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Agenda

MEETING OF THE METROPOLITAN TRANSIT SYSTEM
EXECUTIVE COMMITTEE
May 23, 2013
Executive Conference Room
9:00 a.m.

**ACTION
RECOMMENDED**

- A. ROLL CALL
- B. APPROVAL OF MINUTES - April 11, 2013 Approve
- C. COMMITTEE DISCUSSION ITEMS
1. Trolley Renewal Project Update (John Haggerty of SANDAG) Receive
Action would receive a report for information.
2. Virginia Avenue Intermodal Transportation Center (Sharon Cooney) Possible
Action would receive a report on regional efforts to establish an intermodal Action
transportation center at a new pedestrian international border crossing to be
located at Virginia Avenue and provide comments and direction.
3. Title VI and Environmental Justice Policy No. 42 Updates (Denis Desmond) Approve
Action would comment on the proposed Policy No. 42 amendments and
approve the initiation of public outreach on the proposal.
4. California Public Employees' Pension Reform Act of 2013 PEPR Possible
(Paul Jablonski) Action
Action would receive a report for information and provide comments.
- D. BOARD AGENDA
- E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA Possible
Review of SANDAG Transportation Committee Agenda and discussion regarding any Action
items pertaining to MTS, San Diego Transit Corporation, or San Diego Trolley, Inc.
Relevant excerpts will be provided during the meeting.
- F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS
- G. PUBLIC COMMENTS
- H. NEXT MEETING DATE: June 13, 2013
- I. ADJOURNMENT



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

April 11, 2013

DRAFT MINUTES

A. ROLL CALL

Chairman Mathis called the Executive Committee meeting to order at 9:00 a.m. A roll call sheet listing Executive Committee member attendance is attached.

B. APPROVAL OF MINUTES

Mr. Cunningham moved for approval of the minutes of the February 14, 2013, MTS Executive Committee meeting. Mr. Ovrom seconded the motion, and the vote was 5 to 0 in favor.

C. COMMITTEE DISCUSSION ITEMS

1. Trolley Renewal Update

John Haggerty of SANDAG provided a presentation on the Blue and Orange Line Improvement Corridor. He provided detailed information on the improvements including Blue Line crossover and signaling, Orange Line stations, Downtown stations, America Plaza traction power substation installation, traction power substation site acquisition, the 25th and Commercial site, the Mount Hope Cemetery Site, Mount Hope Non-dedicated Cemetery Land, Blue Line Station Construction and Light Rail Procurement Status.

Paul Jablonski, Chief Executive Officer, described the proposed art installation at the Park & Market Station. Mr. Mathis questioned that should the art installation be vandalized would those who created the installation take responsibility for the repair. Mr. Jablonski advised that those who created the installation would take responsibility for the repair. Mr. Cunningham asked if MTS has a policy as to what art and projects MTS will accept on their property based on the subjectivity of art. Mr. Jablonski advised MTS does not have a formal policy and MTS has approached it from a standpoint of operating concern, cost and maintenance. He stated there is a criterion for which MTS evaluates what is appropriate where art installations are concerned.

Mr. Jablonski discussed the proposed Mount Hope substation and MTS's continued pursuit of acquisition of land within the existing maintenance yard within the cemetery to place a substation and spoke to the ongoing discussion with the City Attorney's office. The Board discussed benefits to the public that could be conveyed to the City Attorney's office. Karen Landers, General Counsel provided further explanation and advised she would be putting together a memorandum for the City Attorney outlining these benefits. Mr. Gloria commented he would work with Ms.

Landers on the project.

Mr. Jablonski discussed the Union Pacific rights-of-way including the continued pursuit of an agreement with Union Pacific.

Mr. Haggerty discussed the continued and ongoing work regarding station completion and completion dates.

Mr. Mathis asked with regard to public perception, when the Blue Line Station construction would be complete. Mr. Haggerty responded mid-summer 2014.

Mr. Jablonski advised MTS would like to exercise the option with Siemens to purchase additional cars and this Amendment would be taken to the Board for approval at the April 18, 2013 Board meeting. Mr. Jablonski and Ms. Landers discussed the particulars with regard to the Amendment. Mr. Cunningham questioned the cutoff date of exercising the option. Mr. Jablonski advised the cutoff date would be April 28, 2013.

Mr. Jablonski discussed the picture of MTS's rail car which was featured in the Union Tribune and the retraction of the former article with regard to maintenance on MTS's rail cars. He advised Rob Schupp, Director of Marketing had recently spent a half day with a Union Tribune reporter and toured MTS's maintenance facility and reviewed MTS's healthy fleet of rail cars.

Action Taken

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

2. Bus Shelter Procurement Program

Mr. Schupp discussed MTS's current contract with CBS Outdoor including installation, maintenance, relocation and advertising revenue. Mr. Schupp further discussed the opportunities of the program, bus shelter procurement options and cost.

Mr. Cunningham asked Mr. Schupp to discuss the disadvantages of Option 1. Mr. Jablonski advised the only disadvantage would be using \$7M of outside capital dollars but MTS is in a good position fiscally to make such a decision and this decision is based on certain elements of the procurement. Mr. Jablonski advised the infrastructures of the shelters are still functioning so they could be replaced on MTS's schedule and at lower cost the replacing entire shelters all at once.

Mr. Roberts questioned the numbers in the 15 year forecast with regard to Option 1 and questioned the net revenue. Cliff Telfer, Chief Financial Officer provided explanation. Mr. Jablonski advised it is sustainable to put capital in and earn double the operating revenue on a yearly basis.

Mr. Gloria asked what MTS would do with the older bus shelters. Mr. Jablonski

advised that MTS has thought about renewing the surface of the shelters and putting them in unadvertised areas where there currently are no shelters and/or search for buyers, otherwise they would be disposed of per proper protocol.

Mr. Roberts asked if there were other companies that use standard designs to provide low cost shelters. Mr. Jablonski advised MTS would request additional bids from other companies. Mr. Mathis stated MTS was looking to the Executive Committee to provide direction on Option 1 or Option 2. Mr. Roberts requested additional bids and for bidders to separate out advertising cost from shelter cost.

Jeff Howard presented slides of MTS bus shelters in their existing conditions and provided a summary of site issues. He provided slides of design images of opportunities for future bus shelters including materials and colors and provided a summary on design elements, comfort and safety. He provided off the shelf product cost vs. custom and the advantages thereto.

Mr. Roberts questioned colors and branding. Mr. Howard advised the shelters in the slides were kept neutral and there were several colors that could be decided on at a later date. Mr. Cunningham advised that different areas may require different shelters with regard to color and aesthetics.

Mr. Gloria asked if they would have electrical capability and Mr. Howard advised they would have electrical capability, but it may be cost prohibitive to run electricity depending whether or not electrical cable would need to be run to the shelter.

Mr. Roberts advised he didn't think it was prudent to install new shelters in areas that do not pay for advertising. Mr. Jablonski advised certain cities maintain their own shelter program, but MTS would offer them the option to purchase shelters. Mr. Schupp advised MTS does not install their shelters in areas that do not have a Memorandum of Understanding with MTS.

Mr. Cunningham asked if solar panels would be installed where applicable and financially justifiable. Mr. Howard advised this is a future possibility. Sharon Cooney, Chief of Staff advised solar panels are easily broken with regard to vandalism.

Action Taken

Mr. Cunningham moved to provide direction on the following: (1) that staff proceed with an RFP for shelter advertising and maintenance, including multiple options for vendors, that will allow MTS the most flexibility and advertising revenue associated with the purchase, installation, and maintenance of bus shelters, and (2) that MTS proceed with the proposed shelter style as described in the staff report for the purpose of advancing the shelter advertising RFP. Mr. Ovrom seconded the motion, and the vote was 5 to 0 in favor.

D. REVIEW OF DRAFT APRIL 18, 2013, JOINT BOARD AGENDA

Recommended Consent Items

6. Investment Report - January 2013

Action would receive a report for information.

7. Investment Report - February 2013

Action would receive a report for information.

8. CBS Outdoor Advertising - Contract Extension

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. T0068.9-91 with CBS Outdoor to extend the existing bus shelter advertising and maintenance contract until December 31, 2013.

9. Hi-Rail Bucket Trucks - Contract Award

Action would authorize the CEO to execute MTS Doc. No. L1147.0-13 with Altec Industries for the purchase of two hi-rail bucket trucks.

10. MTS Code Compliance Records Management System - Contract Award (Sole Source)

Action would authorize the CEO to execute MTS Doc. No. G1528.0-13 with Intellichoice, Inc. (doing business as eForce) for the purchase of a Code Compliance Records Management System (RMS) software, including the option to exercise additional programming support and two additional years of system maintenance (pending available funding).

11. Proposed Revisions to MTS Policy No. 36 (MTS Reserve Funds)

Action would approve revisions to MTS Policy No. 36 (MTS Reserve Funds), including amending the contingency reserve rate to 12.5%.

12. MTS Job Order Contract Work Order for Bus Pavement Replacement at 12th & Imperial Avenue

Action would authorize the CEO to execute Work Order no. MTSJOC1431-07 with ABC Construction, Inc. (MTS Doc. No. PWL135.0-12) to remove the existing bus concrete paving and install new with curb and gutter.

13. Fiscal Year 2013 Transportation Development Act Claim Amendment

Action would adopt Resolution Nos. 13-9, 13-10, and 13-11 approving the revised fiscal year (FY) 2013 Transportation Development Act (TDA) Article 4.0, 4.5, and 8.0 claims.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

Ms. Cooney advised of the upcoming April 12, 2013 SANDAG Executive Committee meeting which would include discussion regarding Policy 18. Ms. Cooney will attend at SANDAG's request to explain Title VI from an operator's standpoint.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

Mr. Jablonski advised the TDA Audit had just been completed, there were no findings and the TDA was extremely complimentary to the operation MTS is running and a report would be initially provided to SANDAG.

G. PUBLIC COMMENTS

There were no Public Comments.

H. NEXT MEETING DATE

The next Executive Committee meeting is subsequently cancelled. Next Executive Committee meeting is scheduled for May 9, 2013.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 10:58 a.m.

Chairman

Attachment: A. Roll Call Sheet

**EXECUTIVE COMMITTEE
METROPOLITAN TRANSIT SYSTEM**

ROLL CALL

MEETING OF (DATE) April 11, 2013

CALL TO ORDER (TIME) 9:00 a.m.

RECESS N/A

RECONVENE N/A

CLOSED SESSION N/A

RECONVENE N/A

ADJOURN 10:58 a.m.

BOARD MEMBER (Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
GLORIA <input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>	9:00 a.m.	10:58 a.m.
MATHIS <input checked="" type="checkbox"/>	9:00 a.m.	10:58 a.m.
OVROM <input checked="" type="checkbox"/> (Bragg) <input type="checkbox"/>	9:00 a.m.	10:58 a.m.
ROBERTS <input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:00 a.m.	10:58 a.m.
CUNNINGHAM <input checked="" type="checkbox"/> (McClellan) <input type="checkbox"/>	9:00 a.m.	10:58 a.m.
Transportation Committee Rep Slot (Mathis)		

SIGNED BY THE CLERK OF THE BOARD: 

CONFIRMED BY THE GENERAL COUNSEL: 



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Agenda Item No. C1

MEETING OF THE METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

May 23, 2013

SUBJECT:

TROLLEY RENEWAL PROJECT UPDATE (JOHN HAGGERTY OF SANDAG)

RECOMMENDATION:

That the Executive Committee receive a report for information.

Budget Impact

None.

DISCUSSION:

The Trolley Renewal Project is a system-wide rehabilitation and upgrade of the existing trolley system. The project includes the purchase of new low-floor vehicles, the rehabilitation and retrofit of stations and transit centers throughout the system, new crossovers and upgraded signaling, replacement of the overhead catenary wire, track work and rail replacement, slope repair, and traction power substation replacement and rehabilitation. Construction and infrastructure work is currently underway in downtown San Diego and on the Orange and Blue Lines. Staff will provide an update on the construction project.

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: Sharon Cooney, 619.557.4513, Sharon.Cooney@sdmts.com



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Agenda Item No. C2

MEETING OF THE METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

May 23, 2013

SUBJECT:

VIRGINIA AVENUE INTERMODAL TRANSPORTATION CENTER (SHARON COONEY)

RECOMMENDATION:

That the Executive Committee receive a report on regional efforts to establish an intermodal transportation center at a new pedestrian international border crossing to be located at Virginia Avenue and provide comments and direction.

Budget Impact

None.

DISCUSSION:

Currently the San Ysidro Port of Entry (POE) is undergoing a major expansion project, which will increase the number of northbound automobile-inspection booths. As part of this project, the southbound pedestrian crossing was relocated to the eastern side of the POE, and the southbound pedestrian crossing at Camiones Way was closed, resulting in one bidirectional pedestrian crossing at the San Ysidro POE (near the trolley station).

The U.S. General Services Administration (GSA) has plans to develop a new additional bidirectional pedestrian crossing facility at Virginia Avenue (on the west side of the POE). SANDAG, the GSA, the City of San Diego, Caltrans, and MTS staffs have been collaborating on a new Intermodal Transportation Center (ITC) that would be located at Virginia Avenue. Staff will provide a report on the planning and financing efforts and request direction from the Executive Committee on future MTS participation in the project.

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: Sharon Cooney, 619.557.4513, Sharon.Cooney@sdmts.com



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Agenda Item No. C3

MEETING OF THE METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

May 23, 2013

SUBJECT:

TITLE VI AND ENVIRONMENTAL JUSTICE POLICY NO. 42 UPDATES
(DENIS DESMOND)

RECOMMENDATION:

That the Executive Committee comment on the proposed Policy No. 42 amendments and approve the initiation of public outreach on the proposal.

Budget Impact:

None at this time.

DISCUSSION:

The Federal Transit Administration (FTA) issues guidelines for agencies to comply with Title VI of the Civil Rights Act of 1964 to ensure that "no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin." In summer 2012, the FTA conducted its triennial audit of MTS's compliance with its directives on Title VI. Auditor recommendations were incorporated into an update of MTS Board Policy No. 42 in September of last year.

Since then, FTA issued a new Title VI Circular (Circular 4702.1B) and Environmental Justice Circular (Circular 4703.1) in fall 2012 with provisions regarding potential impacts on low-income and minority (LIM) populations from service changes that will require MTS to update Board Policy No. 42 (Transit Service Evaluation and Adjustment). Further, the new federal guidance requires Board-adopted standards for the provision of services with a periodic evaluation of conformance to those standards for LIM and non-LIM populations. Staff is bringing proposed Policy No. 42 changes to the Executive Committee for review prior to going to the Board of Directors for approval.



The new Title VI Circular requires an equity analysis to be performed on major service changes that will last more than 12 months or for any service change arising from an FTA-funded New Starts, Small Starts, or other fixed-guideway transit capital project. Impacts based on actual implementation of any resulting service changes are to be carried out by the transit agency that will operate the service even if another entity (such as the San Diego Association of Governments) is planning and funding the new service. As required by the new guidance, MTS will carry out the service change equity analysis six months prior to the beginning of revenue operations.

The new Title VI Circular states that any major service changes after April 1, 2013, will need to comply with the updated Circular requirements for equity analyses. Therefore, recommended changes to Policy No. 42 are updates to include the new service change analysis requirements and ensure conformity of the policy with the new requirements in the FTA Circulars. These changes fall into two categories and are summarized below.

The first category is new FTA requirements to analyze the impacts of fare changes on minorities and low-income populations. The Circulars now require MTS to identify and consistently use a threshold of significance (over/under the service area average) for determining disparate impacts on minorities and disproportionate burdens on low-income populations. The Title VI Circular uses a 10 percent threshold as an example. The Circulars do not mandate a 10 percent threshold, but it is recommended for use by MTS staff for several reasons:

1. In the past, service changes have been analyzed by MTS consistently with the approaches described in federal guidance.
2. The U.S. Supreme Court has held that differences of less than 20 percent, when conducting a disparity analysis, are within the range of differences that can occur by mere chance.
3. A peer analysis of other agencies shows that a majority of other agencies nationwide have set a threshold of significance that is higher than 10 percent and that most are within the range of 5 to 20 percent.
4. The FTA Title VI Circular provides only one example for agencies as guidance in selecting a threshold of significance and that example is 10 percent.
5. The FTA requires agencies to report data with 10 percent precision at the 95 percent confidence level. As long as the data reported is within that threshold, the data is assumed to be valid.
6. A 10 percent threshold provides flexibility to make determinations based on actual impacts to affected populations rather than strict adherence to a percentage.
7. A 10 percent threshold will allow MTS to differentiate between those communities with an extremely high LIM percentage and those that are only slightly above the MTS average.

If the recommended threshold is approved, it will mean that the MTS Board will not be able to approve major service changes that cause a disparity for LIM populations in excess of 10 percent above/below the service area average unless: 1) there is a substantial legitimate justification for the proposed service change, and 2) a finding is made that there are no alternatives that would have a less disproportionate or disparate impact on LIM populations and still accomplish the legitimate goals of the service change. Comments on the use of this proposed threshold from the public or Executive Committee members are encouraged.

The second category of requirements of the new Title VI guidance is service standards by mode of service, for On-time Performance, Route Headway, Service Availability, and Vehicle Loads. Policy No. 42 already includes a number of performance standards that are measured and reported quarterly and/or annually.

- The current Policy No. 42 standard for on-time performance is 85 percent for Urban Frequent routes and 90 percent for all other modes. Staff is recommending continuing this standard.
- Existing Policy No. 42 standards for route headways are 15 minutes for light rail and Urban Frequent bus routes, 30 minutes for Urban Standard, Express, and Premium Express routes, and 60 minutes for Circulator routes. Staff is recommending continuing these standards.
- Service Availability is a measure of access to transit service for residents within the MTS service area. This standard can be presented to encourage transit resources in the areas of highest productivity or to direct a more sparse distribution of service over a wider coverage area. Since the Comprehensive Operational Analysis, two of the major tenets of Policy No. 42 have been that the MTS system be competitive and sustainable. These goals encourage a productivity-based standard for service availability. Staff will present options for a service-availability standard that achieve productivity-based goals for Executive Committee consideration and discussion.
- A vehicle load standard is already incorporated into Policy No. 42 but is complicated to measure and report as it is currently written: "No more than 20 percent of trips exceeding one standee per 4 ft² on local street operation (55 passengers on a standard bus, and 90 passengers on an articulated bus), and seated capacity on freeway operations and minibuss service." In 2012, the MTS Title VI auditors recommended changing the measure to a more typical standard—a load factor as a ratio of vehicle seats to passengers. The staff recommendation is included as Attachment A, and proposes a load factor that varies by mode, time period, and vehicle type as is typical among transit agencies. The standard would be that no more than 20 percent of the trips within a mode and a given time period exceed the specified load factor.
- With the implementation of new TransNet-funded Rapid services, staff is recommending the addition of a new "Rapid" mode to Policy No. 42. This mode would include the existing SuperLoop (Route 201/202/204), and the future Mid-City Rapid, Interstate 15 Bus Rapid Transit (BRT), and South Bay BRT routes.

The on-time performance standard for the Rapid mode would be 85 percent and the headway standard 15 minutes.

Lastly, the Title VI guidance requires a major service change policy defining a major service change for purposes of service equity analyses. MTS already has such a policy in place, as part of Policy No. 42. Staff is not proposing any changes to that policy, as it was just updated last September based on recommendations from MTS's Title VI audit.

Next Steps

If approved by the Executive Committee, staff is recommending bringing the proposed Policy No. 42 changes and any modifications requested by the Executive Committee to the Board of Directors for approval on June 20, 2013. This would follow a period of public comment between today's meeting and June 20. Public input could result in adjustments to the final recommendation to the Board of Directors and would be included in the Board agenda information. If the Executive Committee or the public suggest significant changes to staff's proposal, the changes will be brought back to one or more future meetings of the Executive Committee.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Load Standard Proposals

Attachment A: Policy 42 Proposed Load Standard

MTS Load Standard

Standard: No more than 20% of trips exceed the specified load factor.

MODE	Vehicle		Load Factor			
			Base*		Peak & Midday**	
	Type	Seats	Factor	Psgrs	Factor	Psgrs
Bus						
Premium Express	OTR Coach	53	1.0	53	1.0	53
Rapid	Artic	57	1.0	57	1.5	86
	Standard	29	1.0	29	1.5	44
Express	Artic	57	1.0	57	1.5	86
	Standard	37	1.0	37	1.5	55
Urban Frequent	Standard	37	1.0	37	1.5	55
	Airport	27	1.0	27	1.5	41
	Minibus	26	1.0	26	1.0	26
Circulator	Standard	37	1.0	37	1.5	55
	Minibus	26	1.0	26	1.0	26
Rail						
Trolley	U2	64	1.5	96	2.0	128
	SD-100	64	1.5	96	2.0	128
	S70	64	1.5	96	2.0	128
	S70US	60	1.5	90	2.0	120

* Base = Weekdays before 6:00a and after 6:00p, and all-day on Saturdays, Sundays, and Holidays

** Peak & Midday = Weekdays 6:00a - 6:00p



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Agenda Item No. C4

MEETING OF THE METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

May 23, 2013

SUBJECT:

CALIFORNIA PUBLIC EMPLOYEES' PENSION REFORM ACT OF 2013 (PEPRA)
(PAUL JABLONSKI)

RECOMMENDATION:

That the Executive Committee receive a report for information and provide comments.

Budget Impact

None.

DISCUSSION:

The California Public Employees' Pension Reform Act of 2013 (PEPRA) was enacted in August 2012 and became effective on January 1, 2013. Reform measures included in the law affect all agencies that participate in the California Public Employees' Retirement System, including MTS. Provisions of the act include employee cost-sharing, compulsory reduced-retirement formulas and increased-retirement ages, limitations on pensionable compensation, anti-spiking provisions, limitations on postretirement employment, forfeiture of pension benefits upon conviction of certain felonies, health benefit equitability, and prohibitions on pension-funding holidays.

The United States Department of Labor is considering decertification of transit grants throughout the state on the basis of challenges by transit labor unions associated with PEPRA. Staff will provide a report and seek Executive Committee feedback on next steps.



Paul C. Jablonski
Chief Executive Officer

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

