doing everything within their power to influence the outcome and are sympathetic to the issues, but MTS has not instituted the program, nor the actions thereto and MTS is to respond as an agency to what the safety regulations are in place and MTS is operating under constraints. Quiet Zone was a City of San Diego project and MTS warned that there would be trade offs that would be undesirable.

Mr. Roberts commended MTS staff on their efforts thus far and stated MTS will try to find solutions to the best of their ability.

Ms. Zapf stated that MTS cannot sacrifice safety, but that times of day should be considered with regard to decibel level. There is a greater need for louder bells during the day at the height of rush hour, but it seems the sound of the bells would be magnified greatly at night; therefore it seems this could be adjusted and looking into the cumulative decibel levels is important. Mr. Terry responded this is one issue MTS is working on and they try to keep it balanced and with regard to the adjustment of decibel

levels during the day vs. night Mr. Terry introduced Scott Johnson. Mr. Johnson stated that there are Federal standards that are followed and deviations can be requested through the CPUC and have been requested. It is a diagnostic team effort under the CPUC's direction.

Action Taken

Mr. McClellan moved to receive a report for information. Ms. Emerald seconded the motion, and the vote was 13 to 0 in favor with Messrs. Alvarez and Ramirez absent.

60. Chairman's Report

None.

61. Audit Oversight Committee (AOC) Chairman's Report

None.

62. Chief Executive Officer's Report

Mr. Jablonski reported that three weeks prior he traveled to Washington, D.C. with Supervisor Roberts and Gary Gallegos, President of SANDAG and that they met with Administrator Rogoff of the FTA regarding the Mid-Coast project and schedule of funding within the next year. MTS is talking about the potential to buy additional rail cars early for Mid-Coast as Siemens is offering a very advantageous price now to keep their plant operating and to prevent a major layoff. Mr. Jablonski advised he was in Chicago last week at the American Public Transportation Association (APTA) Annual Meeting and was elected to the Executive Committee. Next week is the California Transit Association (CTA) Annual meeting with his term as Chair ending on CTA's Executive Committee. He discussed the MTS volunteer food donation program called "Stuff the Bus" and the goal is to feed 19,000 families.

63. Board Member Communications

Mr. Gastil advised the new promenade is now officially open next the Lemon Grove station.

Mr. Alvarez asked when there would be an Ad Hoc Public Security Committee meeting and Mr. Jablonski advised it was previously scheduled, but only 3 of the 5 members could attend so it had to be cancelled and waiting to hear back on members' availability, but hopes it will be confirmed and scheduled soon.

Mr. Alvarez stated it was inconvenient to use the new trolleys when riding a bike as it is inconvenient as the bikes are in the way and he felt as though he was inconveniencing passengers. Mr. Jablonski stated the low floor trolleys have become extremely popular and they are looking at ways to accommodate everyone.

Ms. Emerald questioned with regard to Rapid bus. Mr. Jablonski stated there are two brand new buses and the first is New Flyer articulated buses. They will serve the I15 BRT and the BRT that will go to UCSD with the BRT going up the 805. This will be the paint scheme for the Rapid services. Mr. Jablonski said other articulated buses will operate in regular service that are needed for high capacity such as weekends that will

keep MTS's standard colors. The new 40 foot bus is the Gillig bus and so far there are 8 new on the property and he welcomed the Board to look at the interior.

64. Additional Public Comments on Items Not on the Agenda

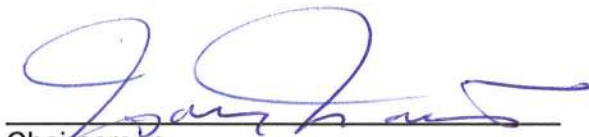
None.

65. Next Meeting Date

The next regularly scheduled Board meeting is October 24, 2013.

66. Adjournment

Chairman Mathis adjourned the meeting at 10:54 a.m.



Chairperson  
San Diego Metropolitan Transit System

Filed by:



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

Approved as to form:



Office of the General Counsel  
San Diego Metropolitan Transit

- Attachments:
1. Roll Call Sheet
  2. Handout from Public Speaker Melissa Blackburn – Joniaux: Questions for MTS 10/10/13 Board meeting
  3. "Stuff the Bus" flyer

METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS  
ROLL CALL

MEETING OF (DATE): October 10, 2013 CALL TO ORDER (TIME): 9:02 a.m.

RECESS: N/A RECONVENE: N/A

CLOSED SESSION: 9:08 a.m. RECONVENE: 9:21 a.m.

PUBLIC HEARING: N/A RECONVENE: N/A

ORDINANCES ADOPTED: N/A ADJOURN: 10:54 a.m.

| BOARD MEMBER | (Alternate)   | PRESENT<br>(TIME ARRIVED) | ABSENT<br>(TIME LEFT) |
|--------------|---|---------------------------|-----------------------|
| ALVAREZ      | <input checked="" type="checkbox"/> (Cole) <input type="checkbox"/>         | 9:05 a.m.                 | 10:54 a.m.            |
| BRAGG        | <input type="checkbox"/> (Bilbray) <input type="checkbox"/>                 |                           |                       |
| CUNNINGHAM   | <input checked="" type="checkbox"/> (Mullin) <input type="checkbox"/>       | 9:15 a.m.                 | 10:54 a.m.            |
| EMERALD      | <input checked="" type="checkbox"/> (Cole) <input type="checkbox"/>         | 9:22 a.m.                 | 10:54 a.m.            |
| EWIN         | <input checked="" type="checkbox"/> (Arapostathis) <input type="checkbox"/> | 9:02 a.m.                 | 10:45 a.m.            |
| GASTIL       | <input checked="" type="checkbox"/> (Jones) <input type="checkbox"/>        | 9:02 a.m.                 | 10:54 a.m.            |
| GLORIA       | <input type="checkbox"/> (Cole) <input checked="" type="checkbox"/>         | 9:02 a.m.                 | 10:54 a.m.            |
| MATHIS       | <input checked="" type="checkbox"/>   | 9:02 a.m.                 | 10:54 a.m.            |
| MCCLELLAN    | <input checked="" type="checkbox"/> (Ambrose) <input type="checkbox"/>      | 9:02 a.m.                 | 10:54 a.m.            |
| MINTO        | <input checked="" type="checkbox"/> (McNelis) <input type="checkbox"/>      | 9:02 a.m.                 | 10:54 a.m.            |
| OVROM        | <input checked="" type="checkbox"/> (Denny) <input type="checkbox"/>        | 9:02 a.m.                 | 10:54 a.m.            |
| RIOS         | <input checked="" type="checkbox"/> (Sotelo-Solis) <input type="checkbox"/> | 9:02 a.m.                 | 10:45 a.m.            |
| ROBERTS      | <input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>          | 9:15 a.m.                 | 10:54 a.m.            |
| SALAS        | <input checked="" type="checkbox"/> (Ramirez) <input type="checkbox"/>      | 9:03 a.m.                 | 10:54 a.m.            |
| ZAPF         | <input checked="" type="checkbox"/> (Cole) <input type="checkbox"/>         | 9:05 a.m.                 | 10:54 a.m.            |

SIGNED BY THE CLERK OF THE BOARD:

CONFIRMED BY THE GENERAL COUNSEL:



**QUESTIONS FOR MTS 10/10/2013 BOARD MEETING**

- 1) Some of the issues related to the noise created by the bells and traffic can only be resolved by working in conjunction with the City, BNSF, the FRA, the CPUC and/or other state and federal agencies.  
What role is MTS willing to play in making this collaboration a success?  
What steps or role can the City of San Diego play in making this collaboration a success?
- 2) One of the proposed solutions to reduce the noise is to lower the height of the bells and this has successfully been done with one bell at the Market Street intersection. Is there any reason why all of the bells cannot be lowered and what is the time frame for doing so?
- 3) It has been observed that there are significant differences in the length of time for when the arms come down. This is important because the longer the arms are done, the longer the bells ring and it appears that this is related to the speed of the trolleys. What factors, in addition to speed of the trolleys, control the length of time for when the arms come down? Who activates the alarms, i.e., is it done automatically or is it the trolley driver? What can be done to make the time as consistently short as possible?
- 4) There was a study in 2005 about the benefits of shrouds and this study was noted in the ICF acoustical study. They have been mounted in other California cities but they have not yet been placed at the Quiet Zone intersections. There was also a report about best practices for Pedestrian Safety involving shrouds in 2007. So, is a further study necessary or are shrouds presently available and what can be done to expedite their placement?
- 5) There is a concern about the number of out of service trolleys and their impact on bell noise and traffic. What can be done to reduce the number of out of service trolleys?
  - What is being done to ensure that the Mid-Coast Corridor Transit Project does not make this issue worse?
  - What can be done with SANDAG, the City or others to address this before it becomes a problem?
  - Has MTS considered building an additional “yard” for the trolley to help reduce the volume of activity at 12<sup>th</sup> and Imperial?

# Stuff the Bus! FOOD DRIVE

VOLUNTEERS NEEDED!  SATURDAY, OCTOBER 26, 2013

Please be one of the MTS Volunteers on  
**SATURDAY, OCTOBER 26TH, 2013**  
for the 6th Annual "Stuff the Bus Food Drive".

MTS needs your help to collect food at one of 12 Albertsons stores and the Girl Scout office just east of Balboa Park on Saturday, Oct. 26th. There are two shifts available at each location: 9:00 to 11:30 am, and 11:30 to 2:00 pm. Our job is to fill the buses with non-perishable food items for the San Diego Food Bank. San Diego Girl Scouts will be joining the Food Drive to help make the community aware of the food crisis faced by thousands of San Diegans every day. You can sign up as a volunteer at [bit.ly/StuffBus13](http://bit.ly/StuffBus13).

#### Albertsons and Girl Scout MTS "Stuff the Bus" Locations

- Chula Vista, 720 3rd Avenue
- Clairemont, 5950 Balboa Avenue
- San Carlos, 8650 Lake Murray Blvd.
- La Mesa, 8920 Fletcher Parkway
- Lemon Grove, 7090 Broadway
- Mira Mesa/Scripps Ranch, 10740 West View Parkway
- Rancho Peñasquitos, 7895 Highland Village Place
- Rancho Penasquitos/RB, 14340 Penasquitos Road
- Rancho San Diego, 2899 Jamacha Road
- Santee, 9870 Magnolia Avenue
- Spring Valley, 543 Sweetwater Road
- Tierrasanta, 10633 Tierrasanta Boulevard
- Hillcrest, 1231 Upas St. (**Girl Scout Office**)

All volunteers will be entered into a drawing to win a \$25 **Hard Rock Cafe** gift certificate. Marketing has a limited supply of MTS polo shirts. If you need one to wear for this volunteer opportunity, or if you have any questions please contact Jamila Hillebrand in MTS Marketing at: (619) 557-4546 or by email at [jamila.hillebrand@sdmts.com](mailto:jamila.hillebrand@sdmts.com). (We cannot accept any glass containers, or home-made foods).



NORTH COUNTY  
TRANSIT DISTRICT



# Stuff the Bus!

  
**FOOD  
DRIVE**

**VOLUNTEERS NEEDED!**  **WHAT TO DONATE!**

If you would like to donate food, you can do so at any of the 41 Albertsons stores.  
**Stuff the Bus** barrels will be at every store from October 21 through October 26th.

## **SAN DIEGO FOOD BANK SHOPPING LIST – MOST NEEDED FOOD ITEMS:**

- ☐ Canned Meats (tuna in water or chicken)
- ☐ Dry or canned beans (black, pinto, kidney / low sodium)
- ☐ Cereal (low sugar, whole grain, or bran)
- ☐ Rice (brown or wild rice)
- ☐ Nuts and seeds (unsalted almonds, flax seeds)
- ☐ Peanut butter (no sugar added)
- ☐ Canned soup (low sodium, low fat)
- ☐ Canned fruit (packed in its own juice) or dried fruit
- ☐ Canned vegetables (low sodium or no-salt added)
- ☐ Powdered milk (low or non-fat)
- ☐ Pasta (whole grain)
- ☐ Infant formula



We cannot accept any glass containers, or home-made foods.



**NORTH COUNTY  
TRANSIT DISTRICT**



**Albertsons**

**girl scouts  
san diego**



**@sdmts  
SDMTS**