



03-17-14A08:28 RCVD

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Agenda

METROPOLITAN TRANSIT SYSTEM

****BOARD OF DIRECTORS MEETING & FINANCE WORKSHOP****

March 20, 2014

▶▶ 9:00 a.m. ◀◀

James R. Mills Building
Board Meeting Room, 10th Floor
1255 Imperial Avenue, San Diego

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FINANCE WORKSHOP - 9:00 a.m.

**ACTION
RECOMMENDED**

1. Roll Call

2. a. Fiscal Year 2015 Capital Improvement Program (Mike Thompson)

Approve

Action would: (1) approve the fiscal year 2015 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels. As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels; (2) forward a recommendation to the San Diego Association of Governments (SANDAG) Board of Directors to approve the submittal of Federal Section 5307 and 5337 applications for the MTS fiscal year 2015 CIP; (3) approve the transfer of \$357,409 from previous CIP projects to the fiscal year 2015 CIP; and (4) forward a recommendation to the SANDAG Board of Directors to approve amendment number 14 of the 2012 Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2015 CIP recommendations.

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.



FINANCE WORKSHOP - Continued

2. b. Fiscal Year 2014 Midyear Adjustment (Mike Thompson) Approve
Action would approve Resolution No. 14-3 amending the fiscal year 2014 operating budget for MTS, San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), MTS Contract Services, Chula Vista Transit, and the Coronado Ferry including using excess revenues over expenses to increase contingency reserves.
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.
4. a. Next Finance Workshop: April 17, 2014
- b. Adjournment

BOARD MEETING - Meeting will begin when the Finance Workshop ends.

5. a. Roll Call
- b. Approval of Minutes - February 20, 2014 Approve
- c. 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 furnish a copy to the Clerk of the Board.

CONSENT ITEMS

6. Investment Report - January 2014 Informational
7. Cubic Software Maintenance Approve
Action would authorize the Chief Executive Officer (CEO) to execute Doc. No. G1695.0-14, with Cubic Transportation Systems, Inc., on a sole-source basis, for the provision of annual maintenance services for the proprietary Cubic Compass Card Back Office software.
8. Purchase and Installation of two Compressed Natural Gas (CNG) Dispensers - Contract Award Approve
Action would authorize the CEO to execute MTS Doc. No. PWB151.0-14, with Go Natural Gas, Inc., for the purchase and installation of two new CNG dispensers at the City of Chula Vista Public Works Center.
9. Legal Services Agreement with Wheatley, Bingham & Baker, LLP - Contract Amendment Approve
Action would authorize the CEO to execute Amendment No. 2 to MTS Doc. No. G1434.2-12 with Wheatley, Bingham & Baker, LLP for an increase in contract value, from the previous amendment amount of \$640,000, to a revised \$790,000 to cover unanticipated expenses for the remainder of FY 2014.

CONSENT ITEMS - Continued

10. California Governor's Office of Emergency Services (CalOES) California Transit Security Grant Program (CTSGP) Funding, Fiscal Year 2013-2014 Approve
Action would approve Resolution No.14-4, authorizing the use of, and application for, \$2,779,445 of California CTSGP for capital projects that provide increased protection against security and safety threats, and/or increases the capacity of transit operators to prepare for and provide disaster-response transportation systems.
11. Proposed Revisions to MTS Policy No. 41 - Signature Authority Approve
Action would approve the proposed revisions to MTS Policy No. 41 - Signature Authority.
12. Property Insurance Renewal Approve
Action would authorize the CEO to renew the property insurance coverage for the San Diego Metropolitan Transit System (MTS), San Diego Transit Corporation (SDTC), and San Diego Trolley, Inc. (SDTI) with the California State Association of Counties – Excess Insurance Authority (CSAC-EIA) Property Insurance Program, effective March 31, 2014, through March 31, 2015, with various coverage deductibles of \$25,000 (real estate and personal contents property), \$100,000 (bus fleet), \$250,000 (light rail fleet) and \$1,500,000 (roads, bridges and tunnels).
13. Verizon Wireless Data Service for Mobile Data Terminal/Automatic Vehicle Locator - Contract Award Approve
Action would authorize the CEO to execute MTS Doc. No. G1698.0-14 with Verizon Wireless for the provision of monthly cellular service and data usage for a contract base period of five (5) years with five (5) one year options to be exercised exclusively at the CEO's discretion.
14. California Department of Transportation (Caltrans) Program of Projects for Federal Transit Administration (FTA) Section 5311 Funding, Federal Fiscal Year 2014 Approve
Action would approve Resolution No.14-5 authorizing the use of and application for \$432,356 of FTA Section 5311 funds: \$287,000 for operating assistance and \$145,356 for capital improvements in non-urbanized areas.
15. Trapeze Software License and Maintenance Agreement (Paratransit and Mini-bus Services) Approve
Action would authorize the CEO to: 1) ratify Amendment Nos. 3 and 5 to MTS Document No. B0563.0-11 with Trapeze Software Group, Inc. (Trapeze) which were previously approved under the CEO's approval authority for a total cost of \$83,491.00; and 2) execute Amendment No. 6 to MTS Doc. No. B0563.0-11 with Trapeze Software License and Maintenance Agreement to consolidate all services under a single multi-year maintenance agreement totaling \$1,471,135.25.
16. Collaboration with Zizhu National Hi-Tech Industrial Development Zone (Minhang District of Shanghai, China) Approve
Action would approve MTS Doc. No. G1700.0-14 to execute an agreement with the Zizhu National Hi-tech Industrial Development Zone for an exchange of expertise and reimbursement of travel expenses.

CLOSED SESSION

24. a. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – Existing Litigation Pursuant to California Government Code Section 54956.9(A): Albert Miller v. SDTC (WCAB Case No. ADJ8593274) Possible Action
- b. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS Pursuant to California Government Code Section 54957.6 Possible Action
Agency-Designed Representative: Jeff Stumbo
Employee Organization: International Brotherhood of Electrical Workers – Local 465
Employee Organization: Transit Enforcement Officers Association
- c. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to California Government Code section 54956.8 Possible Action
Property: San Diego and Arizona Eastern (SD&AE) Railway Company Desert Line (Division to Plaster City)
Agency Negotiators: Karen Landers, General Counsel; Tim Allison, Manager of Real Estate Assets; and Paul Jablonski, Chief Executive Officer
Negotiating Parties: RD Griffin Partners LLC, David Rohal, Ernest Dahlman
Under Negotiation: Price and Terms of Payment.
- Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. Taxicab Contract Renewal (Sharon Cooney) Approve
Action would authorize the Board of Directors to adopt the principles for renewal of the taxicab administration contract with the City of San Diego.
31. United States Fish and Wildlife Service (FWS) Bayside Birding and Walking Trail Project; Construction and Maintenance Agreement (Karen Landers) Possible Action
Action would approve, reject or give direction to staff regarding negotiation of a Construction and Maintenance Agreement (CMA) for the FWS Bayside Birding and Walking Trail Project.

REPORT ITEMS

45. Update on Contract Services Fixed-Route Procurement (Bill Spraul and Jeff Codling) Informational

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| 60. | <u>Chairman's Report</u> | Informational |
| 61. | <u>Audit Oversight Committee Chairman's Report</u> | Informational |
| 62. | <u>Chief Executive Officer's Report</u> | Informational |
| 63. | <u>Board Member Communications</u> | |
| 64. | <u>Additional Public Comments Not on the Agenda</u>
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> April 17, 2014 (Finance Workshop) | |
| 66. | <u>Adjournment</u> | |



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Agenda Item No. 2a

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

FISCAL YEAR 2015 CAPITAL IMPROVEMENT PROGRAM (MIKE THOMPSON)

RECOMMENDATION:

That the Board of Directors:

1. approve the fiscal year 2015 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels (Attachments A and B). As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels;
2. recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of Federal Section 5307 and 5337 applications for the MTS fiscal year 2015 CIP (shown in Attachment A);
3. approve the transfer of \$357,409 from previous CIP projects to the fiscal year 2015 CIP; and
4. recommend that the SANDAG Board of Directors approve amendment number 14 of the 2012 Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2015 CIP recommendations.

Budget Impact

The total estimated funding for fiscal year 2015 is \$170.7 million (Attachment A). After the utilization of \$57.5 million in preventative maintenance, \$8.2 million for Americans with Disabilities Act (ADA) preventative maintenance (funding the fiscal year 2014 operating budget), funding for SANDAG planning studies totaling \$958,000, \$104.1 million is available for capital projects.



DISCUSSION:

Federal Funding

On July 6, 2012, President Obama signed the Moving Ahead for Progress in the 21st Century (MAP-21) legislation, reauthorizing surface transportation programs through fiscal year 2015. MAP-21 establishes the legal authority to commence and continue FTA programs. Each reauthorization amends the Federal Transit Laws codified in 49 USC Chapter 53. MAP-21 took effect on October 1, 2012.

MAP-21 supersedes Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the previous legislation to fund FTA programs. MAP-21 provides for the following funding streams MTS commonly receives:

- 5307 Urban Area Formula Grants for capital improvements and preventative maintenance
- 5311 Formula Grants for Rural Areas for capital improvements and to supplement operating costs
- 5337 State of Good Repair Funding for capital improvements and preventative maintenance
- 5339 Bus and Bus Facilities Funding for capital improvements

The fiscal year 2015 MTS CIP (Attachments A and B) will serve as the basis for the federal formula grant applications. The FTA requires submission of grant applications to obligate annual appropriations under Sections 5307, 5337, and 5339. The funding levels for each section (as indicated in Attachment A) are estimates.

As the region's Metropolitan Planning Organization (MPO), SANDAG apportions the 5307, 5337, and 5339 formula funds between MTS and the North County Transit District (NCTD) based on service area populations. Prior to the apportionments, SANDAG deducts funds from Section 5307 for funding the region's vanpool program. MTS receives approximately 70 percent while NCTD receives approximately 30 percent of these federal formula funds.

Section 5307 Urbanized Area Formula Program is a block grant program in which each urbanized area over 50,000 in population receives financial assistance to provide public transit. The formula for determining each metropolitan area's share of funds is based on an urbanized area's population, population density, levels of existing fixed-guideway service, and levels of existing bus service and ridership. The Section 5307 program is designed to meet routine capital needs and may not be used for operating assistance. However, the Transportation Equity Act for the 21st Century (TEA-21) expanded the definition of capital to include preventative maintenance, thereby, in effect, mitigating the relative lack of federal assistance for operations. In addition to the expanded definition of capital, the Section 5307 Urbanized Area Formula Program also allows for a maximum of 10 percent of the allocation to support operations of ADA complementary paratransit service.

For federal fiscal year 2014, the estimated allocation for the MTS Section 5307 program is \$41.0 million, which would be matched with local funds of \$10.3 million. This program would provide an estimated \$51.3 million to fund MTS's fiscal year 2015 CIP.

Section 5337 is a new formula-based State of Good Repair program dedicated to repairing and upgrading the nation's rail transit systems along with high-intensity motor bus systems that use high-occupancy vehicle lanes, including bus rapid transit (BRT). Section 5337 includes funding previously provided through section 5309 Fixed Guideway Rail Modernization Formula Program. Projects are limited to replacement and rehabilitation or capital projects required to maintain public transportation systems in a state of good repair.

Section 5337 SGR funds are allocated on a formula basis to rail systems that have been in operation for at least seven years. For federal fiscal year 2014, the Section 5337 funds MTS allocation estimate is \$22.1 million and will be matched with local funds of \$5.5 million. The program will provide an estimated \$27.6 million to fund MTS's fiscal year 2015 CIP.

Section 5339 funding provides capital funding to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities. For federal fiscal year 2014, the Section 5339 funds MTS allocation estimate is \$3.5 million and will be matched with local funds of \$900,000. The program will provide an estimated \$4.4 million to fund MTS's fiscal year 2015 CIP.

The FTA funding is structured on a reimbursement basis (after expenses are incurred). Local funding (Transportation Development Act (TDA)/ State Transit Assistance (STA) /TransNet) is scheduled at the beginning of each fiscal year and received on a monthly basis. In many situations, local funds are received before expenses are incurred.

Local Match

The local match for CIP projects will come from the pooled transit finances for the MTS region. While it is likely that the actual funds used would be TDA funds, final decisions on the matching source would be made during the fiscal year 2015 CIP implementation process in order to maximize the availability and flexibility of funding.

Other Revenue

MTS receives State Transit Assistance (STA) funding from the Public Transportation Act, which derives its revenue from the state sales tax on diesel fuels. The estimated STA funding for fiscal year 2015 is \$14.4 million.

Additionally, MTS anticipates receiving its apportionment of \$2.8 million in Proposition 1B – Transit Security Grant Program (TSGP) for fiscal year 2015. This funding was authorized by the California Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, which was approved by the voters as Proposition 1B at the November 7, 2006 general election. It authorized the issuance of general obligation bonds for specified purposes, including grants for transit system safety, security and disaster response projects.

Prior to finalizing the recommendation, all previously budgeted capital projects were reviewed to identify certain projects that may have been delayed or completed under budget to be sure that deserving new projects do not go unfunded while prior-year capital programming remains tied up and unused. As a result of this review, MTS staff identified and transferred \$357,000 to the fiscal year 2015 CIP.

Development of the MTS Fiscal Year 2015 CIP

The CIP process began in October 2013 with the call for projects. The recommended CIP assumes funding \$57.5 million for preventative maintenance, \$8.2 million for ADA preventative maintenance, and \$958,000 in SANDAG planning studies. The remaining submitted projects compete for the balance of available funding. The list of projects is also subject to an analysis based on social equity principles. This process assures that the benefits and burdens of transit investment are shared equitably throughout the MTS service area. A series of maps are used to detail the results of this analysis.

A meeting of the Capital Projects Review Committee (CPRC) was held to review the project list and to develop a CIP recommendation for fiscal year 2015. In accordance with the Capital Projects Selection Process, the CPRC is comprised of representatives from MTS Bus, MTS Rail, MTS Administration, Chula Vista Transit (CVT), and SANDAG. Each CPRC member was responsible for submitting the capital requests for its division, agency, or city. The CPRC reviewed and approved the prioritization of those capital requests.

The capital project list (Attachment B) represents the five-year, unconstrained need for the MTS operators. Each MTS agency submitted its capital project requests in priority order, and the lists were consolidated for review by the CPRC. The CPRC reviewed the projects in the context of their impact on operations and determined the most critical projects to fund this year. The remaining projects were deferred; however, it is recognized that the continued deferral of some projects could have negative impacts on system infrastructure in future years.

Of the \$104.1 million available after preventative maintenance and SANDAG planning studies, \$40.7 million (or 39 percent) has been dedicated to Rail infrastructure related projects, \$26.3 million (or 25 percent) has been dedicated to Bus revenue vehicles, and \$24.3 million (or 23 percent) has been dedicated to Rail revenue vehicles. The table below is a summary of the CPRC recommendations, the major categories that are proposed to be funded, and the percentage of total available funding. A full listing of projects with respective funding levels is available within Attachment B.

Capital Project Categories	Funding (000s)	% of Total
Rail Infrastructure	\$ 40,711	39%
Revenue Vehicles - Bus	26,360	25%
Revenue Vehicles - Rail	24,317	23%
Major Facility & Construction Projects	6,952	7%
Information Technology	1,717	2%
LRV Components	1,110	1%
Other Equipment & Installations	2,900	3%
Grand Total	\$ 104,067	100%

Five-Year Capital Program Projections

Attachment C summarizes a high-level look at the five-year capital program. The federal 5307 and 5337 funding levels are projected to decrease by 1.0 percent for fiscal year 2016 and hold flat through 2019. Cumulative total capital needs for the five-year period exceed the available projected funding levels. Total project needs over the five-year

term are projected to be \$441.6 million. Projected deficits from fiscal year 2015 to fiscal year 2019 total \$97.0 million. The ratio of total funding to total capital needs over the five-year term is projected at 78.0 percent.



Paul C. Jablonski
Chief Executive Officer

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

Attachments: A. Fiscal Year 2015 Funding Sources
B. Fiscal Year 2015 Capital Improvement Projects List
C. Funding Compared to Capital Needs for Fiscal Years 2015 - 2019

**San Diego Metropolitan Transit System
FY 2015 Funding Sources (\$000s)**

Funding Description	FY15
Federal FY14 - 5307 Funding Estimate	\$ 40,975
Federal FY14 - 5337 Funding Estimate	22,055
Federal FY14 - 5339 Funding Estimate	3,522
Transportation Development Act (TDA)	48,928
Proposition 1B	37,076
Proposition 1B - Security	2,779
California State Transit Assistance (STA)	14,400
Other (Transfers, 5311, SD&AE)	984
Total Available Funding	\$ 170,720
Preventive Maintenance - Federal 5307	\$ (23,945)
Preventive Maintenance - Federal 5337	(22,055)
Preventive Maintenance - FY15 TDA Match	(11,500)
ADA Preventive Maintenance - Federal 5307	(4,097)
ADA Preventive Maintenance - FY15 TDA Match	(4,097)
SANDAG Planning Study - Federal 5307	(767)
SANDAG Planning Study - FT14 TDA Match	(192)
Total Preventative Maintenance/SANDAG Planning	\$ (66,653)
Available Funding for FY 15 Capital Program	\$ 104,067

Project Description	Funding Thru FY 2014	FY 2015 Funded	FY 2015 Unfunded	FY 2016	FY 2017	FY 2018	FY 2019	Budget FY15 FY19
Bus Replacement	44,095	23,579	-	29,000	26,377	23,299	23,218	125,473
LRV Procurement	144,325	15,317	-	-	-	-	-	15,317
SD100 Replacement	-	9,000	18,000	27,000	27,000	27,000	27,000	135,000
Orange and Blue Line Platforms	-	7,946	-	-	-	-	-	7,946
Orange and Blue Line Traction Power Substations (TPSS)	-	7,326	-	-	-	-	-	7,326
RTMS Expansion	3,939	5,942	-	-	-	-	-	5,942
Blue Line Station Rehab	-	4,439	-	-	-	-	-	4,439
Green Line Communication System Upgrade	-	4,170	-	-	-	-	-	4,170
Main Line Drainage (Hill Street)	3,394	3,000	-	-	-	-	-	3,000
Para-Transit Vehicles	8,686	2,781	-	-	2,623	2,701	2,782	10,887
OCS Insulator/Catch Cable Replacement	1,841	2,485	-	1,603	-	-	-	4,088
Orange Line Signal System Interface Upgrade	12,231	2,431	-	-	-	-	-	2,431
Substation DC Feeder Breaker Replacement (Implementation)	-	1,700	-	2,300	2,300	-	-	6,300
Orange and Blue Line Communications System	-	1,510	-	-	-	-	-	1,510
Network Switches and Comm Cabinets Upgrade	-	1,500	-	-	-	-	-	1,500
Fashion Valley Second Elevator	150	1,010	-	-	-	-	-	1,010
SD100 Buffer/Coupler Overhaul	1,133	1,000	-	2,212	-	-	-	3,212
Grade Crossing Replacements	-	980	-	1,000	1,000	1,000	1,000	4,980
System-wide CCTV	-	787	-	1,098	-	-	-	1,885
Behavior Recognition System (BRS)	-	667	-	500	500	-	-	1,667
Network Infrastructure	1,240	554	-	50	25	25	200	854
Orange and Blue Line Project Management	-	538	-	-	-	-	-	538
Design & Upgrades (Rio Vista/Morena Wall Buttress)	-	500	-	1,000	-	-	-	1,500
Wireless Infrastructure	400	414	-	414	-	-	-	828
Orange & Green Line Print Verification / Event recorders	850	368	-	256	-	-	-	624
Green Line Entry Monument Signs	-	300	-	-	-	-	-	300
Misc. Capital	1,250	250	-	-	-	-	-	250
Cubic Maintenance Server Replacement	-	250	-	-	-	-	-	250
SDSU Fire System Design & Installation	-	250	-	-	-	-	-	250
EI Cajon & 8th Street Bridge Abutment Repairs (Design)	-	250	-	-	-	-	-	250
Crossing Diamond at Broadway	-	250	-	-	-	-	-	250
Enterprise Data Warehouse	-	202	-	-	-	-	-	202
Kronos Upgrade Project	-	201	-	-	-	-	-	201
Compass Card Back Office	-	200	-	-	-	-	-	200
LRV Fall Protection	-	200	-	-	-	-	-	200
Rail Lubricators	-	185	-	-	-	-	-	185
SharePoint Intranet	-	161	-	-	-	-	-	161
SD8 Brake Tooling	-	160	-	-	-	-	-	160
MCS Campo Rural Bus Parking Lot and Fencing	-	144	-	-	-	-	-	144
IAD Bus Wash Replacement	450	125	-	-	-	-	-	125
SDMTS Website Redesign	-	110	-	-	-	-	-	110
CPD Perimeter Fence Replacement	-	100	-	-	-	-	-	100
Station CCTV Upgrade	1,050	100	-	-	-	-	-	100
IAD Dispatch and Crew Room Upgrades	-	95	-	-	-	-	-	95
Trolley Station Cleaning Equipment	150	85	-	-	-	-	-	85
Cyber Security Project	75	75	-	-	-	-	-	75
Compressor Replacement	-	62	-	-	-	-	-	62
Building "C" AC unit & SDSU AC Upgrade (Design)	-	60	-	-	-	-	-	60

Project Description	Funding Thru FY 2014	FY 2015 Funded	FY 2015 Unfunded	FY 2016	FY 2017	FY 2018	FY 2019	Budget FY15 - FY19
S70 (SD7) Reverse Seating	-	60	-	-	-	-	-	60
ADA and Rural Radio Replacement	420	50	-	-	-	-	-	50
S70 Center Truck Axle Bearing Tooling/Training	-	50	-	-	-	-	-	50
Baltimore Power Switch Replacement	-	46	-	-	-	-	-	46
Wood Chipper	-	44	-	-	-	-	-	44
Scissor Lift	-	42	-	-	-	-	-	42
Electric Utility Vehicle	-	17	-	-	-	-	-	17
C Yard Track Expansion	-	-	4,693	-	-	-	-	4,693
Orange Line Parking Lots	-	-	500	-	-	-	-	500
Compass Card - CPOS Replacements	-	-	400	-	-	-	-	400
Euclid Crossing Equipment	-	-	362	-	-	-	-	362
Transit Service Trucks	-	-	250	250	250	-	250	1,000
Signal Case Fencing	-	-	35	-	-	-	-	35
Copier Replacement	-	-	20	20	20	20	20	100
Transit Facility	-	-	-	10,000	20,000	15,000	5,000	50,000
Bus Shelter	2,270	-	-	2,300	2,300	-	-	4,600
Replace S70 (3000) Bode ADA Ramps w/ IFE	-	-	-	1,540	-	-	-	1,540
University Crossing Design & Equipment	-	-	-	350	-	-	-	350
IAD/KMD Tire Shop Canopy	-	-	-	280	-	-	-	280
IAD/KMD Yard Camera Replacement	-	-	-	250	-	-	-	250
IAD Gas Detection System Replacement	-	-	-	125	-	-	-	125
Building C Shop Door Hinge Replacement	-	-	-	100	-	-	-	100
Replace Wiggins Forklift	-	-	-	100	-	-	-	100
CPD Roof Replacement	-	-	-	50	-	-	-	50
Compass Card - NexFare upgrade	-	-	-	-	-	10,000	-	10,000
SBMF Fuel Tank and Service Lanes Upgrade	-	-	-	-	200	1,200	-	1,400
LRV Remote Diagnostic System (128 LRVs)	-	-	-	-	3,840	-	-	3,840
SD8 Brake Overhaul	-	-	-	-	1,300	1,300	-	2,600
SD7 Truck Overhaul	-	-	-	-	-	-	2,750	2,750
								-
Project Totals	\$ 227,949	\$ 104,067	\$ 24,260	\$ 81,798	\$ 87,735	\$ 81,545	\$ 62,220	\$ 441,624

**San Diego Metropolitan Transit System
Funding Compared to Capital Needs (\$000s)
Fiscal Years 2015-2019**

	Proposed FY15	Projected FY16	Projected FY17	Projected FY18	Projected FY19	Total FY15 to FY19
Total Revenues						
Recurring Dedicated CIP Revenues	\$ 115,480	\$ 110,191	\$ 110,191	\$ 110,191	\$ 110,191	\$ 556,244
Other Non Recurring Revenues	55,239	17,179	17,179	17,179	14,400	121,178
Total Capital Revenues	170,720	127,370	127,370	127,370	124,591	677,421
Less: "Off the Top" Expenses						
SANDAG Planning Studies	\$ (958)	\$ (958)	\$ (958)	\$ (958)	\$ (958)	\$ (4,791)
ADA Preventative Maintenance	(8,195)	(8,072)	(8,072)	(8,072)	(8,072)	(40,485)
Preventative Maintenance	(57,500)	(57,500)	(57,500)	(57,500)	(57,500)	(287,500)
Total "Off The Top" Expenses	(66,653)	(66,531)	(66,531)	(66,531)	(66,531)	(332,776)
Less: Shifted to Operations						
TDA to Operations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
STA to Operations	-	-	-	-	-	-
Total Shifted To Operations	-	-	-	-	-	-
Adjusted Available CIP Revenues	\$ 104,067	\$ 60,840	\$ 60,840	\$ 60,840	\$ 58,060	\$ 344,646
Total Project Needs	128,326	81,798	87,735	81,545	62,220	441,624
Total Deficit	\$ (24,260)	\$ (20,958)	\$ (26,895)	\$ (20,705)	\$ (4,160)	\$ (96,979)
% of Funding / Needs	81.1%	74.4%	69.3%	74.6%	93.3%	78.0%
Accumulated Deficit	\$ (24,260)	\$ (45,218)	\$ (72,114)	\$ (92,819)	\$ (96,979)	



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Agenda Item No. 2b

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

MTS: FY 2014 MIDYEAR ADJUSTMENT (MIKE THOMPSON)

RECOMMENDATION:

That the Board of Directors:

Enact Resolution No. 14-3 (Attachment O) amending the fiscal year 2014 operating budget for MTS, San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), MTS Contract Services, Chula Vista Transit, and the Coronado Ferry, including using any excess revenues over expenses to increase contingency reserves.

Budget Impact

The action will amend the fiscal year operating 2014 budget.

DISCUSSION:

Combined MTS FY 2014 Midyear Adjustment

Revenues. Passenger fare revenues will result in a \$1,578,000 favorable midyear adjustment primarily due to an increase in passenger volume the agency has experienced so far this fiscal year. Through December 2013, year-to-date ridership is up 9.2% compared to the original FY 2014 budget, while average fares are down 7.4%.

Advertising revenues are projected to increase by approximately \$405,000. This revenue increase is attributed to a rebounding advertising market.

Other revenue is projected to increase \$1,499,000. This is primarily due to higher than expected admin fee revenue from Compass Card sales.

Non-operating revenues will produce a \$1,100,000 unfavorable midyear adjustment. This is primarily due to decreased fuel sales tax generated revenues, which impacts MTS's share of State Transit Assistance (STA) revenues. The projected trend in STA revenues for fiscal year 2014 results in an unfavorable midyear adjustment of \$1,336,000.



Other midyear adjustments include:

- \$280,000 in Other State revenue for additional Medi-Cal reimbursement;
- All other adjustments totaled a decrease of \$108,000.

In total, consolidated revenues will yield in a \$2,383,000 favorable midyear adjustment.

Expenses. Total consolidated operating expenses will produce a \$559,000 unfavorable midyear adjustment.

Personnel-related expenses will yield a \$1,638,000 favorable midyear adjustment. These adjustments include a decrease in labor expenses of \$430,000 primarily due to operator and administrative wages, and a decrease in fringe expenses of \$1,208,000, primarily due to changes to budgetary assumptions for personnel cost recovery and overhead reimbursement (\$1,283,000).

Total outside services will produce an unfavorable midyear adjustment of \$424,000. This is partially due to increased costs within purchased transportation costs (\$156,000), due to higher than expected demand for ADA Paratransit services. There were also additional costs within repair and maintenance services (\$260,000) and other outside services (\$278,000), which were partially offset by favorable variances in engine and transmission expenses (\$192,000) and security expenses (\$78,000).

Staff projects an unfavorable midyear adjustment of \$742,000 for materials and supplies expenses due to increased revenue vehicle parts costs within Rail Operations.

A total unfavorable increase in energy for the 2014 fiscal year is \$240,000. This is primarily due to increased traction power costs caused by increased rates and higher usage than expected. The increase will be partially offset by lower than expected expenses for natural gas, diesel and gasoline. The amended rates are as follows:

	Original FY14	Amended FY14
CNG	\$0.83	\$0.84
Diesel	\$3.42	\$3.28
Gasoline	\$3.40	\$3.25
Electricity	\$0.171	\$0.176

Risk management costs will produce an unfavorable midyear adjustment of \$562,000 due to increased liability expenses within bus operations.

General and administrative costs will produce an unfavorable midyear adjustment of \$344,000. This is primarily due to costs within the Compass Card budget that were previously budgeted within Outside Services.

Debt service produced no midyear adjustment.

Vehicle/facility leases will result in a favorable midyear adjustment of \$115,000 due to rent adjustment at Copley.

Net income. In total, the increases to revenues and expenses produce a \$1.8 million favorable variance as detailed below.

	Original FY14	Amended FY14	\$ Change	% Change
Operating Revenues	\$ 101,402	\$ 104,885	\$ 3,482	3.4%
Non-operating Revenues	140,381	139,281	(1,100)	-0.8%
Recurring Expenses	\$ 241,783	\$ 244,166	\$ 2,383	1.0%
Operating Expenses	248,197	248,756	559	0.2%
Net Operating Deficit	\$ (6,413)	\$ (4,589)	\$ 1,824	-28.4%
Non-recurring Revenues	6,413	6,413	-	0.0%
Net Income	\$ (0)	\$ 1,824	\$ 1,824	

Staff recommends this \$1.8M excess revenues over expenses be utilized to increase the contingency reserve balance.

The FY 2014 amended budget is detailed in the following attachments:

- Attachment A provides the total combined MTS consolidated midyear budget adjustments.
- Attachment B includes the total combined administrative proposed adjustments.
- Attachment C provides the total combined other activities proposed adjustments.
- Attachment D supplies the combined operating budget adjustments.
- Attachments E - K provide supporting operating adjustments for each individual operator.
- Attachment L supplies the non-operating funding sources by activity and type.
- Attachment M and N supplies the amended position information in a summary and detailed format.
- Attachment O supplies the Board Resolution No. 14-3



Paul C. Jablonski
Chief Executive Officer

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

- Attachments:
- A. Operating Budget – Consolidated
 - B. Operating Budget – Consolidated Administration
 - C. Operating Budget – Consolidated Other Activities
 - D. Operating Budget – Consolidated Operations
 - E.-K. Operating Budgets by Operator
 - L. Non-Operating Funding Sources by Activity
 - M. Position Information Summary
 - N. Position Information Detail
 - O. Board Resolution No. 14-3

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	93,493,239	95,312,025	96,890,066	1,578,042	1.7%
ADVERTISING REVENUE	972,189	720,000	1,125,000	405,000	56.3%
CONTRACT SERVICE REVENUE	900	-	-	-	-
OTHER INCOME	4,963,102	5,370,360	6,869,720	1,499,360	27.9%
TOTAL OPERATING REVENUES	99,429,430	101,402,385	104,884,786	3,482,402	3.4%
NON OPERATING REVENUE					
SUBSIDY REVENUE	146,479,470	146,223,449	145,167,600	(1,055,850)	-0.7%
RESERVE REVENUE	5,164,913	148,192	212,633	64,441	43.5%
OTHER INCOME	1,026,058	422,596	314,431	(108,165)	-25.6%
TOTAL NON OPERATING REVENUE	152,670,441	146,794,237	145,694,664	(1,099,573)	-0.7%
TOTAL COMBINED REVENUES	252,099,871	248,196,622	250,579,450	2,382,828	1.0%
OPERATING EXPENSES					
LABOR EXPENSES	66,746,874	68,536,547	68,106,348	(430,199)	-0.6%
FRINGE EXPENSES	57,427,800	49,058,857	47,850,683	(1,208,173)	-2.5%
TOTAL PERSONNEL EXPENSES	124,174,674	117,595,403	115,957,031	(1,638,372)	-1.4%
SECURITY EXPENSES	6,437,793	7,031,169	6,953,380	(77,789)	-1.1%
REPAIR/MAINTENANCE SERVICES	3,697,491	4,068,831	4,328,660	259,828	6.4%
ENGINE AND TRANSMISSION REBUILD	1,055,660	1,390,000	1,197,995	(192,005)	-13.8%
OTHER OUTSIDE SERVICES	5,625,323	8,225,040	8,502,725	277,685	3.4%
PURCHASED TRANSPORTATION	56,253,336	58,809,394	58,965,333	155,940	0.3%
TOTAL OUTSIDE SERVICES	73,069,601	79,524,434	79,948,093	423,659	0.5%
LUBRICANTS	418,608	413,833	436,862	23,029	5.6%
TIRES	867,891	940,839	940,313	(526)	-0.1%
OTHER MATERIALS AND SUPPLIES	7,190,632	7,469,036	8,188,594	719,557	9.6%
TOTAL MATERIALS AND SUPPLIES	8,477,131	8,823,708	9,565,769	742,061	8.4%
DIESEL FUEL	7,449,872	7,771,219	7,411,678	(359,541)	-4.6%
CNG	6,281,460	7,226,437	6,984,088	(242,350)	-3.4%
TRACTION POWER	6,688,307	7,220,000	7,900,000	680,000	9.4%
UTILITIES	3,009,183	3,134,537	3,296,927	162,390	5.2%
TOTAL ENERGY	23,428,822	25,352,193	25,592,692	240,499	0.9%
RISK MANAGEMENT	3,344,477	4,308,368	4,870,418	562,050	13.0%
GENERAL AND ADMINISTRATIVE	2,027,398	1,828,595	2,172,997	344,402	18.8%
DEBT SERVICE	9,777,520	9,542,576	9,542,576	-	0.0%
VEHICLE/FACILITY LEASE	1,170,617	1,221,344	1,106,062	(115,282)	-9.4%
TOTAL OPERATING EXPENSES	245,470,241	248,196,622	248,755,638	559,016	0.2%
NET OPERATING SUBSIDY	(146,040,811)	(146,794,237)	(143,870,852)	2,923,385	2.0%
OVERHEAD ALLOCATION	-	-	(0)	(0)	-
ADJUSTED NET OPERATING SUBSIDY	(146,040,811)	(146,794,237)	(143,870,853)	2,923,385	2.0%
TOTAL REVENUES LESS TOTAL EXPENSES	6,629,630	(0)	1,823,811	1,823,812	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
CONSOLIDATED ADMINISTRATION
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	-	-	-	-	-
ADVERTISING REVENUE	972,189	720,000	1,125,000	405,000	56.3%
CONTRACT SERVICE REVENUE	-	-	-	-	-
OTHER INCOME	3,342,347	3,775,360	5,180,720	1,405,360	37.2%
TOTAL OPERATING REVENUES	4,314,536	4,495,360	6,305,720	1,810,360	40.3%
NON OPERATING REVENUE					
SUBSIDY REVENUE	6,127,240	140,000	1,963,811	1,823,811	1302.7%
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	7,504,923	7,566,990	7,566,990	-	0.0%
TOTAL NON OPERATING REVENUE	13,632,163	7,706,990	9,530,801	1,823,811	23.7%
TOTAL COMBINED REVENUES	17,946,699	12,202,350	15,836,521	3,634,171	29.8%
OPERATING EXPENSES					
LABOR EXPENSES	10,102,550	10,998,781	10,944,591	(54,190)	-0.5%
FRINGE EXPENSES	6,336,887	6,740,335	6,308,412	(431,923)	-6.4%
TOTAL PERSONNEL EXPENSES	16,439,437	17,739,117	17,253,003	(486,113)	-2.7%
SECURITY EXPENSES	6,327,391	6,939,169	6,843,380	(95,789)	-1.4%
REPAIR/MAINTENANCE SERVICES	56,558	80,911	54,345	(26,566)	-32.8%
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	3,796,529	6,080,169	6,265,891	185,723	3.1%
PURCHASED TRANSPORTATION	-	-	-	-	-
TOTAL OUTSIDE SERVICES	10,180,478	13,100,249	13,163,616	63,368	0.5%
LUBRICANTS	-	-	-	-	-
TIRES	5,633	8,000	8,000	-	0.0%
OTHER MATERIALS AND SUPPLIES	7,821	16,423	10,255	(6,168)	-37.6%
TOTAL MATERIALS AND SUPPLIES	13,453	24,423	18,255	(6,168)	-25.3%
DIESEL FUEL	162,922	173,250	174,950	1,700	1.0%
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	541,569	507,720	563,600	55,880	11.0%
TOTAL ENERGY	704,491	680,970	738,550	57,580	8.5%
RISK MANAGEMENT	341,444	434,610	341,082	(93,527)	-21.5%
GENERAL AND ADMINISTRATIVE	1,587,056	1,441,345	1,736,474	295,129	20.5%
DEBT SERVICE	8,229,342	8,303,694	8,303,694	-	0.0%
VEHICLE/ FACILITY LEASE	265,052	266,905	283,648	16,743	6.3%
TOTAL OPERATING EXPENSES	37,760,753	41,991,312	41,838,323	(152,989)	-0.4%
NET OPERATING SUBSIDY	(33,446,217)	(37,495,952)	(35,532,603)	1,963,349	5.2%
OVERHEAD ALLOCATION	26,443,683	29,788,962	27,825,613	(1,963,349)	-6.6%
ADJUSTED NET OPERATING SUBSIDY	(7,002,533)	(7,706,990)	(7,706,990)	(0)	0.0%
TOTAL REVENUES LESS TOTAL EXPENSES	6,629,629	-	1,823,811	1,823,811	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
CONSOLIDATED OTHER ACTIVITIES
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	-	-	-	-	-
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	-	-	-	-	-
OTHER INCOME	1,043,568	1,010,000	1,000,000	(10,000)	-1.0%
TOTAL OPERATING REVENUES	1,043,568	1,010,000	1,000,000	(10,000)	-1.0%
NON OPERATING REVENUE					
SUBSIDY REVENUE	-	-	-	-	-
RESERVE REVENUE	164,913	148,192	212,633	64,441	43.5%
OTHER INCOME	-	-	-	-	-
TOTAL NON OPERATING REVENUE	164,913	148,192	212,633	64,441	43.5%
TOTAL COMBINED REVENUES	1,208,481	1,158,192	1,212,633	54,441	4.7%
OPERATING EXPENSES					
LABOR EXPENSES	553,102	544,077	574,077	30,000	5.5%
FRINGE EXPENSES	145,491	152,634	152,635	0	0.0%
TOTAL PERSONNEL EXPENSES	698,593	696,711	726,712	30,000	4.3%
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	10,695	10,000	10,000	-	0.0%
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	239,679	177,500	224,160	46,660	26.3%
PURCHASED TRANSPORTATION	-	-	-	-	-
TOTAL OUTSIDE SERVICES	250,373	187,500	234,160	46,660	24.9%
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	21,113	7,000	7,000	-	0.0%
TOTAL MATERIALS AND SUPPLIES	21,113	7,000	7,000	-	0.0%
DIESEL FUEL	3,868	5,000	5,000	-	0.0%
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	5,597	5,000	5,000	-	0.0%
TOTAL ENERGY	9,465	10,000	10,000	-	0.0%
RISK MANAGEMENT	18,892	27,300	17,000	(10,300)	-37.7%
GENERAL AND ADMINISTRATIVE	103,830	108,870	108,870	-	0.0%
DEBT SERVICE	-	-	-	-	-
VEHICLE/ FACILITY LEASE	-	-	-	-	-
TOTAL OPERATING EXPENSES	1,102,266	1,037,381	1,103,742	66,360	6.4%
NET OPERATING SUBSIDY	(58,697)	(27,381)	(103,742)	(76,360)	-278.9%
OVERHEAD ALLOCATION	(106,215)	(120,810)	(108,891)	11,919	-9.9%
ADJUSTED NET OPERATING SUBSIDY	(164,912)	(148,192)	(212,633)	(64,441)	-43.5%
TOTAL REVENUES LESS TOTAL EXPENSES	0	(0)	0	0	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
CONSOLIDATED OPERATIONS
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	93,493,239	95,312,025	96,890,066	1,578,042	1.7%
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	900	-	-	-	-
OTHER INCOME	577,187	585,000	689,000	104,000	17.8%
TOTAL OPERATING REVENUES	94,071,326	95,897,025	97,579,066	1,682,042	1.8%
NON OPERATING REVENUE					
SUBSIDY REVENUE	133,009,262	138,656,459	135,776,798	(2,879,661)	-2.1%
RESERVE REVENUE	5,000,000	-	-	-	-
OTHER INCOME	864,103	282,596	174,431	(108,165)	-38.3%
TOTAL NON OPERATING REVENUE	138,873,365	138,939,055	135,951,230	(2,987,826)	-2.2%
TOTAL COMBINED REVENUES	232,944,691	234,836,080	233,530,296	(1,305,784)	-0.6%
OPERATING EXPENSES					
LABOR EXPENSES	56,091,222	56,993,689	56,587,680	(406,009)	-0.7%
FRINGE EXPENSES	50,945,422	42,165,887	41,389,637	(776,250)	-1.8%
TOTAL PERSONNEL EXPENSES	107,036,645	99,159,575	97,977,316	(1,182,259)	-1.2%
SECURITY EXPENSES	110,402	92,000	110,000	18,000	19.6%
REPAIR/MAINTENANCE SERVICES	3,630,238	3,977,920	4,264,315	286,395	7.2%
ENGINE AND TRANSMISSION REBUILD	1,055,660	1,390,000	1,197,995	(192,005)	-13.8%
OTHER OUTSIDE SERVICES	1,589,115	1,967,372	2,012,674	45,302	2.3%
PURCHASED TRANSPORTATION	56,253,336	58,809,394	58,965,333	155,940	0.3%
TOTAL OUTSIDE SERVICES	62,638,750	66,236,686	66,550,317	313,631	0.5%
LUBRICANTS	418,608	413,833	436,862	23,029	5.6%
TIRES	862,259	932,839	932,313	(526)	-0.1%
OTHER MATERIALS AND SUPPLIES	7,161,698	7,445,613	8,171,339	725,725	9.7%
TOTAL MATERIALS AND SUPPLIES	8,442,565	8,792,285	9,540,514	748,229	8.5%
DIESEL FUEL	7,283,082	7,592,969	7,231,728	(361,241)	-4.8%
CNG	6,281,460	7,226,437	6,984,088	(242,350)	-3.4%
TRACTION POWER	6,688,307	7,220,000	7,900,000	680,000	9.4%
UTILITIES	2,462,017	2,621,817	2,728,327	106,510	4.1%
TOTAL ENERGY	22,714,866	24,661,223	24,844,142	182,919	0.7%
RISK MANAGEMENT	2,984,141	3,846,459	4,512,335	665,877	17.3%
GENERAL AND ADMINISTRATIVE	336,512	278,380	327,653	49,273	17.7%
DEBT SERVICE	1,548,179	1,238,882	1,238,882	-	0.0%
VEHICLE/ FACILITY LEASE	905,565	954,439	822,414	(132,025)	-13.8%
TOTAL OPERATING EXPENSES	206,607,222	205,167,929	205,813,574	645,645	0.3%
NET OPERATING SUBSIDY	(112,535,897)	(109,270,904)	(108,234,507)	1,036,397	0.9%
OVERHEAD ALLOCATION	(26,337,468)	(29,668,152)	(27,716,722)	1,951,430	-6.6%
ADJUSTED NET OPERATING SUBSIDY	(138,873,365)	(138,939,056)	(135,951,229)	2,987,826	2.2%
TOTAL REVENUES LESS TOTAL EXPENSES	0	(0)	0	1	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
SAN DIEGO TRANSIT CORPORATION
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	28,621,361	28,993,362	27,670,601	(1,322,761)	-4.6%
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	900	-	-	-	-
OTHER INCOME	4,877	10,000	5,000	(5,000)	-50.0%
TOTAL OPERATING REVENUES	28,627,138	29,003,362	27,675,601	(1,327,761)	-4.6%
NON OPERATING REVENUE					
SUBSIDY REVENUE	65,273,867	63,959,671	64,103,193	143,522	0.2%
RESERVE REVENUE	5,000,000	-	-	-	-
OTHER INCOME	789,426	-	-	-	-
TOTAL NON OPERATING REVENUE	71,063,293	63,959,671	64,103,193	143,522	0.2%
TOTAL COMBINED REVENUES	99,690,431	92,963,033	91,778,794	(1,184,240)	-1.3%
OPERATING EXPENSES					
LABOR EXPENSES	31,860,540	32,879,743	32,124,209	(755,534)	-2.3%
FRINGE EXPENSES	43,146,150	32,774,384	32,919,086	144,702	0.4%
TOTAL PERSONNEL EXPENSES	75,006,689	65,654,127	65,043,295	(610,832)	-0.9%
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	715,702	799,317	734,961	(64,356)	-8.1%
ENGINE AND TRANSMISSION REBUILD	632,969	800,000	660,000	(140,000)	-17.5%
OTHER OUTSIDE SERVICES	244,247	331,400	251,925	(79,475)	-24.0%
PURCHASED TRANSPORTATION	-	-	-	-	-
TOTAL OUTSIDE SERVICES	1,592,918	1,930,717	1,646,885	(283,831)	-14.7%
LUBRICANTS	177,793	188,478	190,862	2,384	1.3%
TIRES	862,180	932,839	932,313	(526)	-0.1%
OTHER MATERIALS AND SUPPLIES	3,477,617	3,624,373	3,695,438	71,064	2.0%
TOTAL MATERIALS AND SUPPLIES	4,517,590	4,745,690	4,818,613	72,922	1.5%
DIESEL FUEL	1,279,199	1,248,473	1,203,751	(44,722)	-3.6%
CNG	3,573,353	3,951,242	3,963,575	12,333	0.3%
TRACTION POWER	-	-	-	-	-
UTILITIES	484,478	486,000	543,050	57,050	11.7%
TOTAL ENERGY	5,337,030	5,685,715	5,710,376	24,662	0.4%
RISK MANAGEMENT	1,427,214	1,937,285	2,535,172	597,887	30.9%
GENERAL AND ADMINISTRATIVE	176,891	151,300	170,001	18,702	12.4%
DEBT SERVICE	1,548,179	1,238,882	1,238,882	-	0.0%
VEHICLE/ FACILITY LEASE	280,418	298,665	308,382	9,716	3.3%
TOTAL OPERATING EXPENSES	89,886,929	81,642,381	81,471,606	(170,775)	-0.2%
NET OPERATING SUBSIDY	(61,259,791)	(52,639,019)	(53,796,005)	(1,156,986)	-2.2%
OVERHEAD ALLOCATION	(9,803,502)	(11,320,652)	(10,307,187)	1,013,465	-9.0%
ADJUSTED NET OPERATING SUBSIDY	(71,063,293)	(63,959,671)	(64,103,193)	(143,521)	-0.2%
TOTAL REVENUES LESS TOTAL EXPENSES	(0)	(0)	0	0	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
SAN DIEGO TROLLEY INCORPORATED
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	35,553,838	36,773,378	40,611,107	3,837,729	10.4%
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	-	-	-	-	-
OTHER INCOME	574,282	575,000	684,000	109,000	19.0%
TOTAL OPERATING REVENUES	36,128,120	37,348,378	41,295,107	3,946,729	10.6%
NON OPERATING REVENUE					
SUBSIDY REVENUE	28,143,220	31,042,874	27,652,233	(3,390,641)	-10.9%
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL NON OPERATING REVENUE	28,143,220	31,042,874	27,652,233	(3,390,641)	-10.9%
TOTAL COMBINED REVENUES	64,271,340	68,391,252	68,947,340	556,088	0.8%
OPERATING EXPENSES					
LABOR EXPENSES	23,408,962	23,261,240	23,571,240	310,000	1.3%
FRINGE EXPENSES	7,571,753	9,122,692	8,198,581	(924,111)	-10.1%
TOTAL PERSONNEL EXPENSES	30,980,715	32,383,932	31,769,821	(614,111)	-1.9%
SECURITY EXPENSES	110,402	92,000	110,000	18,000	19.6%
REPAIR/MAINTENANCE SERVICES	2,724,482	2,885,908	3,243,451	357,543	12.4%
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	480,164	584,910	595,755	10,845	1.9%
PURCHASED TRANSPORTATION	-	-	-	-	-
TOTAL OUTSIDE SERVICES	3,315,047	3,562,818	3,949,206	386,388	10.8%
LUBRICANTS	240,814	225,355	246,000	20,645	9.2%
TIRES	79	-	-	-	-
OTHER MATERIALS AND SUPPLIES	3,677,405	3,810,990	4,453,890	642,900	16.9%
TOTAL MATERIALS AND SUPPLIES	3,918,298	4,036,345	4,699,890	663,545	16.4%
DIESEL FUEL	454,886	475,180	437,788	(37,392)	-7.9%
CNG	-	-	-	-	-
TRACTION POWER	6,688,307	7,220,000	7,900,000	680,000	9.4%
UTILITIES	1,889,650	2,034,456	2,087,976	53,520	2.6%
TOTAL ENERGY	9,032,844	9,729,636	10,425,764	696,128	7.2%
RISK MANAGEMENT	1,541,627	1,883,874	1,951,864	67,990	3.6%
GENERAL AND ADMINISTRATIVE	148,802	103,120	141,913	38,793	37.6%
DEBT SERVICE	-	-	-	-	-
VEHICLE/ FACILITY LEASE	329,878	356,997	357,000	3	0.0%
TOTAL OPERATING EXPENSES	49,267,211	52,056,722	53,295,458	1,238,736	2.4%
NET OPERATING SUBSIDY	(13,139,091)	(14,708,344)	(12,000,351)	2,707,993	18.4%
OVERHEAD ALLOCATION	(15,004,129)	(16,334,530)	(15,651,882)	682,648	-4.2%
ADJUSTED NET OPERATING SUBSIDY	(28,143,220)	(31,042,874)	(27,652,233)	3,390,641	10.9%
TOTAL REVENUES LESS TOTAL EXPENSES	-	(0)	(0)	(0)	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
CONTRACTED BUS OPERATIONS - FIXED ROUTE
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	24,469,119	24,635,673	23,810,039	(825,634)	-3.4%
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OPERATING REVENUES	24,469,119	24,635,673	23,810,039	(825,634)	-3.4%
NON OPERATING REVENUE					
SUBSIDY REVENUE	23,598,494	26,162,197	26,618,435	456,238	1.7%
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	202,037	98,570	(103,467)	-51.2%
TOTAL NON OPERATING REVENUE	23,598,494	26,364,234	26,717,005	352,771	1.3%
TOTAL COMBINED REVENUES	48,067,613	50,999,907	50,527,044	(472,863)	-0.9%
OPERATING EXPENSES					
LABOR EXPENSES	436,323	450,513	494,954	44,441	9.9%
FRINGE EXPENSES	-	-	-	-	-
TOTAL PERSONNEL EXPENSES	436,323	450,513	494,954	44,441	9.9%
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	138,086	203,780	203,195	(585)	-0.3%
ENGINE AND TRANSMISSION REBUILD	399,539	530,000	402,000	(128,000)	-24.2%
OTHER OUTSIDE SERVICES	310,168	420,108	439,426	19,318	4.6%
PURCHASED TRANSPORTATION	39,873,037	41,506,796	41,655,670	148,874	0.4%
TOTAL OUTSIDE SERVICES	40,720,830	42,660,684	42,700,291	39,607	0.1%
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	1,981	3,000	7,553	4,553	151.8%
TOTAL MATERIALS AND SUPPLIES	1,981	3,000	7,553	4,553	151.8%
DIESEL FUEL	3,154,039	3,429,529	3,223,062	(206,467)	-6.0%
CNG	2,696,525	3,000,573	2,852,216	(148,357)	-4.9%
TRACTION POWER	-	-	-	-	-
UTILITIES	3,040	3,338	2,883	(455)	-13.6%
TOTAL ENERGY	5,853,603	6,433,440	6,078,161	(355,279)	-5.5%
RISK MANAGEMENT	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	1,190	3,830	1,843	(1,987)	-51.9%
DEBT SERVICE	-	-	-	-	-
VEHICLE/ FACILITY LEASE	15,269	18,777	17,033	(1,745)	-9.3%
TOTAL OPERATING EXPENSES	47,029,197	49,570,244	49,299,835	(270,409)	-0.5%
NET OPERATING SUBSIDY	(22,560,078)	(24,934,570)	(25,489,795)	(555,225)	-2.2%
OVERHEAD ALLOCATION	(1,038,416)	(1,429,663)	(1,227,209)	202,454	-14.2%
ADJUSTED NET OPERATING SUBSIDY	(23,598,494)	(26,364,234)	(26,717,005)	(352,771)	-1.3%
TOTAL REVENUES LESS TOTAL EXPENSES	(0)	(0)	0	0	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
CONTRACTED BUS OPERATIONS - PARATRANSIT
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	2,007,302	2,125,105	2,129,309	4,204	0.2%
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OPERATING REVENUES	2,007,302	2,125,105	2,129,309	4,204	0.2%
NON OPERATING REVENUE					
SUBSIDY REVENUE	12,422,926	13,137,789	13,134,715	(3,074)	0.0%
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	74,677	80,559	75,861	(4,698)	-5.8%
TOTAL NON OPERATING REVENUE	12,497,603	13,218,348	13,210,576	(7,772)	-0.1%
TOTAL COMBINED REVENUES	14,504,905	15,343,453	15,339,885	(3,568)	0.0%
OPERATING EXPENSES					
LABOR EXPENSES	132,926	146,424	141,401	(5,023)	-3.4%
FRINGE EXPENSES	-	-	-	-	-
TOTAL PERSONNEL EXPENSES	132,926	146,424	141,401	(5,023)	-3.4%
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	-	-	-	-	-
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	254,282	329,363	429,028	99,665	30.3%
PURCHASED TRANSPORTATION	11,057,429	11,709,446	11,855,656	146,211	1.2%
TOTAL OUTSIDE SERVICES	11,311,711	12,038,809	12,284,684	245,876	2.0%
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	-	-	-	-	-
TOTAL MATERIALS AND SUPPLIES	-	-	-	-	-
DIESEL FUEL	2,389,694	2,433,834	2,361,406	(72,428)	-3.0%
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	852	1,080	757	(323)	-29.9%
TOTAL ENERGY	2,390,546	2,434,914	2,362,163	(72,751)	-3.0%
RISK MANAGEMENT	15,300	15,300	15,300	-	0.0%
GENERAL AND ADMINISTRATIVE	4,715	10,695	4,685	(6,010)	-56.2%
DEBT SERVICE	-	-	-	-	-
VEHICLE/ FACILITY LEASE	280,000	280,000	140,000	(140,000)	-50.0%
TOTAL OPERATING EXPENSES	14,135,197	14,926,141	14,948,233	22,092	0.1%
NET OPERATING SUBSIDY	(12,127,896)	(12,801,036)	(12,818,924)	(17,888)	-0.1%
OVERHEAD ALLOCATION	(369,708)	(417,313)	(391,652)	25,661	-6.1%
ADJUSTED NET OPERATING SUBSIDY	(12,497,603)	(13,218,349)	(13,210,576)	7,773	0.1%
TOTAL REVENUES LESS TOTAL EXPENSES	(0)	(0)	(0)	0	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
CHULA VISTA TRANSIT
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	2,841,619	2,784,506	2,669,010	(115,496)	-4.1%
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	-	-	-	-	-
OTHER INCOME	(1,972)	-	-	-	-
TOTAL OPERATING REVENUES	2,839,647	2,784,506	2,669,010	(115,496)	-4.1%
NON OPERATING REVENUE					
SUBSIDY REVENUE	3,095,626	3,827,138	3,741,433	(85,706)	-2.2%
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL NON OPERATING REVENUE	3,095,626	3,827,138	3,741,433	(85,706)	-2.2%
TOTAL COMBINED REVENUES	5,935,273	6,611,645	6,410,443	(201,202)	-3.0%
OPERATING EXPENSES					
LABOR EXPENSES	252,472	255,769	255,876	107	0.0%
FRINGE EXPENSES	81,599	80,131	83,290	3,159	3.9%
TOTAL PERSONNEL EXPENSES	334,071	335,900	339,165	3,266	1.0%
SECURITY EXPENSES	-	-	-	-	-
REPAIR/ MAINTENANCE SERVICES	51,968	88,915	82,708	(6,207)	-7.0%
ENGINE AND TRANSMISSION REBUILD	23,152	60,000	135,995	75,995	126.7%
OTHER OUTSIDE SERVICES	144,754	146,091	141,041	(5,050)	-3.5%
PURCHASED TRANSPORTATION	5,149,162	5,410,542	5,271,397	(139,145)	-2.6%
TOTAL OUTSIDE SERVICES	5,369,036	5,705,548	5,631,140	(74,408)	-1.3%
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	4,696	7,250	14,458	7,208	99.4%
TOTAL MATERIALS AND SUPPLIES	4,696	7,250	14,458	7,208	99.4%
DIESEL FUEL	5,264	5,953	5,720	(233)	-3.9%
CNG	11,582	274,623	168,297	(106,326)	-38.7%
TRACTION POWER	-	-	-	-	-
UTILITIES	83,997	96,943	93,661	(3,281)	-3.4%
TOTAL ENERGY	100,843	377,518	267,678	(109,840)	-29.1%
RISK MANAGEMENT	-	10,000	10,000	-	0.0%
GENERAL AND ADMINISTRATIVE	4,914	9,435	9,210	(225)	-2.4%
DEBT SERVICE	-	-	-	-	-
VEHICLE/ FACILITY LEASE	-	-	-	-	-
TOTAL OPERATING EXPENSES	5,813,559	6,445,651	6,271,652	(173,999)	-2.7%
NET OPERATING SUBSIDY	(2,973,912)	(3,661,145)	(3,602,642)	58,503	1.6%
OVERHEAD ALLOCATION	(121,714)	(165,994)	(138,791)	27,202	-16.4%
ADJUSTED NET OPERATING SUBSIDY	(3,095,626)	(3,827,138)	(3,741,433)	85,706	2.2%
TOTAL REVENUES LESS TOTAL EXPENSES	(0)	0	(0)	(0)	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
CORONADO FERRY
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	<u>ACTUAL FY13</u>	<u>ORIGINAL BUDGET FY14</u>	<u>AMENDED BUDGET FY14</u>	<u>\$ CHANGE AMENDED/ ORIGINAL</u>	<u>% CHANGE AMENDED/ ORIGINAL</u>
OPERATING REVENUE					
PASSENGER REVENUE	-	-	-	-	-
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OPERATING REVENUES	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
NON OPERATING REVENUE					
SUBSIDY REVENUE	173,708	182,610	182,610	-	0.0%
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL NON OPERATING REVENUE	<u>173,708</u>	<u>182,610</u>	<u>182,610</u>	<u>-</u>	<u>0.0%</u>
TOTAL COMBINED REVENUES	<u>173,708</u>	<u>182,610</u>	<u>182,610</u>	<u>-</u>	<u>0.0%</u>
OPERATING EXPENSES					
LABOR EXPENSES	-	-	-	-	-
FRINGE EXPENSES	-	-	-	-	-
TOTAL PERSONNEL EXPENSES	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	-	-	-	-	-
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	-	-	-	-	-
PURCHASED TRANSPORTATION	173,708	182,610	182,610	-	0.0%
TOTAL OUTSIDE SERVICES	<u>173,708</u>	<u>182,610</u>	<u>182,610</u>	<u>-</u>	<u>0.0%</u>
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	-	-	-	-	-
TOTAL MATERIALS AND SUPPLIES	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
DIESEL FUEL	-	-	-	-	-
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	-	-	-	-	-
TOTAL ENERGY	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
RISK MANAGEMENT	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
GENERAL AND ADMINISTRATIVE	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
DEBT SERVICE	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
VEHICLE/ FACILITY LEASE	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTAL OPERATING EXPENSES	<u>173,708</u>	<u>182,610</u>	<u>182,610</u>	<u>-</u>	<u>0.0%</u>
NET OPERATING SUBSIDY	<u>(173,708)</u>	<u>(182,610)</u>	<u>(182,610)</u>	<u>-</u>	<u>0.0%</u>
OVERHEAD ALLOCATION	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
ADJUSTED NET OPERATING SUBSIDY	<u>(173,708)</u>	<u>(182,610)</u>	<u>(182,610)</u>	<u>-</u>	<u>0.0%</u>
TOTAL REVENUES LESS TOTAL EXPENSES	<u>0</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0.0%</u>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
ADMINISTRATIVE PASS THROUGH
OPERATING BUDGET - CONSOLIDATED
FISCAL YEAR 2014**

	ACTUAL FY13	ORIGINAL BUDGET FY14	AMENDED BUDGET FY14	\$ CHANGE AMENDED/ ORIGINAL	% CHANGE AMENDED/ ORIGINAL
OPERATING REVENUE					
PASSENGER REVENUE	-	-	-	-	-
ADVERTISING REVENUE	-	-	-	-	-
CONTRACT SERVICE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OPERATING REVENUES	-	-	-	-	-
NON OPERATING REVENUE					
SUBSIDY REVENUE	301,421	344,180	344,180	-	0.0%
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL NON OPERATING REVENUE	301,421	344,180	344,180	-	0.0%
TOTAL COMBINED REVENUES	301,421	344,180	344,180	-	0.0%
OPERATING EXPENSES					
LABOR EXPENSES	-	-	-	-	-
FRINGE EXPENSES	145,921	188,680	188,680	-	0.0%
TOTAL PERSONNEL EXPENSES	145,921	188,680	188,680	-	0.0%
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	-	-	-	-	-
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	155,500	155,500	155,500	-	0.0%
PURCHASED TRANSPORTATION	-	-	-	-	-
TOTAL OUTSIDE SERVICES	155,500	155,500	155,500	-	0.0%
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	-	-	-	-	-
TOTAL MATERIALS AND SUPPLIES	-	-	-	-	-
DIESEL FUEL	-	-	-	-	-
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	-	-	-	-	-
TOTAL ENERGY	-	-	-	-	-
RISK MANAGEMENT	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	-	-	-	-
DEBT SERVICE	-	-	-	-	-
VEHICLE/FACILITY LEASE	-	-	-	-	-
TOTAL OPERATING EXPENSES	301,421	344,180	344,180	-	0.0%
NET OPERATING SUBSIDY	(301,421)	(344,180)	(344,180)	-	0.0%
OVERHEAD ALLOCATION	-	-	-	-	-
ADJUSTED NET OPERATING SUBSIDY	(301,421)	(344,180)	(344,180)	-	0.0%
TOTAL REVENUES LESS TOTAL EXPENSES	-	-	-	-	0.0%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
NON OPERATING FUNDING SOURCES BY ACTIVITY
FISCAL YEAR 2013**

	Federal	TDA	STA	State - Other	TransNet	Other Local	Other Non Operating	Reserves/ Carryovers	Total
SDTC	18,564,216	22,666,349	2,440,339	-	20,154,289	278,000	-	-	64,103,193
SDTI	18,000,000	4,652,233	-	-	5,000,000	-	-	-	27,652,233
MCS 801 - South Central	4,853,050	9,583,390	-	-	-	-	-	-	14,436,440
MCS 802 - JARC Otay	352,263	384,417	-	-	-	-	-	-	736,680
MCS 803 - JARC Mid City	161,679	165,889	-	-	-	-	-	-	327,568
MCS 820 - East County	-	6,361,186	-	-	-	-	-	-	6,361,186
MCS 830 - Commuter Express	-	274,038	-	-	210,000	1,098,570	-	-	1,582,608
MCS 831 - Murphy Canyon	-	-	-	-	-	-	-	-	-
MCS 835 - Central Routes 961-965	-	2,241,560	-	-	-	-	-	-	2,241,560
MCS 840 - Regional Transit Center Maintenance	-	238,087	-	-	140,000	-	-	-	378,087
MCS 850 - ADA Access	3,887,480	6,430,996	-	1,600,000	744,000	181,102	-	-	12,843,578
MCS 856 - ADA Certification	-	215,276	-	-	-	-	-	-	215,276
MCS 875 - Coaster Connection	-	75,861	-	-	-	75,861	-	-	151,722
MCS 880 - Rural	430,000	222,875	-	-	-	-	-	-	652,875
Chula Vista Transit	-	3,741,433	-	-	-	-	-	-	3,741,433
Coronado Ferry	-	182,610	-	-	-	-	-	-	182,610
Administrative Pass Thru	-	344,180	-	-	-	-	-	-	344,180
Subtotal Operations	46,248,688	57,780,380	2,440,339	1,600,000	26,248,289	1,633,533	-	-	135,951,230
Taxicab	-	-	-	-	-	-	-	183,982	183,982
SD&AE	-	-	-	-	-	-	-	28,651	28,651
Subtotal Other Activities	-	-	-	-	-	-	-	212,633	212,633
Administrative	-	-	1,823,811	-	-	140,000	7,566,990	-	9,530,801
Grand Total	46,248,688	57,780,380	4,264,150	1,600,000	26,248,289	1,773,533	7,566,990	212,633	145,694,664

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (SUMMARY FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
SECTION 10.03**

	Budget	Position	Net Positions Requiring	Amended	Frozen
	FY 2014	Shifts	Funding Adjs	FY 2014	Positions
	FTE's	FTE's	FTE's	FTE's	FTE's
<u>MTS Administration</u>					
BOD ADMINISTRATION	3.0	0.0	0.0	3.0	0.0
COMPASS CARD	8.0	0.0	3.0	11.0	0.0
EXECUTIVE	3.0	0.0	0.0	3.0	0.0
FINANCE	20.0	0.0	1.0	21.0	0.0
HUMAN RESOURCES	15.0	0.0	0.0	15.0	0.0
INFORMATION TECHNOLOGY	19.0	0.0	0.0	19.0	0.0
LEGAL	1.0	0.0	0.0	1.0	0.0
MARKETING	8.5	0.0	1.0	9.5	0.0
PLANNING	12.0	0.0	0.0	12.0	-1.0
PROCUREMENT	12.0	0.0	0.0	12.0	-1.0
RIGHT OF WAY	3.0	0.0	0.0	3.0	0.0
RISK	4.0	0.0	0.0	4.0	0.0
SECURITY	43.0	0.0	0.0	43.0	0.0
STORES (Admin)	1.0	1.0	0.0	2.0	0.0
STORES (BUS)	13.0	0.0	0.0	13.0	0.0
STORES (RAIL)	9.0	-1.0	0.0	8.0	0.0
TELEPHONE INFORMATION SERVICES	21.0	0.0	0.0	21.0	0.0
TRANSIT STORES	6.0	0.0	0.0	6.0	0.0
Subtotal MTS Administration	201.5	0.0	5.0	206.5	-2.0
<u>Bus Operations</u>					
CONTRACT SERVICES	8.5	-1.0	0.0	7.5	0.0
EXECUTIVE (BUS)	5.0	-1.0	0.0	4.0	0.0
MAINTENANCE	170.0	4.0	0.0	174.0	0.0
MAINTENANCE-FACILITY	6.0	-1.0	0.0	5.0	0.0
PASSENGER SERVICES	6.5	0.0	0.0	6.5	-1.0
REVENUE (BUS)	13.0	0.0	0.0	13.0	0.0
SAFETY	1.0	0.0	0.0	1.0	0.0
TRAINING	10.5	-1.0	0.0	9.5	0.0
TRANSPORTATION (BUS)	545.0	0.0	0.0	545.0	0.0
Subtotal Bus Operations	765.5	0.0	0.0	765.5	-1.0
<u>Rail Operations</u>					
EXECUTIVE (RAIL)	6.5	0.0	1.0	7.5	0.0
FACILITIES	67.0	0.0	0.0	67.0	-1.0
LIGHT RAIL VEHICLES	88.0	0.0	0.0	88.0	0.0
MAINTENANCE OF WAYSIDE	39.0	-1.0	0.0	38.0	0.0
REVENUE (RAIL)	40.2	1.0	0.0	41.2	0.0
TRACK	18.0	0.0	0.0	18.0	-1.0
TRANSPORTATION (RAIL)	210.3	0.0	0.0	210.3	0.0
Subtotal Rail Operations	469.0	0.0	1.0	470.0	-2.0
<u>Other MTS Operations</u>					
TAXICAB	10.0	0.0	0.0	10.0	0.0
Subtotal Other MTS Operations	10.0	0.0	0.0	10.0	0.0
Grand Total	1,446.0	0.0	6.0	1,452.0	-5.0

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (DETAILED POSITION FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
SECTION 10.04

	Salary Grade	Budget FY 2014 (FTE's)	Position Shifts (FTE's)	Net Positions Requiring Funding Adjs (FTE's)	Amended FY 2014 (FTE's)	Frozen Positions (FTE's)
<u>MTS Administration</u>						
<u>BOD ADMINISTRATION</u>						
Administrative Assistant I	03	1.0	0.0	0.0	1.0	0.0
Exec Asst GC/Asst Board Clrk	06	1.0	0.0	0.0	1.0	0.0
Internal Auditor	10	1.0	0.0	0.0	1.0	0.0
BOD ADMINISTRATION TOTAL		3.0	0.0	0.0	3.0	0.0
<u>COMPASS CARD</u>						
Compass Card Supervisor	07	1.0	0.0	0.0	1.0	0.0
Customer Serv Asst (Part-Time)	01	3.0	0.0	0.0	3.0	0.0
Customer Service Rep	03	3.0	0.0	0.0	3.0	0.0
Fare Technology Program Manager	11	0.0	0.0	1.0	1.0	0.0
Lead Computer Support Specialist	05	0.0	0.0	1.0	1.0	0.0
Regional Revenue Administrator	05	1.0	0.0	0.0	1.0	0.0
Systems Administrator - Compass	08	0.0	0.0	1.0	1.0	0.0
COMPASS CARD TOTAL		8.0	0.0	3.0	11.0	0.0
<u>EXECUTIVE</u>						
Chief Executive Officer	16	1.0	0.0	0.0	1.0	0.0
Chief of Staff	14	1.0	0.0	0.0	1.0	0.0
Exec Asst CEO / Board Clerk	08	1.0	0.0	0.0	1.0	0.0
EXECUTIVE TOTAL		3.0	0.0	0.0	3.0	0.0
<u>FINANCE</u>						
Chief Financial Officer	15	1.0	0.0	0.0	1.0	0.0
Accounting Assistant	04	3.0	-1.0	0.0	2.0	0.0
Admin Assistant II - Finance	05	1.0	0.0	0.0	1.0	0.0
Assistant Finance Manager	09	1.0	-1.0	0.0	0.0	0.0
Assistant Payroll Manager	08	1.0	-1.0	0.0	0.0	0.0
Budget Manager	10	1.0	0.0	0.0	1.0	0.0
Capital Accountant	06	1.0	-1.0	0.0	0.0	0.0
Capital Grants Analyst	04	0.0	1.0	0.0	1.0	0.0
Capital Grants Supervisor	08	0.0	1.0	0.0	1.0	0.0
Controller	12	1.0	0.0	0.0	1.0	0.0
Dir Fin Planning & Analysis	12	1.0	0.0	0.0	1.0	0.0
ERP Project Manager	10	0.0	1.0	0.0	1.0	0.0
Finance Manager	11	1.0	-1.0	0.0	0.0	0.0
Financial Analyst	07	1.0	0.0	0.0	1.0	0.0
Grants Administrator	08	1.0	-1.0	0.0	0.0	0.0
Payroll Coordinator	05	2.0	1.0	1.0	4.0	0.0
Payroll Manager	09	1.0	0.0	0.0	1.0	0.0
Staff Accountant	06	2.0	2.0	0.0	4.0	0.0
Transit Asset Administrator	06	1.0	0.0	0.0	1.0	0.0
FINANCE TOTAL		20.0	0.0	1.0	21.0	0.0
<u>HUMAN RESOURCES</u>						
Dir of HR & Labor Relations	14	1.0	0.0	0.0	1.0	0.0
Admin Assistant (Copy Center)	03	1.0	0.0	0.0	1.0	0.0
Admin Assistant II - HR	05	1.0	0.0	0.0	1.0	0.0
Benefits & Comp Analyst	07	2.0	0.0	0.0	2.0	0.0
HR Representative II	07	3.0	0.0	0.0	3.0	0.0
Human Resources Analyst	07	1.0	0.0	0.0	1.0	0.0
Human Resources Assistant	03	1.0	0.0	0.0	1.0	0.0
Human Resources Supervisor	08	2.0	0.0	0.0	2.0	0.0
Manager of Human Resources	11	1.0	0.0	0.0	1.0	0.0
Mgr of Organizational Dev.	09	1.0	0.0	0.0	1.0	0.0
Receptionist- MTS	02	1.0	0.0	0.0	1.0	0.0
HUMAN RESOURCES TOTAL		15.0	0.0	0.0	15.0	0.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (DETAILED POSITION FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
SECTION 10.04**

Att. N, AI 2b, 3/20/14

	Salary Grade	Budget FY 2014 (FTE's)	Position Shifts (FTE's)	Net Positions Requiring Funding Adjs (FTE's)	Amended FY 2014 (FTE's)	Frozen Positions (FTE's)
<u>INFORMATION TECHNOLOGY</u>						
Chief Technology Officer	14	1.0	0.0	0.0	1.0	0.0
Applications Development Mgr	10	1.0	0.0	0.0	1.0	0.0
Asst Chief Technology Officer	11	1.0	0.0	0.0	1.0	0.0
Business Systems Analyst	10	4.0	0.0	0.0	4.0	0.0
Computer Support Specialist	05	3.0	0.0	0.0	3.0	0.0
Database Administrator	10	1.0	0.0	0.0	1.0	0.0
Network Administrator	09	1.0	0.0	0.0	1.0	0.0
Network Operations Manager	10	1.0	0.0	0.0	1.0	0.0
Report Development Analyst	09	1.0	0.0	0.0	1.0	0.0
Sr Programmer Analyst	10	1.0	0.0	0.0	1.0	0.0
Systems Administrator	08	4.0	0.0	0.0	4.0	0.0
INFORMATION TECHNOLOGY TOTAL		19.0	0.0	0.0	19.0	0.0
<u>LEGAL</u>						
General Counsel	15	1.0	0.0	0.0	1.0	0.0
LEGAL TOTAL		1.0	0.0	0.0	1.0	0.0
<u>MARKETING</u>						
Dir Marketing & Communications	13	1.0	0.0	0.0	1.0	0.0
Advertising Specialist	07	1.0	0.0	0.0	1.0	0.0
Communications Design Manager	09	1.0	0.0	0.0	1.0	0.0
Communications Designer II	05	1.0	-1.0	0.0	0.0	0.0
Communications Designer III	07	1.0	1.0	0.0	2.0	0.0
Digital Design & Content Spec.	06	1.0	0.0	0.0	1.0	0.0
Manager of Marketing	10	1.0	0.0	0.0	1.0	0.0
Marketing Coordinator	05	1.0	0.0	0.0	1.0	0.0
Marketing Intern	01	0.5	0.0	0.0	0.5	0.0
Public Relations Specialist	10	0.0	0.0	1.0	1.0	0.0
MARKETING TOTAL		8.5	0.0	1.0	9.5	0.0
<u>PLANNING</u>						
Director of Planning	12	1.0	0.0	0.0	1.0	-1.0
Assoc Transportation Planner	06	1.0	1.0	0.0	2.0	0.0
Associate Scheduler	06	1.0	0.0	0.0	1.0	0.0
Manager of Planning	10	1.0	0.0	0.0	1.0	0.0
Manager of Scheduling	10	1.0	0.0	0.0	1.0	0.0
Operations Asst - Ride Checker	01	2.5	0.0	0.0	2.5	0.0
Planning Intern	01	0.5	0.0	0.0	0.5	0.0
Schedules / Operations Analyst	09	1.0	-1.0	0.0	0.0	0.0
Sen Transp Plnr/Rail Ops An	09	1.0	0.0	0.0	1.0	0.0
Senior Transportation Planner	09	2.0	0.0	0.0	2.0	0.0
PLANNING TOTAL		12.0	0.0	0.0	12.0	-1.0
<u>PROCUREMENT</u>						
Manager of Procurement	12	1.0	0.0	0.0	1.0	0.0
Buyer	07	1.0	0.0	0.0	1.0	0.0
Contract Specialist	06	1.0	0.0	0.0	1.0	0.0
Contracts Administrator	08	1.0	0.0	0.0	1.0	0.0
Procurement Assistant	05	2.0	0.0	0.0	2.0	-1.0
Procurement Specialist	08	6.0	0.0	0.0	6.0	0.0
PROCUREMENT TOTAL		12.0	0.0	0.0	12.0	-1.0
<u>RIGHT OF WAY</u>						
Manager of Real Estate Assets	12	1.0	0.0	0.0	1.0	0.0
Assistant Right of Way Agent	07	1.0	0.0	0.0	1.0	0.0
Right of Way Engineer	10	1.0	0.0	0.0	1.0	0.0
RIGHT OF WAY TOTAL		3.0	0.0	0.0	3.0	0.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (DETAILED POSITION FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
SECTION 10.04**

Att. N, AI 2b, 3/20/14

	Salary Grade	Budget FY 2014 (FTE's)	Position Shifts (FTE's)	Net Positions Requiring Funding Adjs (FTE's)	Amended FY 2014 (FTE's)	Frozen Positions (FTE's)
<u>RISK</u>						
Liability Claims Supervisor	07	1.0	0.0	0.0	1.0	0.0
Manager of Risk and Claims	10	1.0	0.0	0.0	1.0	0.0
Risk Management Specialist	05	1.0	0.0	0.0	1.0	0.0
Workers' Compensation Analyst	06	1.0	0.0	0.0	1.0	0.0
RISK TOTAL		4.0	0.0	0.0	4.0	0.0
<u>SECURITY</u>						
Dir of Transit System Security	12	1.0	0.0	0.0	1.0	0.0
Clerk Typist/Data Entry TSS	BU	4.0	0.0	0.0	4.0	0.0
Code Compliance Inspector	BU	30.0	0.0	0.0	30.0	0.0
Code Compliance Supervisor	06	5.0	0.0	0.0	5.0	0.0
Deputy Dir of Transit Security	10	1.0	0.0	0.0	1.0	0.0
Mgr of TSS Field Operations	09	1.0	0.0	0.0	1.0	0.0
Security / Crime Analyst	08	1.0	0.0	0.0	1.0	0.0
SECURITY TOTAL		43.0	0.0	0.0	43.0	0.0
<u>STORES (Admin)</u>						
Materials Analyst	06	0.0	1.0	0.0	1.0	0.0
Materials Manager	10	1.0	0.0	0.0	1.0	0.0
STORES (Admin) TOTAL		1.0	1.0	0.0	2.0	0.0
<u>STORES (BUS)</u>						
Asst Manager of Stores (Bus)	08	1.0	0.0	0.0	1.0	0.0
Storeroom Clerks - IAD	BU	6.0	1.0	0.0	7.0	0.0
Storeroom Clerks - KMD	BU	5.0	-1.0	0.0	4.0	0.0
Storeroom Supervisor - KMD	07	1.0	0.0	0.0	1.0	0.0
STORES (BUS) TOTAL		13.0	0.0	0.0	13.0	0.0
<u>STORES (RAIL)</u>						
Asst Manager of Stores (Rail)	08	1.0	0.0	0.0	1.0	0.0
Aux Store Supervisor	BU	0.0	2.0	0.0	2.0	0.0
Storekeeper	BU	8.0	-3.0	0.0	5.0	0.0
STORES (RAIL) TOTAL		9.0	-1.0	0.0	8.0	0.0
<u>TELEPHONE INFORMATION SERVICES</u>						
Sr Tele Info Supervisor	08	1.0	0.0	0.0	1.0	0.0
Tele Info Supervisor	07	2.0	0.0	0.0	2.0	0.0
Telephone Information Clerk	BU	18.0	0.0	0.0	18.0	0.0
TELEPHONE INFORMATION SERVICES TO		21.0	0.0	0.0	21.0	0.0
<u>TRANSIT STORES</u>						
Transit Store Supervisor	07	1.0	0.0	0.0	1.0	0.0
Asst Transit Store Supervisor	06	1.0	0.0	0.0	1.0	0.0
Senior Transit Store Clerk	BU	1.0	0.0	0.0	1.0	0.0
Transit Store Clerk	BU	3.0	0.0	0.0	3.0	0.0
TRANSIT STORES TOTAL		6.0	0.0	0.0	6.0	0.0
Subtotal MTS Administration		201.5	0.0	5.0	206.5	-2.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (DETAILED POSITION FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
SECTION 10.04**

Att. N, AI 2b, 3/20/14

	Salary Grade	Budget FY 2014 (FTE's)	Position Shifts (FTE's)	Net Positions Requiring Funding Adjs (FTE's)	Amended FY 2014 (FTE's)	Frozen Positions (FTE's)
<u>Bus Operations</u>						
<u>CONTRACT SERVICES</u>						
Transit Services Administrator	12	1.0	-1.0	0.0	0.0	0.0
Asst Trans Ops Specialist	06	3.0	-1.0	0.0	2.0	0.0
Contract Services Admin	11	2.0	-1.0	0.0	1.0	0.0
Intern - Transit Services	01	0.5	0.0	0.0	0.5	0.0
Mgr of BRT & East County Ops	11	0.0	1.0	0.0	1.0	0.0
Mgr of South Bay Operations	12	1.0	0.0	0.0	1.0	0.0
Supvr of Passenger Facilities	07	0.0	1.0	0.0	1.0	0.0
Transit Operations Specialist	05	0.0	1.0	0.0	1.0	0.0
Transit Operations Technician	04	1.0	-1.0	0.0	0.0	0.0
CONTRACT SERVICES TOTAL		8.5	-1.0	0.0	7.5	0.0
<u>EXECUTIVE (BUS)</u>						
Chief Op Officer-Transit Servs	15	0.0	1.0	0.0	1.0	0.0
Chief Operating Officer (Bus)	15	1.0	-1.0	0.0	0.0	0.0
Executive Assistant (COO Bus)	06	1.0	0.0	0.0	1.0	0.0
Mgr of Capital Projects (Bus)	12	1.0	0.0	0.0	1.0	0.0
Project Mgr-Capital Projects	12	0.0	1.0	0.0	1.0	0.0
Quality Assurance Inspector	07	1.0	-1.0	0.0	0.0	0.0
Quality Assurance Supervisor	09	1.0	-1.0	0.0	0.0	0.0
EXECUTIVE (BUS) TOTAL		5.0	-1.0	0.0	4.0	0.0
<u>MAINTENANCE</u>						
Admin Asst II - Maintenance	05	1.0	0.0	0.0	1.0	0.0
Asst Mgr of Maintenance - IAD	10	1.0	0.0	0.0	1.0	0.0
Body Shop Apprentice II - KMD	BU	1.0	0.0	0.0	1.0	0.0
Communications Tech - IAD	BU	2.0	0.0	0.0	2.0	0.0
Communications Tech - KMD	BU	1.0	0.0	0.0	1.0	0.0
Dir of Fleet & Facility Maint	13	1.0	0.0	0.0	1.0	0.0
Foreman - IAD	08	9.0	0.0	0.0	9.0	0.0
Foreman - KMD	08	7.0	1.0	0.0	8.0	0.0
Maintenance Analyst	06	1.0	0.0	0.0	1.0	0.0
Maintenance Clerk - KMD	02	1.0	0.0	0.0	1.0	0.0
Manager of Maintenance IAD	11	1.0	-1.0	0.0	0.0	0.0
Manager Of Maintenance KMD	11	1.0	0.0	0.0	1.0	0.0
Mechanic A - IAD	BU	25.0	0.0	0.0	25.0	0.0
Mechanic A - KMD	BU	22.0	1.0	0.0	23.0	0.0
Mechanic Apprentice I - IAD	BU	9.0	-1.0	0.0	8.0	0.0
Mechanic Apprentice I - KMD	BU	1.0	0.0	0.0	1.0	0.0
Mechanic Apprentice II - IAD	BU	2.0	1.0	0.0	3.0	0.0
Mechanic B - IAD	BU	2.0	0.0	0.0	2.0	0.0
Mechanic C - IAD	BU	19.0	0.0	0.0	19.0	0.0
Mechanic C - KMD	BU	12.0	-1.0	0.0	11.0	0.0
Mgr of Fleet & Facility Maint	11	0.0	1.0	0.0	1.0	0.0
Mgr of Maintenance Training	09	0.0	1.0	0.0	1.0	0.0
Quality Assurance Inspector	07	0.0	1.0	0.0	1.0	0.0
Quality Assurance Supervisor	09	0.0	1.0	0.0	1.0	0.0
Serviceman A - IAD	BU	14.0	20.0	0.0	34.0	0.0
Serviceman A - KMD	BU	8.0	8.0	0.0	16.0	0.0
Serviceman B - IAD	BU	18.0	-18.0	0.0	0.0	0.0
Serviceman B - KMD	BU	10.0	-10.0	0.0	0.0	0.0
Sign Truck Operator	BU	1.0	0.0	0.0	1.0	0.0
MAINTENANCE TOTAL		170.0	4.0	0.0	174.0	0.0
<u>MAINTENANCE-FACILITY</u>						
Manager of Facilities	10	1.0	-1.0	0.0	0.0	0.0
Foreman - IAD	08	0.0	1.0	0.0	1.0	0.0
Mechanic A - Facilities - IAD	BU	2.0	0.0	0.0	2.0	0.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (DETAILED POSITION FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
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	Salary Grade	Budget FY 2014 (FTE's)	Position Shifts (FTE's)	Net Positons Requiring Funding Adjs (FTE's)	Amended FY 2014 (FTE's)	Frozen Positions (FTE's)
Mechanic A - Facilities - KMD	BU	2.0	0.0	0.0	2.0	0.0
Supvr Building Maintenance	07	1.0	-1.0	0.0	0.0	0.0
MAINTENANCE-FACILITY TOTAL		6.0	-1.0	0.0	5.0	0.0
<u>PASSENGER SERVICES</u>						
Customer Service Supervisor	06	2.0	0.0	0.0	2.0	0.0
Classroom Day Pass Coordinator	01	0.5	-0.5	0.0	0.0	0.0
Customer Service Clerk	BU	2.0	0.0	0.0	2.0	-1.0
Information Service Rep	03	1.0	-1.0	0.0	0.0	0.0
Manager of Support Services	12	0.0	1.0	0.0	1.0	0.0
Receptionist	02	1.0	0.0	0.0	1.0	0.0
Support Services Assistant	01	0.0	0.5	0.0	0.5	0.0
PASSENGER SERVICES TOTAL		6.5	0.0	0.0	6.5	-1.0
<u>REVENUE (BUS)</u>						
Revenue Manager (Bus)	10	1.0	-1.0	0.0	0.0	0.0
Asst Rev Technicians - IAD	BU	2.0	0.0	0.0	2.0	0.0
Asst Rev Technicians - KMD	BU	0.0	1.0	0.0	1.0	0.0
Revenue Administrator	10	0.0	1.0	0.0	1.0	0.0
Revenue Analyst	03	1.0	-1.0	0.0	0.0	0.0
Revenue Processors - IAD	BU	3.0	0.0	0.0	3.0	0.0
Revenue Processors - KMD	BU	2.0	0.0	0.0	2.0	0.0
Revenue Technicians - IAD	BU	2.0	0.0	0.0	2.0	0.0
Revenue Technicians - KMD	BU	2.0	0.0	0.0	2.0	0.0
REVENUE (BUS) TOTAL		13.0	0.0	0.0	13.0	0.0
<u>SAFETY</u>						
Manager of Safety (Bus)	09	1.0	0.0	0.0	1.0	0.0
SAFETY TOTAL		1.0	0.0	0.0	1.0	0.0
<u>TRAINING</u>						
Manager Of Training	09	1.0	-1.0	0.0	0.0	0.0
Bus Op Training Instructor	06	6.0	0.0	0.0	6.0	0.0
Maintenance Instructor	07	1.0	-1.0	0.0	0.0	0.0
P/T Bus Op Training Instructor	06	1.5	1.0	0.0	2.5	0.0
Sr Bus Operations Instructor	07	1.0	0.0	0.0	1.0	0.0
TRAINING TOTAL		10.5	-1.0	0.0	9.5	0.0
<u>TRANSPORTATION (BUS)</u>						
Director of Transportation	13	1.0	-1.0	0.0	0.0	0.0
Admin Asst II - Operations	05	1.0	0.0	0.0	1.0	0.0
Asst Mgr of Trans Comm & Techn	10	1.0	0.0	0.0	1.0	0.0
Bus Operators - F/T	BU	503.0	0.0	0.0	503.0	0.0
Bus Operators - P/T	BU	2.0	0.0	0.0	2.0	0.0
Comm/Ops Supv-Dispatch IAD	08	6.0	-1.0	0.0	5.0	0.0
Comm/Ops Supv-Dispatch KMD	BU	0.0	1.0	0.0	1.0	0.0
Comm/Ops Supv-Radio	08	10.0	0.0	0.0	10.0	0.0
Director of Transit Operations	13	0.0	1.0	0.0	1.0	0.0
Dispatch Clerk	BU	5.0	0.0	0.0	5.0	0.0
Manager of Service Operations	10	1.0	0.0	0.0	1.0	0.0
Mgr of Trans Comm & Technology	10	1.0	0.0	0.0	1.0	0.0
Service Operations Supervisor	08	12.0	0.0	0.0	12.0	0.0
Trans Div Manager - IAD	10	1.0	0.0	0.0	1.0	0.0
Trans Div Manager - KMD	10	1.0	0.0	0.0	1.0	0.0
TRANSPORTATION (BUS) TOTAL		545.0	0.0	0.0	545.0	0.0
Subtotal Bus Operations		765.5	0.0	0.0	765.5	-1.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (DETAILED POSITION FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
SECTION 10.04**

Att. N, AI 2b, 3/20/14

	Salary Grade	Budget FY 2014 (FTE's)	Position Shifts (FTE's)	Net Positions Requiring Funding Adjs (FTE's)	Amended FY 2014 (FTE's)	Frozen Positions (FTE's)
<u>Rail Operations</u>						
<u>EXECUTIVE (RAIL)</u>						
Chief Operating Officer (Rail)	15	1.0	0.0	0.0	1.0	0.0
Engineering Intern	01	0.5	0.0	0.0	0.5	0.0
Executive Assistant (COO Rail)	06	1.0	0.0	0.0	1.0	0.0
Mgr of Capital Projects (Rail)	12	1.0	0.0	0.0	1.0	0.0
Special Events Coordinator	09	1.0	0.0	0.0	1.0	0.0
System Safety Manager (Rail)	09	1.0	0.0	0.0	1.0	0.0
Systems Engineer (Rail)	11	1.0	0.0	1.0	2.0	0.0
EXECUTIVE (RAIL) TOTAL		6.5	0.0	1.0	7.5	0.0
<u>FACILITIES</u>						
Facilities Manager	10	1.0	0.0	0.0	1.0	0.0
Admin Asst II - Facilities	05	1.0	0.0	0.0	1.0	0.0
Facilities Supervisor	06	6.0	-1.0	0.0	5.0	0.0
Serviceperson	BU	59.0	1.0	0.0	60.0	-1.0
FACILITIES TOTAL		67.0	0.0	0.0	67.0	-1.0
<u>LIGHT RAIL VEHICLES</u>						
Superintendent of LRV Maint	12	1.0	0.0	0.0	1.0	0.0
Admin Asst II - LRV	05	1.0	-1.0	0.0	0.0	0.0
Asst Superintendent LRV	10	1.0	0.0	0.0	1.0	0.0
Clerk Typist/Data Entry LRV	BU	1.0	1.0	0.0	2.0	0.0
LRV Asst Lineman	BU	12.0	-4.0	0.0	8.0	0.0
LRV Electromechanic	BU	58.0	3.0	0.0	61.0	0.0
LRV Lineman	BU	7.0	0.0	0.0	7.0	0.0
LRV Maint Supervisor	09	5.0	1.0	0.0	6.0	0.0
LRV Project Coordinator/Analyst	09	1.0	0.0	0.0	1.0	0.0
Training Supervisor - LRV	08	1.0	0.0	0.0	1.0	0.0
LIGHT RAIL VEHICLES TOTAL		88.0	0.0	0.0	88.0	0.0
<u>MAINTENANCE OF WAYSIDE</u>						
Superintendent Wayside Maint	12	1.0	0.0	0.0	1.0	0.0
Asst Superintendent Wayside	10	1.0	0.0	0.0	1.0	0.0
Clerk Typist/Data Entry MOW	BU	2.0	-1.0	0.0	1.0	0.0
Training Supervisor - MOW	08	1.0	0.0	0.0	1.0	0.0
Wayside Assistant Lineman	BU	7.0	1.0	0.0	8.0	0.0
Wayside Electromechanic	BU	17.0	2.0	0.0	19.0	0.0
Wayside Lineman	BU	6.0	-3.0	0.0	3.0	0.0
Wayside Maintenance Supervisor	09	4.0	0.0	0.0	4.0	0.0
MAINTENANCE OF WAYSIDE TOTAL		39.0	-1.0	0.0	38.0	0.0
<u>REVENUE (RAIL)</u>						
Revenue Manager (Rail)	10	1.0	0.0	0.0	1.0	0.0
Clerk Typist/Data Entry REV	BU	2.0	0.0	0.0	2.0	0.0
Collector / Processor	BU	8.0	0.0	0.0	8.0	0.0
Revenue Maintainer I	BU	1.0	-1.0	0.0	0.0	0.0
Revenue Maintainer II	BU	3.0	-1.0	0.0	2.0	0.0
Revenue Maintainer III	BU	9.0	3.0	0.0	12.0	0.0
Revenue Maintenance Supervisor	09	2.0	0.0	0.0	2.0	0.0
Revenue Supervisor	07	2.0	0.0	0.0	2.0	0.0
Ridership Surveyor	BU	5.0	0.0	0.0	5.0	0.0
Special Events Assistant	01	7.2	0.0	0.0	7.2	0.0
REVENUE (RAIL) TOTAL		40.2	1.0	0.0	41.2	0.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (DETAILED POSITION FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
SECTION 10.04**

Att. N, AI 2b, 3/20/14

	Salary Grade	Budget FY 2014 (FTE's)	Position Shifts (FTE's)	Net Positions Requiring Funding Adjs (FTE's)	Amended FY 2014 (FTE's)	Frozen Positions (FTE's)
<u>TRACK</u>						
Track Supervisor	09	2.0	0.0	0.0	2.0	0.0
Trackperson	BU	16.0	0.0	0.0	16.0	-1.0
TRACK TOTAL		18.0	0.0	0.0	18.0	-1.0
<u>TRANSPORTATION (RAIL)</u>						
Superintendent Transportation	12	1.0	0.0	0.0	1.0	0.0
Asst Superintendent Trans	10	1.0	0.0	0.0	1.0	0.0
Assignments Supervisor	07	4.0	0.0	0.0	4.0	0.0
Central Control Supervisor	09	2.0	0.0	0.0	2.0	0.0
Flagpersons	BU	30.0	0.0	0.0	30.0	0.0
Systems Supervisors	08	14.0	0.0	0.0	14.0	0.0
Train Operator	BU	95.0	0.0	0.0	95.0	0.0
Train Operator - PT	BU	49.3	0.0	0.0	49.3	0.0
Training Supervisor - Trans	08	2.0	0.0	0.0	2.0	0.0
Transportation Controller	08	12.0	0.0	0.0	12.0	0.0
TRANSPORTATION (RAIL) TOTAL		210.3	0.0	0.0	210.3	0.0
Subtotal Rail Operations		469.0	0.0	1.0	470.0	-2.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
POSITION INFORMATION (DETAILED POSITION FORMAT)
FISCAL YEAR 2014 AMENDED BUDGET
SECTION 10.04**

Att. N, AI 2b, 3/20/14

	Salary	Budget	Position	Net Positions	Amended	Frozen
	Grade	FY 2014	Shifts	Requiring	FY 2014	Positions
	Grade	(FTE's)	(FTE's)	Funding Adjs	(FTE's)	(FTE's)
				(FTE's)		
<u>Other MTS Operations</u>						
<u>TAXICAB</u>						
Taxicab Administration Manager	10	1.0	0.0	0.0	1.0	0.0
Admin Asst II - Taxi	05	1.0	0.0	0.0	1.0	0.0
Office Clerk II	03	1.0	0.0	0.0	1.0	0.0
Regulatory Analyst	06	3.0	0.0	0.0	3.0	0.0
Regulatory Enforcement Supvr	06	0.0	1.0	0.0	1.0	0.0
Regulatory Inspector	05	4.0	-1.0	0.0	3.0	0.0
TAXICAB TOTAL		10.0	0.0	0.0	10.0	0.0
Subtotal Other MTS Operations		10.0	0.0	0.0	10.0	0.0
Grand Total		1,446.0	0.0	6.0	1,452.0	-5.0

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 14-3

Resolution Approving Amendments to FY 2014 Budget

WHEREAS, the MTS Board of Directors adopted Resolution No. 13-12 on May 16, 2013, approving the FY 2014 budgets for MTS, San Diego Transit Corporation, San Diego Trolley, Inc., MTS Contract Services, Chula Vista Transit, and Coronado Ferry;

BE IT RESOLVED, that the MTS Board of Directors approves changes to the fiscal year 2014 Operating Budget, per the attached proposed Budget Amendments.

PASSED AND ADOPTED, by the MTS Board of Directors this 21st day of March 2014, by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAINING:

Chairman
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

Clerk of the Board
San Diego Metropolitan Transit System

Office of the General Counsel
San Diego Metropolitan Transit System

Metropolitan Transit System Finance Workshop March 20, 2014



1



Metropolitan Transit System FY 2015 Capital Improvement Program (CIP)

MTS Board of Directors
Finance Workshop
March 20, 2014



2



Development of the FY15 CIP

- Began September 2013 with the request for projects
- Capital Projects Review Committee (CPRC) meeting was held to discuss the priority project list. The CPRC is comprised of:
 - Bus Operations • Administration
 - Rail Operations • SANDAG
 - Chula Vista Transit Engineering
- Each Committee member was responsible for submitting, prioritizing and discussing their capital requests for the agency and cities it serves.
 - Projects with operational, safety needs are priority 1
- The Committee reviewed and the CEO approved the prioritization of the capital requests
 - All priority 1 projects were approved
- The project list is also subject to an analysis based on social equity principles



3



CIP Project Highlights - Bus

- Bus Revenue Vehicles
 - Plan tries to normalize the number replaced each year to avoid spikes
 - \$26M funding in FY15, typically fund \$25-30M per year
 - 40 foot CNG bus : Current cost of \$490K per bus
 - 463 in fleet
 - 50 replaced annually



- 28 foot ADA bus: \$71K per bus
 - 142 in fleet
 - 20-30 replaced annually



4



CIP Project Highlights - Bus Continued

- Bus Revenue Vehicles
 - 60 foot articulated CNG bus: \$920K per bus
 - 86 in fleet including new BRT buses



- Regional Transit Management System Expansion
 - Software and equipment upgrades
 - Will now include Contract Services
 - \$5.9M funding in FY15



5



CIP Project Highlights - Rail

- LRV Maintenance Projects
 - Buffer/Coupler overhauls
 - \$40K each or \$80K per car
 - Multi-year project
 - \$1M funded this year



- Rail Infrastructure
 - Station communication upgrade on the Orange/Green Line - \$6.5M
 - Slope repair at Hill Street - \$3M
 - Substations DC Feeder Breaker Replacement - \$1.7M
 - Second elevator at Fashion Valley - \$1M



6



CIP Project Highlights - Rail Continued

- SD100 Replacement
 - Current cost of \$4.1M per light rail vehicle
 - 52 SD100s to replace
 - \$213M in today's dollars
 - \$9M funding in FY15



- Trolley Renewal
 - Final round of Prop 1B financing - \$37M



7



CIP Project Highlights - Future Projects

- New Bus Maintenance Facility
 - With BRT expansion, all facilities close to capacity
 - Limits any future growth
 - Estimate cost of \$50M, \$15M for land and \$35M for the facility
- Trolley Yard Expansion
 - Pyramid Van Lines property purchased in 2013
 - In preparation for Mid-Coast
 - Cost of \$4.6M
- Fare Collection System
 - Compass software system, ticket vending machines, bus fareboxes
 - Back office system is over 10 years old already
 - Original cost of \$50M
 - \$10M to update existing software and hardware



8



Capital Funding Levels
Proposed Fiscal Year 2015
(\$000's)

Funding Description	Amount
Federal Funding (Sections 5307, 5337, 5339)	\$ 66,552
Transportation Development Act (TDA)	48,928
California State Transit Assistance (STA)	14,400
* Proposition 1B	39,855
* Other	984
Total Preventative Maintenance	(65,695)
SANDAG Planning Studies	(958)
Available Funding for Capital Program	\$ 104,067

* Non-recurring funding totals: \$ 40,839



9



Capital Project Highlights
Proposed Fiscal Year 2015
(\$000's)

Capital Project Categories	Funding	% of Total
Trolley Renewal (Prop 1B)	\$ 37,076	36%
Bus Revenue Vehicles	26,360	25%
Rail Infrastructure	18,952	18%
Rail Revenue Vehicles	9,000	9%
Major Facility & Construction Projects	6,952	7%
Other Equipment & Installations	2,900	3%
Information Technology	1,717	2%
LRV Components	1,110	1%
Grand Total	\$ 104,067	

➤ 55 Projects Funded in FY15 CIP

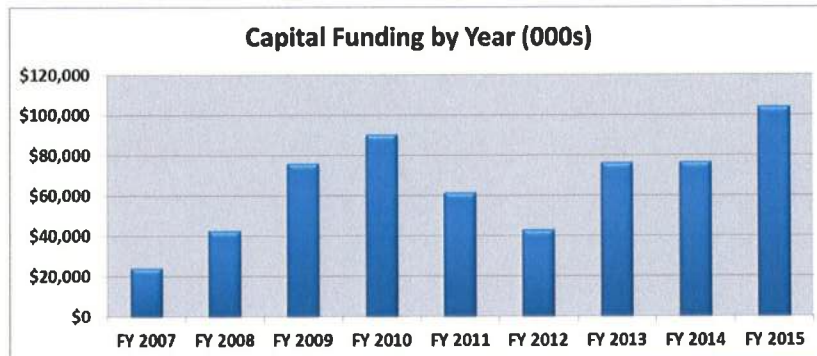


10



Capital Budget Funding Trend

- Goal is to keep MTS System in a state of good repair
- Try to keep funding of non-recurring nature in the Capital program
- Trend by year below:



11



Capital Improvement Program Fiscal Years 2015-2019

	Proposed FY15	Projected FY16	Projected FY17	Projected FY18	Projected FY19	Total 5 Years
Revenues						
Total Capital Revenues	\$ 170,720	\$ 127,370	\$ 127,370	\$ 127,370	\$ 124,591	\$ 677,421
Less:						
PM/Planning Studies	\$ (66,653)	\$ (66,531)	\$ (66,531)	\$ (66,531)	\$ (66,531)	\$ (332,776)
Available CIP Revenues	\$ 104,067	\$ 60,840	\$ 60,840	\$ 60,840	\$ 58,060	\$ 344,646
Project Needs	128,326	81,798	87,735	81,545	62,220	441,624
Deficit	\$ (24,260)	\$ (20,958)	\$ (26,895)	\$ (20,705)	\$ (4,160)	\$ (96,979)
% of Funding / Needs	81.1%	74.4%	69.3%	74.6%	93.3%	78.0%
Accumulated Deficit	\$ (24,260)	\$ (45,218)	\$ (72,114)	\$ (92,819)	\$ (96,979)	



12



Fiscal Year 2015 CIP Recommendations

That the MTS Board of Directors:

1. approve the fiscal year 2015 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels (Attachments A and B). As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels;
2. recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of federal Sections 5307 and 5337 applications for the MTS fiscal year 2015 CIP (shown in Attachment A);
3. approve the transfer of \$357,409 from previous CIP projects to the fiscal year 2015 CIP;
4. recommend that the SANDAG Board of Directors approve the amendment of the Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2015 CIP recommendations



13



Metropolitan Transit System FY 2014 Midyear Adjustment

**MTS Board of Directors
Finance Workshop
March 20, 2014**



14



Fiscal Year 2014 Midyear Revenue Assumptions Summary

- Non-operating revenue
 - No change to sales tax receipts projection from SANDAG
 - \$1.3M reduction in STA revenue
 - \$280K increase in Medi-Cal revenue
 - In total, \$1.1M reduction in subsidy (-0.7%)
- Operating revenue
 - Passenger Revenue remains favorable
 - YTD Dec ridership 9.2% vs budget
 - YTD Dec average fare -7.7% vs budget
 - Increase of \$1.6M (1.7%)
 - Other Operating Revenue increase by \$1.9M (31.3%)
 - \$405K increase in Advertising revenue
 - \$1.5M increase in Other Income
 - Compass Card Admin Fees is \$1.1M of that increase



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Fiscal Year 2014 Midyear Revenue Summary

	FY 2014 Original	FY 2014 Amended	Var.	Var. %
Passenger Revenue	\$ 95,312	\$ 96,890	\$ 1,578	1.7%
Other Operating Income	6,090	7,995	1,904	31.3%
Total Operating Income	\$ 101,402	\$ 104,885	\$ 3,482	3.4%
Federal	38,596	46,249	7,653	19.8%
TDA/Transnet	91,682	84,029	(7,653)	-8.3%
STA	5,600	4,264	(1,336)	-23.9%
Other	10,917	11,153	236	2.2%
Total Subsidy	\$ 146,794	\$ 145,695	\$ (1,100)	-0.7%
Total Revenue	\$ 248,197	\$ 250,579	\$ 2,383	1.0%

- Federal - TDA Swap to facilitate draw of Federal funds due to the 13c issue



16



Fiscal Year 2014 Midyear Expenses Assumption Summary

- Personnel
 - Favorable by \$1.6M (1.4%)
 - \$430K favorable in Wages
 - Favorable experience in Operator Overtime
 - \$1.2M favorable in Fringe Benefits
 - Pension, Health & Welfare, Cost Recovery
 - 6 position adjustments
 - Project Engineer, funded within capital budget
 - Compass Card Back Office, 3 positions ahead of FY15 transition
 - Unfrozen position in Marketing - Public Relations Specialist
 - Payroll position (coordinator) - budget neutral



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Fiscal Year 2014 Midyear Expenses Assumption Summary - Continued

- Outside Services unfavorable \$424K in total (-0.5%)
 - Other Outside Services: \$278K unfavorable
 - Repairs & Maintenance Services: \$260K unfavorable
 - Purchased Transportation: \$156K unfavorable
 - Engines and Transmissions: \$192K favorable
- Materials & Supplies unfavorable by \$742K (-8.4%)
- Energy unfavorable \$240K in total (-0.9%)
 - Traction power/Electricity: \$842K unfavorable
 - CNG: \$242K favorable
 - Diesel/Gas: \$360K favorable

	Original FY14	Amended FY14	Change
CNG	\$0.83	\$0.84	1.2%
Diesel	\$3.42	\$3.28	-4.1%
Gasoline	\$3.40	\$3.25	-4.4%
Electricity	\$0.171	\$0.176	2.9%



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Fiscal Year 2014 Midyear Expense Summary

	FY 2014 Original	FY 2014 Amended	Var.	Var. %
Personnel Expenses	\$ 117,595	\$ 115,957	\$ 1,638	1.4%
Outside Services	79,524	79,948	(424)	-0.5%
Materials and Supplies	8,824	9,566	(742)	-8.4%
Energy	25,352	25,593	(240)	-0.9%
Risk Management	4,308	4,870	(562)	-13.0%
Other	12,593	12,822	(229)	-1.8%
Total Expenses	\$ 248,197	\$ 248,756	\$ (559)	-0.2%



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Fiscal Year 2014 Midyear Revenues less Expenses

	FY 2014 Original	FY 2014 Amended	Var.	Var. %
Operating Revenues	\$ 101,402	\$ 104,885	\$ 3,482	3.4%
Subsidy Revenues	146,646	145,482	(1,164)	-0.8%
Reserve Revenues	148	213	64	43.5%
Total Revenues	\$ 248,197	\$ 250,579	\$ 2,383	1.0%
Total Expenses	248,197	248,756	(559)	-0.2%
Total Revenues Less Expenses	\$ (0)	\$ 1,824	\$ 1,824	-



20



Fiscal Year 2014 Midyear Contingency Reserves

- Projected year end contingency reserve balance:

Balance, June 30 , 2013	\$ 26,588
Adjust for FY14 Midyear Operating Budget	<u>1,824</u>
Projected Balance, June 30 , 2014	<u>\$ 28,412</u>

- Goal is have a contingency reserve balance of 12.5% of operating expense budget by FY16
- \$28.4m Represents 11.5% of Amended FY14 operating expenses

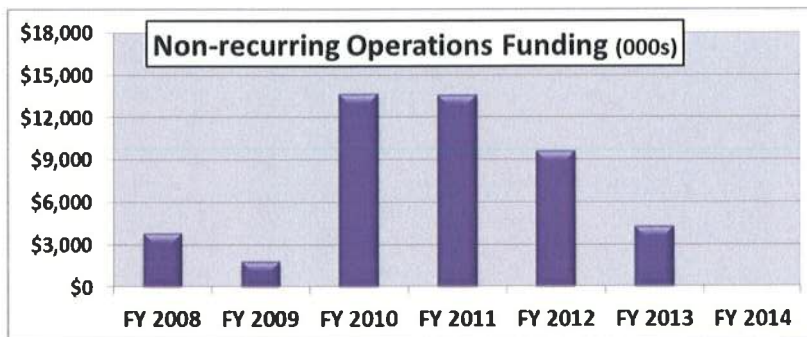


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Fiscal Year 2014 Midyear Non-recurring revenues

- Goal is to match recurring expenses with recurring revenues
- Previous 6 years, total of \$46.8M of non-recurring funding within operating budget
- FY14 amendment will utilize no non-recurring funding

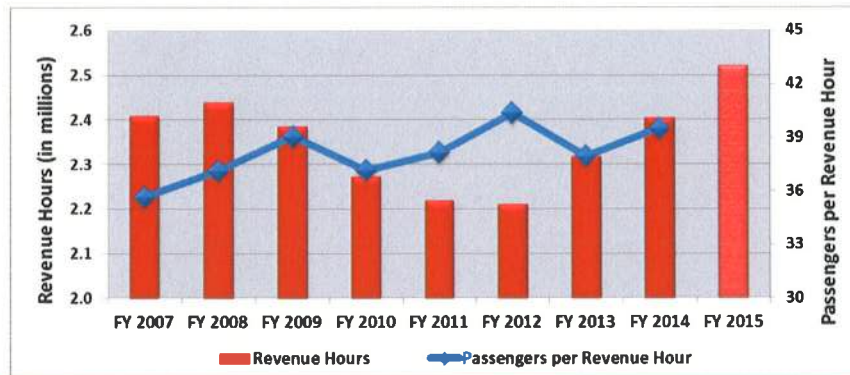


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Fiscal Year 2014 Midyear Service Levels

- Service increases in June 2012, September 2012 and January 2013
- BRT service being added June or September
- No other service needs at this time



23



Metropolitan Transit System Fiscal Year 2014 Midyear Adjustment Staff Recommendation

- That the MTS Board of Directors approve the Combined MTS FY 2014 Midyear Budget Amendment, including using excess revenues over expenses to increase contingency reserves.



24



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

MINUTES

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

February 20, 2014

1a. 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. McClellan moved to approve the Minutes of the January 16, 2014, MTS Board of Directors meeting with a correction to the date (2013 corrected to 2014). Mr. Ovrom seconded the motion, and the vote was 8 to 0 in favor.

3. Public Comments

Dukes Wothers – Chair of Hold onto Your Butt Campaign through the Surf-Rider Foundation. Mr. Wothers stated that the Surf-Rider Foundation's goal is to protect and keep San Diego beaches and oceans clean so that they can be enjoyed by all. He reported that there is an epidemic of cigarette litter at the Old Town Transit Center (OTTC). He gave examples of the numbers of butts picked up by volunteers in 90-minute time frames. Mr. Wothers stated that MTS has a lot of employees in MTS vehicles monitoring the stations and suggested that those employees tell patrons to use the garbage cans and also get out of their vehicles and hand out ash trays to smokers. He offered to install ash cans on lampposts and provide miniature ash trays for a nominal fee. He added that he feels that there is not enough enforcement (by MTS). Chairman Mathis thanked Mr. Wothers for his organization's cleanup efforts. He reminded members that MTS has a smoking ban in place, which is enforced. Mr. Wothers responded that he is at the OTTC station almost every day, and he has never seen anyone ticketed.

1b. SDG&E Donation to MTS Vintage Trolley (Taken Out or Order)

Chairman Mathis introduced Frank Urstasun and Pedro Villegas from San Diego Gas and Electric (SDG&E) who presented MTS with a \$50,000 donation for the Vintage Trolley. SDG&E is joining MTS in celebrating the centennial for Balboa Park by working with MTS on the restoration of the second car (Car No. 530). Car No. 530 is coming from New Jersey, and it has been overhauled and is electrically and mechanically sound. The final cosmetics will be completed, and it will be equipped to operate late in the year.

Mr. Urstasun remarked that it is a pleasure to partner with MTS. He added that SDG&E gives a lot back to the community, and this project will be great in terms of education. Mr. Cunningham expressed gratitude to Chairman Mathis for making his vision come to fruition. Chairman Mathis responded that having a second car is critical to expand services and will enable the Vintage Trolley to run every day.

CONSENT ITEMS

6. San Diego and Arizona Eastern (SD&AE) Railway Company Quarterly Reports and Ratification of Actions Taken by the SD&AE Board of Directors at its Meeting on January 14, 2014

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 January 14, 2014.

Susan Wilson – Public Speaker: Ms. Wilson referenced MTS's "See Something/Say Something" campaign on its Web site. Ms. Wilson praised MTS for its public service. She asked Board members to become knowledgeable about the ownership of Pacific Imperial Railroad (PIR)—specifically its related-party contracts. Ms. Wilson stated that there are people who are knowledgeable (about PIR) who would be happy to provide education about the facts.

Action Taken

Mr. McClellan moved to approve Consent Agenda Item No. 6. Mr. Ovrom seconded the motion, and the vote was 10 to 0 in favor with Board members Emerald, Gastil, Lightner, Roberts, and Salas absent.

7. Addition of Three Information Technology Positions

Action would authorize the Chief Executive Officer (CEO) to add: (1) one Lead Computer Support Specialist to the FY 14 budget increasing the total Full-Time Equivalent (FTE) position from 0 to 1 at Grade #5 (\$35,972.00 - \$55,577.00); (2) one System Administrator to the FY 14 budget increasing the total FTE position from 4 to 5 at Grade #8 (\$53,356.00 - \$85,183.00); and (3) one Fare Technology Program Manager to the FY 14 budget increasing the total FTE position from 0 to 1 at Grade #10 (\$69,951.00 - \$111,676.00).

Ms. Cole asked if the three I.T. positions have been filled. Mr. Jablonski responded that they have not. Ms. Cole asked what type of outreach will be conducted. Jeff Stumbo, MTS Director of Human Resources, responded that MTS will advertise internally and on the MTS Web site in addition to CareerBuilder, Dice, and LinkedIn.

Ms. Cole stated that she is a huge advocate of helping San Diego residents find jobs and offered to post MTS's available job positions on her newsletter. She stated that her goal is to connect qualified people in San Diego with good-paying jobs and to also embrace diversity.

Mr. Jablonski added that MTS will recruit locally for these positions. He stated that these 3 positions are not new positions—they are funded by SANDAG, but they will be returning to MTS, so there will be no budget increase. Mr. Mathis stated that MTS is happy to cooperate in collaboratively recruiting.

8. 2014 State and Federal Legislative Programs

Action would approve staff recommendations for 2014 federal and state legislative programs.

9. Investment Report - December 2013

Informational item only. No action taken.

CONSENT ITEMS (Continued)

10. Excess Insurance Renewals for Liability and Workers' Compensation Program
Action would approve the purchase of excess liability insurance (at limits of \$75 million less a \$2 million self-insured retention [SIR]) and excess workers' compensation insurance (at statutory limits less a \$1 million SIR). The new policies would be in effect from March 1, 2014, through March 1, 2015.
11. Class B Paratransit and Class E Medium Duty Body on Chassis Buses - Contract Award
Action would authorize the CEO to: (1) execute MTS Doc. No. B0611.0-14 with Creative Bus Sales for the purchase of up to 50 Class B paratransit buses and up to 6 Class E medium-duty body-on-chassis buses; and (2) exercise the option to purchase up to 10 additional Class B paratransit buses pending availability of funding in future fiscal years.
12. MTS Bus Rapid Transit (BRT) Station Maintenance - Contract Award
Action would authorize the CEO to: (1) execute MTS Doc. No. G1658.0-14 with ISS Facility Services, Inc. for the provision of station maintenance services at designated bus rapid transit (BRT) stations for a contract base period of 5 years with 2 one-year options to be exercised exclusively at MTS's discretion; and (2) exercise each option period at the CEO's discretion.

Ms. Cole asked which BRT stations will be provided with maintenance services. Mike Daney, MTS Manager of Bus Rapid Transit and East County Operations, explained that the contract covers phasing in maintenance services for all future BRT stations.

Action on Recommended Consent Items

Ms. Cole moved to approve Consent Agenda Item Nos. 7-12. Mr. Cunningham seconded the motion, and the vote was 10 to 0 in favor with Board members Emerald, Gastil, Lightner, Roberts, and Salas absent.

CLOSED SESSION

24. Closed Session Items

The Board convened to Closed Session at 9:23 a.m.

- a. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6
Agency-Designated Representative: Jeff Stumbo
Employee Organization: Internal Brotherhood of Electrical Workers, Local 465
- b. CLOSED SESSION - PUBLIC EMPLOYEE PERFORMANCE EVALUATION/ CONFERENCE WITH LABOR NEGOTIATORS CHIEF EXECUTIVE OFFICER Pursuant to California Government Code Sections 54957 and 54957.6;
Agency-Designated Representative: Harry Mathis
Employee: Paul C. Jablonski
- c. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1): Lopez v. Gutierrez, et al. (San Diego Superior Court Case No. 37-2013-00056270-CU-PA-CTL)

24. Closed Session Items (Continued)

- d. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL – Existing Litigation Pursuant to California Government Code Section 54956.9(a): Janice Teeter v. SDTC (WCAB Case Numbers: ADJ8804639 and ADJ8806510)

The Board reconvened to Open Session at 10:38 a.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board ratified the Collective Bargaining Agreement between San Diego Transit Corporation (SDTC) and the International Brotherhood of Electrical Workers (IBEW) 465 by a vote 12 to 0 with Board members Emerald, Gastil, and Roberts absent.
- b. The Board gave a performance evaluation to the Chief Executive Officer and gave instructions to labor negotiator Chairman Mathis.
- c. The Board gave instructions to legal counsel.
- d. The Board authorized a Compromise and Release Settlement by a vote of 12 to 0 with Board members Emerald, Gastil, and Roberts absent.

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. 2014 Major Bus Service Changes

Sharon Cooney, MTS Chief of Staff, reported that MTS held a public hearing in January regarding BRT-related service changes proposed for implementation this summer. She explained that the proposal includes feeder changes and focuses on maximizing MTS's investment.

Ms. Cooney added that MTS considered the public comments that were submitted and the Title VI Analysis (see handouts titled "Public Comments" and "Title VI Analysis" available on MTS's Web site at http://www.sdmts.com/MTS/MTS_board.asp). Ms. Cooney clarified that today's request is for Board approval of staff's proposed revised services changes.

Denis Desmond, MTS Manager of Planning, gave a PowerPoint presentation. Mr. Desmond reviewed the three new rapid routes (235 - formerly Rapid A; 237 - formerly Rapid B; and 215 - formerly Rapid C) proposed for summer implementation. He gave a description of each route and their benefits, including new stations and amenities, more frequency and faster service, new buses, new riders, and goals for improving all services. Mr. Desmond added that the operations are 100% subsidized by TransNet.

Mr. Desmond reviewed public outreach efforts and feedback received, the Title VI Analysis, and comments since the Public Hearing in January. (All Board members were provided with a full copy of the Title VI Analysis and a copy of all public comments received by MTS.)

Mr. Desmond explained that the results of the Title VI Analysis showed no disparate impact to minorities or disproportionate burdens to low-income communities based on the definitions in Policy No. 42 adopted by the Board in June 2013. He added that a full copy of the Title VI Analysis had been provided to each Board member and called out certain elements of the report, including maps for each route, the methodology, and the results.

Mr. Desmond stated that based on the feedback received at the January 16 Public Hearing from the public and the Board, staff is proposing two amendments to the original recommendations. He noted that these modifications did not change the results of the original Title VI Analysis.

Mr. Desmond stated that the first proposed amendment is to Route 14 (Grantville to La Mesa) was originally proposed to be discontinued due to poor performance, but it was reassessed after the Public Hearing based on Board member feedback. Staff has negotiated with the collective bargaining unit to be able to use a smaller bus on the route, and it would reduce a few late and early trips but keep the same routing and frequency. The service would run for a 12-month trial period to monitor performance.

Mr. Desmond stated that the second amended proposal is to Route 880 (Premium Express service from 4S Ranch to University Town Center) funded through 4S Ranch mitigation funds (those funds run out in April 2014). Route 880 was originally proposed to be discontinued as it is the lowest-performing of the Premium Express services; however, the Board requested that staff revisit maintaining this service. Staff is now proposing to change the Route 880 to a new Route 270, run it with a smaller bus, and shorten the routing to operate only between the Rancho Bernardo Transit Station and the Sorrento Valley area (the University Town Center end will be duplicated by the new Rapid Route 237 and is only about 10% of the ridership).

Mr. Desmond reviewed the proposed performance criteria that the three trial routes (Routes 14, 170, and 270) would be required to meet to be recommended for continuation beyond the 12-month trial period. The metric would be 'passengers per hour' with Route 14 required to achieve its current level or above, Route 170 required to achieve a minimum of 25.0 (80% of its Express category average), and Route 270 required to achieve at least 21.0 (80% of current Route 810's performance).

Mr. Desmond indicated that the remaining recommendations are the same as presented at the January Public Hearing and provided a summary of those proposals and the overall budget impacts. He added that the first phase of implementation would begin in June and the second phase around September.

Lee Friedman representing Councilman Mark Kersey - Public Speaker. Mr. Friedman informed the Board that Councilmember Kersey initially opposed the discontinuance of Route 880; however, he does support the creation of Route 270 and feels it should be permanent as it serves a lot of employers, such as Qualcomm. Mr. Friedman thanked the Board and staff for their hard work. Chairman Mathis added that Councilman Kersey is the Chair of the San Diego Infrastructure Committee.

Ms. Lightner thanked staff for the proposed changes. She requested changing the proposed goal for Route 270 to 80% of its category average like the Route 170 goal (shown on the PowerPoint). Ms. Lightner added that she will be asking for the continuance of Route 270 and is adamant in supporting it in the future. She also appreciates the proposed changes to Route 14 as well and hopes that the addition of high-density senior transit-oriented development on the route will allow it to continue to grow.

Ms. Cole thanked staff for listening to the constituents, and she is glad that Routes 14 and 880 are continuing.

Mr. Minto thanked staff for their work. He stated that he had a constituent ask about new rapid transit not stopping at the Fashion Valley terminal and asked if that is true. Mr. Minto added that Route 20 says it is now serving Fashion Valley for Green Line transfers and asked for clarification. Mr. Desmond responded that the Rapid buses will be on I-15 to serve the City Heights stations, so they would not be on Highway 163 where they could serve Fashion Valley. To bridge the gap with the Green Line, MTS will continue running Route 20 between City College, Fashion Valley, and Kearny Mesa every 15 minutes during peak hours with every trip (instead of every other trip) going into Fashion Valley.

Action Taken

Ms. Lightner moved to approve the staff-recommended major service changes, as amended from the January 16, 2014, Public Hearing. Ms. Cole seconded the motion, and the vote was 12 to 0 in favor with Board members Emerald, Gastil, and Roberts absent.

31. Amendment to CEO Employment Agreement

Karen Landers stated that the request presented is to approve an amendment to the Executive Employment Agreement for Paul C. Jablonski to provide additional compensation and/or fringe benefits as proposed. This proposal includes a merit increase of 3.5%; a one-time \$5,000 contribution to a tax-deferred compensation account; and the extension of 80 hours of compensatory time for weekend hours worked for calendar year 2014 for a total budget impact of \$16,325.00.

Action Taken

Ms. Salas moved to approve an amendment to the Executive Employment Agreement between MTS and Paul C. Jablonski to provide additional compensation and/or fringe benefits. Ms. Cole seconded the motion, and the vote was 12 to 0 in favor with Board members Emerald, Gastil, and Roberts absent.

REPORT ITEMS

45. Quarterly Performance Monitoring Report

Denis Desmond gave a PowerPoint presentation. Mr. Desmond explained that MTS Policy No. 42 requires that staff report service performance monitoring to the Board on an annual basis, but staff will report on more critical items as needed. Mr. Desmond highlighted some of the critical metrics that staff looks at including total passengers, average weekday passengers, passengers per revenue hour, and on-time performance. He also reviewed preventable accidents, complaints, in-service miles and hours, and weekday peak vehicle requirements.

46. Chargers Football 2013 Year-End Summary

Tom Doogan, MTS Special Events Coordinator, gave a PowerPoint presentation. He reported on MTS trolley service to Qualcomm Stadium for the 16th full season of Chargers football. Mr. Doogan reviewed Green Line services, extended hours, and additional trips provided during Chargers games. He described the burden on the entire system during the games and also the improvements in service with the new SD-8 low-floor vehicles. Mr. Doogan reviewed

attendance, ridership numbers and averages, ticket sales revenue and averages, and the MTS mTicket. He reported that one game was selected to provide comparison data for event operating expenses v. revenue generated, and the result was variable costs for event services were more than offset by increased revenue. Mr. Doogan reviewed the cost distribution and revenue sources.

Mr. Minto asked if MTS anticipates a time when people figure out that it's harder getting on the trolley at the El Cajon stations because the trolleys are full, so they start going to the Santee Station instead.

Mr. Doogan responded that capacity on trains doesn't typically hit critical mass until the Grossmont Station. He added that MTS runs four-car "blitz" trains (during events) for the most part. Mr. Doogan added that there are some infrastructure and fleet limitations, but it is something that MTS is aware of and is monitoring.

47. Energy Credit Update

Mike Thompson, MTS Budget Manager, gave a PowerPoint presentation. Mr. Thompson reviewed the history of MTS's gas services and the enactment of MTS Policy No. 59 (Energy Commodity Hedging). He discussed the purposes of the program, which includes purchasing natural gas directly from a gas service provider instead of SDG&E and also MTS's current agreement with BP Energy Company (BP). Mr. Thompson reviewed the benefits of biogas and pointed out that MTS is the first transit agency in the state to use biogas (and potentially the first in the nation). He reviewed the financial incentives and the energy credits that will be generated. Mr. Thompson explained how the impacts to MTS are already being realized.

In response to a question from Ms. Salas, Mr. Thompson explained that for a two-month trial period for MTS, BP was getting biogas from a facility in Washington. He added that BP is currently building infrastructure to connect a dedicated supply for MTS to the national pipeline and anticipates that it will be completed in the second half of the calendar year. Mr. Thompson also clarified that although the biogas source is far from San Diego, it will not reduce the credits that MTS will receive because MTS will draw from a local pipeline, and the biogas will be replaced into the national pipeline at the source.

Ms. Salas explained that she worked for a trade and commerce agency in Imperial County years ago, and the agency talked about building biogas facilities back then. She asked if MTS has worked with local agencies (about partnering). Mr. Thompson responded that MTS has not contacted any local agencies because BP is the representative and connects agencies to the national pipeline. Mr. Jablonski added that staff can contact BP to see if they're developing any biogas facilities Imperial County.

48. Student Pass Pilot Program

Sharon Cooney explained that this report is a status update on the Student Pass Pilot Program. She introduced Marcus Smith, MTS Project Manager who runs the Compass Card Call Center, and Janelle Carey, MTS Transportation Planner, who is working with the school district and City of San Diego staff and who is also responsible for monitoring data collection.

Ms. Carey gave the first half of a PowerPoint presentation. She discussed the Student Pass Pilot Program history and the steps to implement the pilot. Ms. Carey reviewed the available transit services for Crawford, Lincoln, Hoover, and San Diego High Schools and pass-use

statistics. Ms. Carey cited pass-tap statistics for different time frames during weekdays, evenings, and all days.

Mr. Smith gave the second half of the PowerPoint presentation on pass-use statistics. He explained the number of passes not used and not distributed by each school and pass-tap statistics.

Ms. Carey presented the next steps that will include: (1) continuing to process additional cards, provide replacement cards, and remove students from the program as directed by school staff; and (2) studying the attendance of card holders to evaluate if the pilot met its goal of improving attendance for those unable to get to school due to a lack of transportation. These findings will be presented to the Board.

Mr. Minto thanked staff for including the time-of-day information, which he feels is critical. Mr. Minto asked if there is a way to match results with school records to see if the students actually showed up during school sessions or if they were truant. Ms. Cooney responded that the school district hasn't compiled any data for MTS yet. She added that once MTS receives that information, staff will present it to the Board. Ms. Cooney explained that staff looked at sample sets and suspects that some students are not going to school or are going elsewhere—or possibly giving their pass to someone else who is not in the program. Ms. Cooney reported that staff is going to check that data. She noted that the patterns of travel of some cards are nowhere near the schools.

Mr. Minto asked if MTS has mapping available to show the demographic of cards around schools and if they are being used elsewhere. He expressed concern about the program enabling truancy or the ability to commit crimes.

Abdul Mohamed – Public Speaker. Mr. Mohamed expressed support for the program because he feels that it gives low-income students increased accessibility and also decreases greenhouse gas emissions, grows transit riders, and improves safety and health. Mr. Mohamed cited other benefits of the program, including removing older, less efficient cars from the roads, providing a more stable and secure environment for students due to consistent transportation, and also the probability that students would be less likely to engage in criminal activities. Mr. Mohamad stated that he has heard positive reviews of the program by students and gave examples of comments by those who feel that the program is positive.

Margo Tanguay – Public Speaker. Ms. Tanguay stated that the hope was that students who really need the program would get these cards. She wants to make sure that those kids who have problems getting to school get the cards. Ms. Tanguay stated that there are curfew laws for minors, but she has seen them late at night getting into cabs and she is concerned. She feels that the schools should look at this issue. She hopes the program can continue for kids who want to learn.

Ms. Cooney clarified for Ms. Rios that staff will bring back the data collected from the schools for the Board's information.

Mr. Alvarez stated that he is interested in school hours and noted that some schools let out early. He added that he took public transit to San Diego High School and had after-school activities. Mr. Alvarez would like to see where the students are coming and going and any patterns for concern. He stated that he will wait and see what the data shows. He added that truancy is a concern, but there should also be opportunities for students to participate in after-school activities.

51. Chula Vista Transit (Taken Out of Order)

Bill Spraul, MTS Chief Operating Officer (Bus), gave a PowerPoint presentation. The presentation included background information about Chula Vista Transit operations and the current status of construction of the upgraded and expanded South Bay Maintenance Facility, which should be completed by January 2015. Mr. Spraul reviewed the fiscal impacts that will result in significant operational cost savings and efficiencies.

49. Senior/Disabled/Medicare (SDM) Reduced-Fare Program

Ms. Cooney introduced Mayra Ramirez and Jan Gardetto who work with the MTS SDM Program. Ms. Cooney gave a PowerPoint presentation. She reviewed the SDM program, which provides a reduced-fare monthly pass to qualified persons. Ms. Cooney compared the reduced-fare pass to other regular-fare passes, cited boarding statistics for the different passes, and explained a fare-usage breakdown for FY 13. She went over the process for eligibility using an MTS Short Form or Long Form and how to obtain the forms.

Ms. Landers added that the federal standard to qualify for MTS's reduced fare benefit for disabilities is different than qualifying by Americans with Disabilities Act (ADA) standards. Ms. Landers stated that patrons or health care professionals may assume that patrons qualify for an MTS reduced-fare due to their disabilities, but the standard under federal law is two part—they must qualify and prove that their disability affects their ability to use mass transit without special planning or facilities.

Ms. Cooney presented data for processing Long Forms at MTS since inception of the program in March 2011 (Short Forms are processed at The Transit Store). She cited examples of a variety of circumstances uncovered by MTS staff while processing the forms, and also unknown variables as to why some people do not apply, how many people do not apply, or how many doctors sign off on disabilities that are not qualifying.

50. Operations Budget Status Report for December 2013

Mike Thompson gave a PowerPoint presentation. Mr. Thompson stated that the trend has been favorable to budget over the past couple of months. He pointed out that MTS received its second quarterly payment of State Transit Assistance (STA) funds for a total of \$9.1 million for the fiscal year, which is behind last year's rate of payment for STA. MTS will be projecting it to be lower at the midyear amendment process. Mr. Thompson added that this is the only point of concern. In response to a question from Chairman Mathis, Mr. Thompson projected that MTS will be behind last year's rate by \$1.2 million.

60. Chairman's Report

None.

61. Audit Oversight Committee Chairman's Report

None.

62. Chief Executive Officer's Report

Mr. Jablonski reported that he recently attended the APTA CEO's Conference and Executive Committee meeting in New Orleans.

63. Board Member Communications

Ms. Rios reported that she attended her first Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor Agency meeting. Ms. Rios stated that the meeting was great; it included discussions regarding ridership, revenue, on-time performance, and customer service, and a detailed report is available on LOSSAN's Web site. She also thanked Sharon Cooney and Brent Boyd for giving her a great orientation and preparing her for the meeting.

64. Additional Public Comments on Items Not on the Agenda

There were no additional public comments.

65. Next Meeting Date

The next regularly scheduled Board meeting and Finance Workshop is on March 20, 2014.

66. Adjournment

Chairman Mathis adjourned the meeting at 12:02 p.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): February 20, 2014

CALL TO ORDER (TIME): 9:02 a.m.

RECESS: N/A

RECONVENE: N/A

CLOSED SESSION: 9:23 a.m.

RECONVENE: 10:38 a.m.

PUBLIC HEARING: N/A

RECONVENE: N/A

ORDINANCES ADOPTED: N/A

ADJOURN: 12:02 p.m.

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ALVAREZ	<input checked="" type="checkbox"/> (Gloria) <input type="checkbox"/>	9:07 a.m.	12:02 p.m.
BRAGG	<input checked="" type="checkbox"/> (Bilbray) <input type="checkbox"/>	9:02 a.m.	12:02 p.m.
COLE	<input checked="" type="checkbox"/> (Gloria) <input type="checkbox"/>	9:02 a.m.	11:30 a.m.
CUNNINGHAM	<input checked="" type="checkbox"/> (Mullin) <input type="checkbox"/>	9:02 a.m.	11:07 a.m.
EMERALD	<input type="checkbox"/> (Gloria) <input type="checkbox"/>		
EWIN	<input type="checkbox"/> (Arapostathis) <input checked="" type="checkbox"/>	9:02 a.m.	10:38 a.m.
GASTIL	<input type="checkbox"/> (Jones) <input type="checkbox"/>		
LIGHTNER	<input checked="" type="checkbox"/> (Gloria) <input type="checkbox"/>	9:25 a.m.	12:02 p.m.
MATHIS	<input checked="" type="checkbox"/>	9:02 a.m.	12:02 p.m.
MCCLELLAN	<input checked="" type="checkbox"/> (Ambrose) <input type="checkbox"/>	9:02 a.m.	12:02 p.m.
MINTO	<input checked="" type="checkbox"/> (McNeilis) <input type="checkbox"/>	9:20 a.m.	12:02 p.m.
OVROM	<input checked="" type="checkbox"/> (Denny) <input type="checkbox"/>	9:02 a.m.	12:00 p.m.
RIOS	<input checked="" type="checkbox"/> (Sotelo-Solis) <input type="checkbox"/>	9:02 a.m.	12:02 p.m.
ROBERTS	<input type="checkbox"/> (Cox) <input type="checkbox"/>		
SALAS	<input checked="" type="checkbox"/> (Ramirez) <input type="checkbox"/>	9:10 a.m.	12:02 p.m.

SIGNED BY THE CLERK OF THE BOARD:

CONFIRMED BY THE GENERAL COUNSEL:

[Handwritten signature: Wardell for N. Machado]
[Handwritten signature: Paul Cad...]

Principles for Negotiation of the Taxicab Administration Contract on Behalf of the Metropolitan Transit System

(With proposed amendments by San Diego City Councilmember Marti Emerald)

The Metropolitan Transit System (MTS) anticipates renewing the agreement with the City of San Diego (the City) for taxicab administration. The Committee recommended the following principles be followed when negotiating contract amendments – this version includes Councilmember Emerald's amendments to the committee's proposed Principles for Negotiation:

1. The City will continue to set fundamental policy and MTS will be the administrator.
2. State law requires that MTS recover its costs associated with taxicab administration. Changes to ordinances or regulations proposed by the City should indicate the expected source of funding for their implementation (eg. permit fees versus City subsidy) and include an analysis of cost.
3. In the event the city chooses to initiate a policy change, the MTS Board will have to vote to approve amendments to its ordinance 11 in order to implement that change.
4. The City's indemnification of MTS for actions it takes pursuant to policies and regulations approved by the city should continue with the renewal.
5. It is in the best interest of the taxi industry, MTS and the city to approve a ~~five-year~~ **two year** renewal ***with the option of 3 one-year extensions.***
6. In the event that the City determines that it is in the public's best interest to create a new forum for resolution of disputes between lease drivers and permit holders, the City may choose to operate a dispute resolution center or create some other mechanism for processing these types of disputes. During the term of this agreement MTS is not interested in assuming this role.
7. MTS will ~~entertain some~~ **make** changes to Ordinance 11 that have been publicly sought, specifically those related to maximum vehicle age or mileage and the requirement that permit holders issue and maintain records of receipts for lease payments and produce them upon request of MTS ***or the City of San Diego.*** These Ordinance 11 proposals ~~could~~ **will** be included in the amended agreement or may also be subjects for discussion after contract renewal.
8. ***MTS will restrict the ability to transfer permits without the permission of the City of San Diego.***

San Diego Transportation Association



March 20, 2014

Chairman Harry Mathis & Board Members
Metropolitan Transit System
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

Re: Taxi Contract Renewal

Dear Chairman Mathis & Board Members:

After multiple starts and stops, delays and continuances, the more than 600 MTS taxi permit holders in our membership encourage you to move forward on Agenda Item Number 30 today.

As you recall, last year the former mayor requested a one-year extension to allow the City to explore the possibility of transferring the administrative and regulatory responsibilities for taxicab and for-hire vehicles from MTS to the City of San Diego.

Now that the exploration has concluded and determined infeasible, it is imperative to resume discussions that will lead to the adoption of a five-year contract between MTS and the City of San Diego, as proposed by the MTS Contract Renewal Committee.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tony Hueso", is written over a faint, large, light-blue "SDTA" watermark.

Tony Hueso, President
San Diego Transportation Association

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

Agenda Item No. **6**

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

INVESTMENT REPORT – JANUARY 2014

INFORMATIONAL

Budget Impact

None.

DISCUSSION:

Attachment A comprises a report of MTS investments as of January 31, 2014. The combined total of all investments has decreased from \$212.4 million to \$202.6 million in the current month. This \$9.8 million decrease is attributable to expenditure of \$24.2 million for acquisition of capital assets, partially offset by \$8.1 million in FTA revenue, as well as normal timing differences in other payments and receipts.

The first column provides details about investments restricted for capital improvement projects and debt service, which are related to the 1995 lease and leaseback transactions. The funds restricted for debt service are structured investments with fixed returns that will not vary with market fluctuations if held to maturity. These investments are held in trust and will not be liquidated in advance of the scheduled maturities.

The second column, unrestricted investments, reports the working capital for MTS operations allowing payments for employee payroll and vendors' goods and services.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Investment Report for January 2014



**San Diego Metropolitan Transit System
Investment Report
January 31, 2014**

	<u>Restricted</u>	<u>Unrestricted</u>	<u>Total</u>	Average rate of return
Cash and Cash Equivalents				
JP Morgan Chase - concentration account	-	12,733,593	12,733,593	0.00%
Total Cash and Cash Equivalents	-	12,733,593	12,733,593	
Cash - Restricted for Capital Support				
US Bank - retention trust account	8,545,827	-	8,545,827	N/A *
San Diego County Investment Pool Proposition 1B TSGP grant funds	5,744,978	357,256	6,102,234	
Total Cash - Restricted for Capital Support	14,290,805	357,256	14,648,061	
Investments - Working Capital				
Local Agency Investment Fund (LAIF)	18,155,040	39,029,281	57,184,321	0.244%
Total Investments - Working Capital	18,155,040	39,029,281	57,184,321	
Investments - Restricted for Debt Service				
US Bank - Treasury Strips - market value (Par value \$39,474,000)	39,350,208	-	39,350,208	
Rabobank - Payment Undertaking Agreement	78,692,891	-	78,692,891	7.69%
Total Investments Restricted for Debt Service	118,043,099	-	118,043,099	
Total cash and investments	<u>\$ 150,488,944</u>	<u>\$ 52,120,130</u>	<u>\$ 202,609,074</u>	

N/A * - Per trust agreements, interest earned on retention account is allocated to trust beneficiary (contractor)



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Agenda Item No. 7

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

CUBIC SOFTWARE MAINTENANCE

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute Doc. No. G1695.0-14 (in substantially the same format as Attachment A), with Cubic Transportation Systems, Inc., on a sole-source basis, for the provision of annual maintenance services for the proprietary Cubic Compass Card Back Office software.

Budget Impact

The total cost of this Agreement will not exceed \$2,447,007 for five years, as follows:

Year 1:	\$401,784
Year 2:	\$421,873
Year 3:	\$442,966
Year 4:	\$465,115
Year 5:	\$488,370
Block Hours:	\$226,899
Total:	\$2,447,007

Funding for this agreement will be covered under the Information Technology (IT) department's operating budget account number 532-53910.

DISCUSSION:

In early 2009, Metropolitan Transit System (MTS), the San Diego Association of Governments (SANDAG) and North County Transit District (NCTD) began transitioning from paper fare products to the Compass Card smart card. Under an MOU between MTS, SANDAG and NCTD, SANDAG's ITS Department had the responsibility of operating and maintaining the Compass Card "back office".

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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.

Also, in 2009, SANDAG entered into a five-year agreement with the software developer, Cubic Transportation Systems, Inc. (Cubic) for software maintenance. The agreement was annually renewable with the last year of service ending on December 12, 2013. In August 2013, MTS and SANDAG negotiated a new agreement with Cubic to continue the service to support daily operations. This was part of the transition of responsibilities of Compass Card operations from SANDAG to MTS. MTS anticipates that it will be fully responsible for all related tasks as of July 1, 2014.

Since the Cubic software has no licensed third party service providers and all intellectual property rights to the codes are held by Cubic Transportation Inc., it is recommended that a sole-source procurement be utilized to acquire the necessary maintenance support services for the software.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Draft Standard Services Agreement; MTS Doc. No. G1695.0-14

STANDARD SERVICES AGREEMENT

G1695.0-14
 CONTRACT NUMBER
 OPS 53910
 FILE NUMBER(S)

THIS AGREEMENT is entered into this _____ day of _____, 2014, in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: CUBIC Transportation Systems, Inc. Address: 1308 South Washington Street
Tullahoma, TN 37388
 Form of Business: Corporation
 (Corporation, partnership, sole proprietor, etc.) Telephone: 949-340-7702
 Authorized person to sign contracts: Susan E. Tudor Sr. Contracts Manager
 Name Title

The attached Standard Conditions are part of this agreement. The Contractor agrees to furnish to MTS the following:

Provide Software Maintenance Services as described in Cubic Transportation Systems, Inc. Maintenance Agreement (attached as Exhibit A), the MTS Standard Services Agreement, and Standard Conditions (attached as Exhibit B).

Payment terms shall be net 30 days from invoice date.

The total amount of this contract shall not exceed \$2,447,007.00.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM		CONTRACTOR AUTHORIZATION
By: _____ Chief Executive Officer		Firm: _____
Approved as to form:		By: _____ Signature
By: _____ Office of General Counsel		Title: _____
AMOUNT ENCUMBERED	BUDGET ITEM	FISCAL YEAR
\$2,447,007.00	532-53910	FY14-19

By: _____
 Chief Financial Officer Date

(____ total pages, each bearing contract number)



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Agenda Item No. 8

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

PURCHASE AND INSTALLATION OF TWO COMPRESSED NATURAL GAS
(CNG) DISPENSERS – CONTRACT AWARD

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWB151.0-14 (in substantially the same format as Attachment A), with Go Natural Gas, Inc., for the purchase and installation of two new CNG dispensers at the City of Chula Vista Public Works Center.

Budget Impact

The total cost of this Agreement is not-to-exceed \$108,256 and will be funded under FY 14 MTS Capital Improvement Program (CIP) project number 11357.

DISCUSSION:

The approved FY 14 CIP includes a project for the purchase and installation of 2 new CNG dispensers at the City of Chula Vista Public Works Center. The current dispensers are thirteen years old and past their useful life. The dispensers are no longer dependable and include outdated technology.

MTS Policy No. 52, Procurement of Goods and Services, requires a formal competitive bid process for procurements exceeding \$100,000.



On January 2, 2014, MTS issued an Invitation for Bids (IFB) for the purchase and installation of 2 new CNG dispensers at the City of Chula Vista Public Works Center. Three (3) bids were received on February 6, 2014 and were deemed responsive and responsible. Go Natural Gas, Inc. was the lowest and most responsive bidder at \$108,256.

Based on the comparison between the in-house cost estimate and Go Natural Gas, Inc. bid amount, MTS's cost savings will be \$29,317.97. The bid by Go Natural Gas, Inc. is considered to be reasonable based on adequate competition in the marketplace.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Draft Standard Services Agreement; Contract Number PWB151.0-14

STANDARD SERVICES AGREEMENT

PWB151.0-14
 CONTRACT NUMBER
 CIP 11357
 FILE NUMBER(S)

THIS AGREEMENT is entered into this _____ day of _____, 2014, in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Go Natural Gas, Inc.

Address: 1644 N. El Camino Real

Form of Business: Corporation
 (Corporation, partnership, sole proprietor, etc.)

San Clemente, CA 96272

Telephone: 949-340-7702

Authorized person to sign contracts: Timothy Nelligan Chief Executive Officer
 Name Title

The attached Standard Conditions are part of this agreement. The Contractor agrees to furnish to MTS the following:

Purchase and Install 2 New CNG Dispensers as set forth in the Scope of Work (attached as Exhibit A), Go Natural Gas Inc., bid dated February 6, 2014 (attached as Exhibit B), the MTS Standard Services Agreement, Standard Conditions (attached as Exhibit C), and the Federal Requirements (attached as Exhibit D).

Payment terms shall be net 30 days from invoice date. The total amount of this contract shall not exceed \$108,256.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM		CONTRACTOR AUTHORIZATION
By: _____ Chief Executive Officer		Firm: _____
Approved as to form:		By: _____ Signature
By: _____ Office of General Counsel		Title: _____
AMOUNT ENCUMBERED	BUDGET ITEM	FISCAL YEAR
\$108,256.00	CIP 11357	FY14

By: _____
 Chief Financial Officer Date

(____ total pages, each bearing contract number)



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Agenda Item No. 9

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

LEGAL SERVICES AGREEMENT WITH WHEATLEY, BINGHAM & BAKER, LLP –
CONTRACT AMENDMENT

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute Amendment No. 2 to MTS Doc. No. G1434.2-12 (in substantially the same format as Attachment A) with Wheatley, Bingham & Baker, LLP for an increase in contract value, from the previous amendment amount of \$640,000, to a revised \$790,000 to cover unanticipated expenses for the remainder of FY 2014.

Budget Impact

Approval of this contract amendment would increase the full contract value with Wheatley, Bingham & Baker, LLP by \$150,000 from \$640,000 to \$790,000. Sufficient funding for the recommended \$150,000 contract increase is included in the Risk department's FY 2014 operating budget.

DISCUSSION:

Pursuant to Board Policy No. 52 (Procurement of Goods and Services), the CEO may enter into contracts with service providers for up to \$100,000. The Board must approve all agreements in excess of \$100,000.

On December 8, 2011, the Board established a panel of qualified law firms to assist the San Diego Metropolitan Transit System (MTS), San Diego Trolley, Inc. (SDTI) and San Diego Transit Corporation (SDTC) with various legal matters on an as-needed basis. Thereafter, MTS began contracting with seventeen of the approved firms for designated amounts. The firms provide different specialties of law, such as tort liability, workers' compensation, employment practices, real estate, environmental, etc. Twelve of these firms, including Wheatley, Bingham & Baker, received contract increases at the July 18,



2013 Board meeting with the intent to pay legal expenses through June 30, 2014. Due to an increase in the litigation activity handled by Wheatley, Bingham & Baker, LLP, it is anticipated there will not be enough funds remaining in the current contract spend authority to pay this firm's expenses through the end of the current fiscal year.

Wheatley, Bingham & Baker, LLP has successfully represented MTS, SDTC and SDTI in numerous third party liability cases. The firm currently has seven (7) active MTS cases.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Draft MTS Doc. No. G1434.2-12

DRAFT

March xx, 2014

MTS Doc. No. G1434.2-12
LEG 491 (PC 50633)

Wheatley Bingham & Baker, LLP
Mr. Roger P. Bingham
Partner
462 Stevens Ave. Suite 109
Solana Beach, CA 92075

Dear Mr. Bingham:

Subject: AMENDMENT NO. 2 TO MTS DOC. NO. G1434.2-12; LEGAL SERVICES – GENERAL & TORT LIABILITY

This shall serve as Amendment No. 2 to our agreement for the legal services as further described below.

SCOPE

Continue to provide legal services – general & tort liability in accordance with the terms and conditions of the original agreement, MTS Doc. No. G1434.0-12.

SCHEDULE

There shall be no change to the schedule of this contract.

PAYMENT

This contract amendment shall authorize additional costs not to exceed \$150,000 for legal services. The total value of this contract including this amendment shall be in the amount of \$790,000. This amount shall not be exceeded without written approval from MTS.

Please sign and return the copy marked "original" to the Contracts Specialist at MTS. All other terms and conditions shall remain the same and in effect. Retain the other copy for your records.

Sincerely,

Agreed:

Paul C. Jablonski
Chief Executive Officer

Roger P. Bingham
Wheatley Bingham & Baker, LLP

MARCH2014.G1434.2-12.WBB.doc

Date: _____

Cc: K. Landers, S. Lockwood, C. Aquino, Procurement File



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Agenda Item No. 10

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CalOES)
CALIFORNIA TRANSIT SECURITY GRANT PROGRAM (CTSGP) FUNDING, FISCAL
YEAR 2013-2014

RECOMMENDATION:

That the Board of Directors approve Resolution No.14-4, (Attachment A), authorizing the use of, and application for, \$2,779,445 of California CTSGP for capital projects that provide increased protection against security and safety threats, and/or increases the capacity of transit operators to prepare for and provide disaster-response transportation systems.

Budget Impact

The apportionment of FY13-14 CTSGP funding is in the amount of \$2,779,445. There is no match requirement under the current grant guidance. The funds are restricted expenditures for capital projects that increase the security and safety of the transit operator's passengers, employees and staff, and physical assets.

DISCUSSION:

Resolution No. 14-4 would authorize the Chief Executive Officer, or named designate, to file applications with, and request reimbursements from, CalOES. Resolution No. 14-4 would satisfy requirements of the fiscal year 2013-2014 CTSGP security funding to provide a Board of Directors resolution to obtain CTSGP funding. MTS' allocation of the funding, \$2,779,445, will be used for the following projects: Network Switches and Communication Cabinets Upgrade, System-wide Closed Circuit Television (CCTV), Wireless Infrastructure, Copley Park Division Perimeter Fence Replacement, Station CCTV Upgrade, and Cyber Security Project.



CalOES requires the submission of a resolution by agency Board of Directors authorizing the submission of a grant application and project programming. Therefore, staff recommends that the Board approve, by resolution, submission of a grant application and project programming.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Resolution Number 14-4

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Resolution No. 14-4

Resolution Approving the Submittal of Applications and Requests for Reimbursements
for Fiscal Year 2013-2014 TRANSIT SYSTEM SAFETY, SECURITY, AND DISASTER RESPONSE
ACCOUNT UNDER THE CALIFORNIA TRANSIT SECURITY GRANT PROGRAM (CTSGP)

WHEREAS, the San Diego Metropolitan Transit System (MTS) is a public entity established under the laws of the State of California for the purpose of providing transportation services in the County of San Diego who desires to apply for and obtain funding for transit security purposes; and

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 authorizes the issuance of general obligation bonds for specified purposes, including, but not limited to, funding made available for capital projects that provide increased protection against security and safety threats, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems; and

WHEREAS, the California Governor's Office of Emergency Services (Cal OES) administers such funds deposited in the Transit System Safety, Security, and Disaster Response Account under the California Transit Security Grant Program (CTSGP); and

WHEREAS, MTS is eligible to receive CTSGP funds; and

WHEREAS, Cal OES requires MTS to complete and submit a Governing Body Resolution for the purposes of identifying agent(s) authorized to act on behalf of MTS to execute actions necessary to obtain CTSGP funds from Cal OES and ensure continued compliance with Cal OES CTSGP assurances, and state and federal laws.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that MTS does hereby authorize the Chief Executive Officer, or designated representative, is hereby authorized to execute for and on behalf of MTS, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining financial assistance provided by the California Governor's Office of Emergency Services under the CTSGP

PASSED AND ADOPTED, by the Board of Directors this _____ day of _____, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

Chairperson
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

Clerk of the Board
San Diego Metropolitan Transit System

Office of the General Counsel
San Diego Metropolitan Transit System



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Agenda Item No. 11

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

PROPOSED REVISIONS TO MTS POLICY NO. 41 – SIGNATURE AUTHORITY

RECOMMENDATION:

That the Board of Directors approve the proposed revisions to MTS Policy No. 41 – Signature Authority (Attachment A).

Budget Impact

None.

DISCUSSION:

MTS staff is proposing a minor change to Board Policy No. 41, MTS Signature Authority. The purposed change is as follows:

1. To include the Chief of Staff as an authorized signer for Request for Payment/Payment Vouchers up to \$50,000.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Proposed Revisions to Policy No. 41





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Policies and Procedures

No. 41

SUBJECT:

Board Approval: 41/44/2013/20/2014

SIGNATURE AUTHORITY

PURPOSE:

To establish guidelines and procedures for authorized signatories relating to check processing (including wire transfers) and MTS documents (purchase requisitions, contracts, agreements, payment vouchers). The policies below relate to MTS, San Diego Transit Corporation (SDTC), and San Diego Trolley, Inc. (SDTI).

BACKGROUND:

MTS, SDTC, and SDTI maintain a number of checking accounts in various approved financial institutions. To ensure adequate internal controls, signing of checks and execution of wire transfers are restricted to authorized personnel only. This policy establishes guidelines and procedures for obtaining appropriate approval. In addition, this policy establishes guidelines and procedures for delegating authority to execute MTS documents, including contracts and agreements, on behalf of the Chief Executive Officer in his or her absence.

POLICY:

41.1 Authorized Signatories for Disbursements

Authorized signatures for disbursements are: the Finance Manager, Controller, Director of Financial Planning and Analysis, Chief Operating Officer – Bus/Rail, Chief Financial Officer, Chief of Staff, General Counsel, and Chief Executive Officer.

One signature is required for check and wire transfer disbursements under \$2,000. This signature can be a facsimile signature. Two signatures are required for all checks and wire transfer disbursements over \$2,000. One of these can be a facsimile signature. A listing of all facsimile checks must be reviewed and approved by an authorized check signer. For checks and wire transfer disbursements over \$10,000, the second signature SHALL NOT BE the Finance Manager, Controller, or Director of Financial Planning and Analysis. Checks and wire transfer disbursements over \$25,000 require that one of the



signatures be that of the Chief of Staff, General Counsel, Chief Financial Officer, or Chief Executive Officer.

The listing below summarizes the above as to effective levels of check-signing authority:

Finance Manager	To	\$ 10,000
Controller	To	\$ 10,000
Director of Financial Planning & Analysis	To	\$ 10,000
Chief Operating Officer – Bus/Rail	To	\$ 25,000
Chief Financial Officer	Over	\$ 25,000
Chief of Staff	Over	\$ 25,000
General Counsel	Over	\$ 25,000
Chief Executive Officer	Over	\$ 25,000

41.2 Authorized Signatories on Purchase Requisitions

Authorized signatures for purchase requisitions are Supervisors, Managers, Directors, Chief Operating Officer – Bus/Rail, Chief Financial Officer, Chief of Staff, General Counsel, and Chief Executive Officer.

Manager/Supervisor	To	\$ 3,000
Directors	To	\$ 5,000
Chief Operating Officer – Bus/Rail	To	\$ 50,000
Chief Financial Officer	To	\$ 50,000
Chief of Staff	To	\$ 50,000
General Counsel	To	\$ 50,000
Chief Executive Officer	Over	\$ 50,000

41.3 Purchase Orders

Upon completion of the procurement process (i.e. Board approval of a formal contract, staff approval of a purchase order), the Manager of Procurement may execute the Purchase Order which shall be transmitted to the vendor.

41.4 Authorized Signatories on Contracts and Documents

Authorized signatures for Contracts and Documents are Supervisors, Managers, Directors, Chief Operating Officer – Bus/Rail, Chief Financial Officer, Chief of Staff, General Counsel, and Chief Executive Officer.

All approval levels must be contained within and be consistent with overall Board of Directors approval levels. The approval levels are as follows:

Manager/Supervisor	To	\$ 3,000
Directors	To	\$ 5,000
Chief Operating Officer – Bus/Rail	To	\$ 50,000
Chief Financial Officer	To	\$ 50,000
Chief of Staff	To	\$ 50,000
General Counsel	To	\$ 50,000
Chief Executive Officer	Up To	\$ 100,000

Board of Directors approval is required for all contracts over \$100,000.

41.5 Authorized Signatories for the Clerk of the Board

In the Clerk of the Board's absence, the Assistant Clerk of the Board is authorized to execute documents as may be required to certify actions of the Board.

41.6 Authorized Signatories of Request for Payment/Payment Vouchers

Authorized signatures for Request for Payment/Payment Vouchers are Supervisors, Managers, Directors, Chief Operating Officer – Bus/Rail, Chief Financial Officer, Chief of Staff, General Counsel, and Chief Executive Officer.

All approval levels must be contained within and be consistent with overall Board of Directors approval levels. The approval levels are as follows:

Manager/Supervisor	To	\$ 3,000
Directors	To	\$ 5,000
Chief Operating Officer – Bus/Rail	To	\$ 50,000
Chief Financial Officer	To	\$ 50,000
Chief of Staff	To	\$ 50,000
General Counsel	To	\$ 50,000
Chief Executive Officer	Over	\$ 50,000

41.7 Authorized Signatories for Absences

In the CEO's absence, General Counsel, Chief of Staff, or the CEO's designee is authorized to execute all checks, purchase requisitions, contracts, and documents as necessary, so long as prior approval is given by the CEO.

In the Procurement Manager's absence, the Chief Financial Officer, the General Counsel, the Director of Financial Planning and Analysis, or the Controller is authorized to execute purchase orders and contracts falling within the Procurement Manager's signature authority.

This original Policy was adopted on 2/13/92.

Policy revised on 8/11/94.

Policy revised on 1/29/04.

Policy revised on 2/23/06.

Policy revised on 11/18/10.

Policy revised on 11/14/13.

Policy revised on 03/20/14.



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Agenda Item No. 12

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

PROPERTY INSURANCE RENEWAL

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer to renew the property insurance coverage for the San Diego Metropolitan Transit System (MTS), San Diego Transit Corporation (SDTC), and San Diego Trolley, Inc. (SDTI) with the California State Association of Counties – Excess Insurance Authority (CSAC-EIA) Property Insurance Program, effective March 31, 2014, through March 31, 2015, with various coverage deductibles of \$25,000 (real estate and personal contents property), \$100,000 (bus fleet), \$250,000 (light rail fleet) and \$1,500,000 (roads, bridges and tunnels).

Budget Impact

The preliminary renewal premium would be a maximum of \$1,209,374, which is a 6.0% or \$68,428 increase over last year's premium of \$1,140,946. CSAC-EIA is still negotiating with the carriers at the present time. The premium is anticipated to be charged against the budgets of MTS (\$9,846), SDTC (\$304,469), and SDTI (\$895,059). The premium will be split between fiscal years 2014 and 2015 as follows:

PROPERTY PREMIUM ESTIMATED FISCAL YEAR SPLIT			
Policy Period: 03/31/14 - 03/31/15			
Agency	FY 14	FY 15	Total Premium
MTS	\$2,461	\$7,385	\$9,846
SDTC	\$76,117	\$228,352	\$304,469
SDTI	\$246,265	\$648,794	\$895,059
TOTAL	\$324,843	\$884,531	\$1,209,374

DISCUSSION:

MTS's current property insurance policy will expire on March 31, 2014. This line of coverage insures against physical damage, vandalism and theft caused to the real and personal property of MTS, SDTC, and SDTI. The coverage is obtained through the California State Association of Counties – Excess Insurance Authority (CSAC-EIA) which is a joint purchase group of 52



California counties and 29 other California public entities. SDTC has been insured through this group since 1993. Effective November 1, 1997, all MTS entities became insured with CSAC-EIA.

The CSAC-EIA Property Program is a complex layering of multiple insurance carriers, including both domestic and international insurers. Some of the CSAC-EIA members, including both the City and County of San Diego, have purchased earthquake insurance in the past. MTS and its entities have traditionally elected not to purchase this optional coverage.

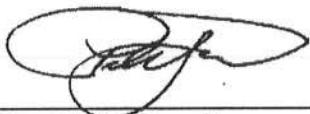
Due to the size of its membership, the CSAC-EIA Program has tremendous premium purchasing power. Special form perils coverage provides risk protection on most perils (including terrorism), and causes of loss unless specifically excluded by the policy. Some of the perils excluded in MTS' program include earthquake, wear and tear, pollution, war risk, employee fraud, nuclear radiation, and loss to landscaping, money, or watercraft. These exclusions do not include every peril or property specifically excluded; however, they are examples of the types of losses that would not be covered.

The proposed renewal policy carries a blanket limit of \$600 million, which applies to perils for any one occurrence. Under the proposed renewal, the following occurrence-based deductibles would apply: 1) \$25,000 for real estate & personal contents property; 2) \$100,000 for bus collisions; 3) \$250,000 for light rail vehicle collisions; 4) \$250,000 comprehensive coverage on the combined rolling stock (buses and light rail vehicles); and 5) \$1.5 million on roads, bridges, and tunnels. Loss valuation is generally calculated on a replacement cost basis.

This year's premium is increasing by approximately \$68,428 or 6.0% over the previous year. The premium increase this year is primarily due to an increase in the agencies' total reported insurable values from \$1,407,245,428 in March 2013 to \$1,456,962,636 in March 2014.

A secondary cause of the overall premium increase is the impact that natural disasters have had globally on the property insurance and flood insurance markets over the past few years. Premium increases across the world have been ranging between 3% and 18%. The reasons for the firm market include:

1. Over \$100 billion in catastrophe losses worldwide since 2011
2. Majority of carriers' combined ratios exceeding 100%
3. Higher reinsurance costs in 2013
4. Minimal returns on investment



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619-557-4513, sharon.cooney@sdmts.com

Attachment: A. Preliminary Premium Allocations for MTS, SDTC, & SDTI

*****PRELIMINARY PREMIUM ALLOCATION*****

**CSAC EXCESS INSURANCE AUTHORITY
PROPERTY PROGRAM
POLICY TERM: March 31, 2014 to March 31, 2015**

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM - METROPOLITAN TRANSIT DEVELOPMENT
BOARD**

DATE: March 4, 2014

REASON FOR REVISION OF PREMIUM ALLOCATION: 2014/2015 UPDATED RENEWAL ESTIMATE

2014/2015 TOTAL ESTIMATED ANNUAL PREMIUM:	\$9,846
2013/2014 TOTAL ANNUAL PREMIUM:	\$4,306
INCREASE (DECREASE) IN ANNUAL PREMIUM:	\$5,540
2014/2015 TOTAL REPORTED INSURABLE VALUES*:	\$36,801,256
2013/2014 TOTAL REPORTED INSURABLE VALUES:	\$15,685,993
PERCENTAGE INCREASE (DECREASE) IN TOTAL INSURED VALUES:	134.61%

- CALCULATIONS -			
COVERAGE DESCRIPTION	DECLARED VALUES	RATE (\$/100)	ANNUAL PREMIUM
All Risk incl. Flood and Deductible Pool Contribution	\$36,510,785	0.0215	\$7,857
Terrorism, Excess Boller and Machinery and Brush Fire (Miscellaneous Other Coverages)			\$1,501
OPTIONAL COVERAGES:			
A. Earthquake per schedule including Rooftop (if applicable)	\$0	0.0000	\$0
B. Licensed Vehicles	\$290,470	0.1800	\$523
Licensed Vehicles above \$250,000 in value	\$0	0.1600	\$0
Buses (Part of Coverage B. Licensed Vehicles)	\$0	0.1600	\$0
C. Mobile Equipment (Non-highway licensed)	\$0	0.0000	\$0
D. Fine Arts (scheduled)	\$0	0.0087	\$0
E. Green Building Coverage	N/A	N/A	\$0
Total Estimated Annual Premium			\$9,881
Estimated Taxes and Fees			\$47
EIA Administration Fees			\$55
Pre-Paid Balance Adjustment			\$18
No Claims Bonus (2012/13)			-\$ 156
ESTIMATED COLLECTIBLE PREMIUM			\$9,846

*Total Insured Values (TIV) as of January 15, 2014

*******PRELIMINARY PREMIUM ALLOCATION*******

**CSAC EXCESS INSURANCE AUTHORITY
PROPERTY PROGRAM
POLICY TERM: March 31, 2014 to March 31, 2015**

SAN DIEGO METROPOLITAN TRANSIT SYSTEM - SAN DIEGO TRANSIT CORPORATION

DATE: March 4, 2014

REASON FOR REVISION OF PREMIUM ALLOCATION: 2014/2015 UPDATED RENEWAL ESTIMATE

2014/2015 TOTAL ESTIMATED ANNUAL PREMIUM:	\$304,469
2013/2014 TOTAL ANNUAL PREMIUM:	\$229,328
INCREASE (DECREASE) IN ANNUAL PREMIUM:	\$75,141
2014/2015 TOTAL REPORTED INSURABLE VALUES*:	\$210,476,669
2013/2014 TOTAL REPORTED INSURABLE VALUES:	\$182,473,147
PERCENTAGE INCREASE (DECREASE) IN TOTAL INSURED VALUES:	15.35%

- CALCULATIONS -			
COVERAGE DESCRIPTION	DECLARED VALUES	RATE (\$/100)	ANNUAL PREMIUM
All Risk incl. Flood and Deductible Pool Contribution	\$69,747,015	0.0959	\$66,876
Terrorism, Excess Boiler and Machinery and Brush Fire (Miscellaneous Other Coverages)			\$8,581
OPTIONAL COVERAGES:			
A. Earthquake per schedule including Rooftop (if applicable)	\$0	0.0000	\$0
B. Licensed Vehicles	\$1,053,803	0.1800	\$1,897
Licensed Vehicles above \$250,000 in value	\$0	0.1600	\$0
Buses (Part of Coverage B. Licensed Vehicles)	\$139,675,851	0.1600	\$223,481
C. Mobile Equipment (Non-highway licensed)	\$0	0.0000	\$0
D. Fine Arts (scheduled)	\$0	0.0254	\$0
E. Green Building Coverage	N/A	N/A	\$0
Total Estimated Annual Premium			\$300,836
Estimated Taxes and Fees			\$1,514
EIA Administration Fees			\$2,949
Pre-Paid Balance Adjustment			\$948
No Claims Bonus (2012/13)			-\$1,778
ESTIMATED COLLECTIBLE PREMIUM			\$304,469

*Total Insured Values (TIV) as of January 15, 2014

*******PRELIMINARY PREMIUM ALLOCATION*******

**CSAC EXCESS INSURANCE AUTHORITY
PROPERTY PROGRAM
POLICY TERM: March 31, 2014 to March 31, 2015**

SAN DIEGO METROPOLITAN TRANSIT SYSTEM - SAN DIEGO TROLLEY, INC.

DATE: March 4, 2014

REASON FOR REVISION OF PREMIUM ALLOCATION: 2014/2015 UPDATED RENEWAL ESTIMATE

2014/2015 TOTAL ESTIMATED ANNUAL PREMIUM:	\$895,059
2013/2014 TOTAL ANNUAL PREMIUM:	\$909,364
INCREASE (DECREASE) IN ANNUAL PREMIUM:	\$-14,305
2014/2015 TOTAL REPORTED INSURABLE VALUES*:	\$1,209,684,711
2013/2014 TOTAL REPORTED INSURABLE VALUES:	\$1,209,086,288
PERCENTAGE INCREASE (DECREASE) IN TOTAL INSURED VALUES:	0.05%

- CALCULATIONS -			
COVERAGE DESCRIPTION	DECLARED VALUES	RATE (\$/100)	ANNUAL PREMIUM
All Risk Incl. Flood and Deductible Pool Contribution	\$716,567,472	0.0225	\$161,221
Terrorism, Excess Boller and Machinery and Brush Fire (Miscellaneous Other Coverages)			\$49,321
OPTIONAL COVERAGES:			
A. Earthquake per schedule including Rooftop (if applicable)	\$0	0.0000	\$0
B. Licensed Vehicles	\$2,164,417	0.1800	\$3,896
Licensed Vehicles above \$250,000 in value	\$0	0.1600	\$0
Buses (Part of Coverage B. Licensed Vehicles)	\$489,952,822	0.1367	\$669,974
C. Mobile Equipment (Non-highway licensed)	\$1,000,000	0.1500	\$1,500
D. Fine Arts (scheduled)	\$0	0.0066	\$0
E. Green Building Coverage	N/A	N/A	\$0
Total Estimated Annual Premium			\$885,912
Estimated Taxes and Fees			\$4,361
EIA Administration Fees			\$11,694
Pre-Paid Balance Adjustment			\$3,758
No Claims Bonus (2012/13)			-\$10,667
ESTIMATED COLLECTIBLE PREMIUM			\$895,059

*Total Insured Values (TIV) as of January 15, 2014



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Agenda Item No. **13**

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT: VERIZON WIRELESS DATA SERVICE FOR MOBILE DATA TERMINAL/AUTOMATIC VEHICLE LOCATOR – CONTRACT AWARD

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1698.0-14 (in substantially the same format as Attachment A) with Verizon Wireless for the provision of monthly cellular service and data usage for a contract base period of five (5) years with five (5) one year options to be exercised exclusively at the CEO's discretion.

Budget Impact

The value of this agreement will not exceed \$160,184.64 for the base period and \$213,327.36 for the five (5) option years, for a grand total of \$3373,512.00. Funding will be from the respective fiscal years' MTS Contract Services annual operating budget account 850-53910. The estimated annual expenses are as follows:

Fiscal Year 2015	= \$28,368.00
Fiscal Year 2016	= \$30,070.08
Fiscal Year 2017	= \$31,961.28
Fiscal Year 2018	= \$33,852.48
Fiscal Year 2019	= \$35,932.80
Option Year 1, FY 2020	= \$38,013.12
Option Year 2, FY 2021	= \$40,282.56
Option Year 3, FY 2022	= \$42,741.12
Option Year 4, FY 2023	= \$45,199.68
Option Year 5, FY 2024	= \$ 47,090.88
Grand Total	= \$373,512.00



DISCUSSION:

Federal Transit Administration (FTA) Circular 4220.1F (Third Party Contracting Guidance) Chapter V (Sources), Section 4 (State or Local Government Purchasing Schedules or Purchasing Contracts) sub-paragraph a. (Use Encouraged): The Common Grant Rule for governmental recipients encourages recipients and sub recipients to enter into State and local intergovernmental agreements for procurements of property and services.

MTS (Contract Services) has proposed the implementation of a Mobile Data Terminal / Automatic Vehicle Locator (MDT/AVL) feature to be utilized in the Paratransit and Minibus Fixed Route services. These data terminals will be tablets secured in a locked arm-mount which is permanently installed into the vehicle near the driver. The mounting arm is also pre-wired to prevent exposure to power cord connections. Communication between the MDT/AVL and MTS Operations will require a cellular and data provider.

MTS staff requests to utilize the State of California, Department of General Services Contract #7-10-70-16 with Verizon Wireless to provide cellular communication and data transmission to these terminals.

The MDT/AVL feature, through a proprietary software feature provided by Trapeze (MTS Contract B0563.0-11) will (amongst other features):

- Provide real-time driver manifest information, replacing hard-copy log books and hand-written changes
- Provide real-time location of each vehicle to staff
- Provide annunciated GPS turn-by-turn directions for drivers

MTS staff has determined the pricing provided by Verizon Wireless to be fair and reasonable and of the best value to the Agency.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Draft Standard Service Agreement; Contract G1698.0-14

DRAFT

**STANDARD SERVICE AGREEMENT
FOR
CELLULAR AND DATA SERVICES**

G1698.0-14
CONTRACT NUMBER

OPS 920.2
FILE/PO NUMBER(S)

THIS AGREEMENT is entered into this _____ day of _____ 2014, in the state of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Verizon WirelessAddress: One Verizon WayForm of Business: CorporationBasking Ridge, NJ 07920

(Corporation, Partnership, Sole Proprietor, etc.)

Telephone: 800-922-0204

Authorized person to sign contracts: Todd Loccisano Exec. Dir., Enterprise and Government Contracts
Name Title

The attached Standard Conditions are part of this agreement. The Contractor agrees to furnish to MTS services, as follows:

Cellular and Data Services as specified in the State of California Master Price Contract #7-10-70-16 (attached as Exhibit A), Contract #7-10-70-16 User Instructions, Supplement 12 (attached as Exhibit B), the MTS Standard Services Agreement including the Standard Conditions, Services (attached as Exhibit C), and the Federal Requirements (attached as Exhibit D).

The base term of the contract shall be from July 1, 2014 through June 30, 2019. Option periods, if exercised at the sole discretion of MTS, shall be for one calendar year beginning July 1, 2019 and ending twelve months later, up to a maximum completion date of June 30, 2024. Such optional service periods may be exercised individually, all at once, or not at all, at MTS' sole determination and dependent upon the Contractor's satisfactory performance of the requirements of this Agreement.

Total contract amount shall not exceed \$160,184.64 for the base period and \$38,013.12, \$40,282.56, \$42,741.12, \$45,199.68, \$47,090.88 for Option Years 1 through 5 respectively if exercised by MTS, for a grand total of \$373,512.00.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM		CONTRACTOR AUTHORIZATION
By: _____ Paul C. Jablonski, Chief Executive Officer		Firm: _____
Approved as to form:		By: _____ Signature
By: _____ Office of General Counsel		Title: _____
AMOUNT ENCUMBERED \$160,184.64	BUDGET ITEM 850-53910	FISCAL YEAR FY15-19
By: _____ Chief Financial Officer		

(____ total pages, each bearing contract number)

MAR20.2014.VERIZON.SR



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Agenda Item No. 14

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) PROGRAM OF
PROJECTS FOR FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5311
FUNDING, FEDERAL FISCAL YEAR 2014

RECOMMENDATION:

That the Board of Directors approve Resolution No. 14-5, (Attachment A) authorizing the use of and application for \$432,356 of FTA Section 5311 funds: \$287,000 for operating assistance and \$145,356 for capital improvements in non-urbanized areas.

Budget Impact

The apportionment of federal fiscal year 2014 5311 funds is \$432,356. MTS will be required to provide nonfederal matching funds in the amount of \$251,101.

DISCUSSION:

The FTA provides funds for capital and operating assistance to agencies providing rural transportation through the Section 5311 Non-Urbanized Area Formula Program. These funds do not come directly to the region but are apportioned to the states. In turn, Caltrans, on behalf of the State of California, reapportions the funds to the region based solely on the regional rural population as a share of the state total rural population. San Diego Association of Governments (SANDAG) allocates the region's funds to both NCTD and MTS based on the relative rural population in each service area.

For federal fiscal year 2014, FTA 5311 funding would provide \$287,000 in operating assistance for MTS, plus an additional \$145,356 for the completion of the Campo Rural Bus Parking Lot Improvement project. MTS seeks to make improvements to the parking lot located at the eastern most point of the rural services in Campo, CA. Currently the buses are parking on a dirt lot, where the buses are not secure. The Campo bus yard

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project will include resurfacing the lot with asphalt paving and installation of perimeter fencing and entrance/exit gates to protect the vehicles. MTS houses up to four rural fleet vehicles in Campo to provide morning westbound service to the residents of eastern San Diego County. This project is included in the MTS fiscal year 2015 Capital Improvement Plan.

The \$432,356 of 5311 funds will be matched with \$232,269 in local funds for the operating assistance at 44.76% match rate and \$18,832 in local funds for capital improvements at 11.47% match rate.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Board Resolution 14-5

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Resolution No. 14-5

Resolution Authorizing Federal Funding Under FTA Section 5311
with the California Department of Transportation

WHEREAS, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration (FTA) to support capital and operating assistance projects for nonurbanized public transit services under Section 5311 of the Federal Transit Act; and

WHEREAS, the California Department of Transportation has been designated by the Governor of the State of California to administer Section 5311 grants for public transportation projects; and

WHEREAS, MTS desires to apply for said financial assistance to operate rural transit service and support capital improvements in San Diego County; and

WHEREAS, MTS has, to the maximum extent feasible, coordinated and consulted with other transportation providers and users in the region, including consultation with San Diego County Health and Human Services;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that MTS does hereby authorize the Chief Executive Officer, or designated representative, to file and execute any actions necessary on behalf of MTS with the California Department of Transportation to aid in the financing of operating or capital assistance projects pursuant to Section 5311 of the Federal Transit Act of 1964, as amended; that the designated representatives are:

1. The Chief of Staff is authorized to file and execute any actions necessary on behalf of MTS with the California Department of Transportation to aid in the financing of operating or capital assistance projects pursuant to Section 5311 of the Federal Transit Act of 1964, as amended.
2. The General Counsel is authorized to file and execute any actions necessary on behalf of MTS with the California Department of Transportation to aid in the financing of operating or capital assistance projects pursuant to Section 5311 of the Federal Transit Act of 1964, as amended.
3. The Chief Financial Officer is authorized to provide additional information as the California Department of Transportation may require in connection with the application for Section 5311 projects.

PASSED AND ADOPTED, by the Board of Directors this _____ day of _____, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

Chairperson
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

Clerk of the Board
San Diego Metropolitan Transit System

Office of the General Counsel
San Diego Metropolitan Transit System



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Agenda Item No. 15

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

TRAPEZE SOFTWARE LICENSE AND MAINTENANCE AGREEMENT
(PARATRANSIT AND MINI-BUS SERVICES)

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to:

- 1) ratify Amendment Nos. 3 (Attachment A) and 5 (Attachment B) to MTS Document No. B0563.0-11 with Trapeze Software Group, Inc. (Trapeze) which were previously approved under the CEO's approval authority for a total cost of \$83,491.00; and
- 2) execute Amendment No. 6 to MTS Doc. No. B0563.0-11 (in substantially the same format as Attachment C) with Trapeze Software License and Maintenance Agreement to consolidate all services under a single multi-year maintenance agreement totaling \$1,471,135.25.

Budget Impact

Amendment Nos. 3 and 5 total \$83,491.00 and Amendment No. 6 totals \$1,471,135.25 for a grand total of \$1,554,626.25. This will increase the total Board approved project from \$421,335.00 to \$1,975,961.25 as detailed below.

The value of this agreement will not exceed \$1,471,135.25 for the five-year period, inclusive of annual licensing and maintenance fees; addition of MDT/AVL DriverMate; and anticipated growth of the Paratransit Fleet MDT/AVL's. Funding sources and annual expenses are anticipated as follows:



	FY15	FY16	FY17	FY18	FY19
MDT/AVL	\$ 269,162.25	\$ 10,776.00	\$ 12,572.00	\$ 13,201.00	\$ 15,247.00
CIP11354-0200	\$ 269,162.25				
850-53910	\$ 48,870.00	\$ 65,169.00	\$ 73,276.00	\$ 80,712.00	\$ 90,489.00
ATIS Agent/Web	\$ 57,736.00	\$ 60,623.00	\$ 63,654.00	\$ 66,837.00	\$ 70,179.00
ATIS IMPORT	\$ 6,367.00	\$ 6,686.00	\$ 7,020.00	\$ 7,371.00	\$ 7,739.00
INFO IVR FX	\$ 21,500.00	\$ 33,862.00	\$ 35,555.00	\$ 37,333.00	\$ 39,200.00
ATIS RTSI	\$ 10,217.00	\$ 16,091.00	\$ 16,896.00	\$ 17,740.00	\$ 18,627.00
661-53910	\$ 95,820.00	\$ 117,262.00	\$ 123,125.00	\$ 129,281.00	\$ 135,745.00
PASS	\$ 41,806.00	\$ 43,896.00	\$ 46,091.00	\$ 48,395.00	\$ 50,815.00
PASS CT	\$ 2,031.00	\$ 2,132.00	\$ 2,239.00	\$ 2,351.00	\$ 2,468.00
850-53910	\$ 43,837.00	\$ 46,028.00	\$ 48,330.00	\$ 50,746.00	\$ 53,283.00
ANNUAL TOTAL	\$ 457,689.25	\$ 228,459.00	\$ 244,731.00	\$ 260,739.00	\$ 279,517.00
GRAND TOTAL	\$ 1,471,135.25				

DISCUSSION:

Pursuant to Board Policy No. 52 (Procurement of Goods and Services), the CEO may enter into contracts with service providers for up to \$100,000. The Board must approve all agreements in excess of \$100,000.

MTS uses Trapeze Software to support operations in our MTS Access (Paratransit) and mini-bus services.

On December 8, 2011, the MTS Board of Directors authorized the CEO to execute MTS Doc No. B0563.1-11 with Trapeze to replace the existing Interactive Voice Response (IVR) systems and real-time vehicle position information system with updated Trapeze products. Subsequent Amendments to the Contract are listed as follows and were approved under the CEO's authority.

Amendment 3 (B0563.3-11) Add INFO-IVR-FX Maintenance for \$24,282.00 through 10-31-13.

Amendment 5 (B0563.5-11) Add INFO-IVR-FX and ATIS-RTSI Maintenance for \$59,209.00 through 10-31-14.

Amendment 4 (B0563.4-11) Exercise Option Year of Existing Contract was approved by the MTS Board.

MTS (San Diego Transit Corporation Division) currently utilizes multiple software products developed or owned by Trapeze for scheduling paratransit service and trip-planning of fixed-route services. These products are proprietary to Trapeze and cannot be maintained or serviced by any other company or third-party vendor. While MTS has historically kept these products under software maintenance agreements with Trapeze, these have generally been separate short-term agreements for each of the Trapeze products. The services being requested at this time are for continued software license and maintenance with all Trapeze products in use at MTS under a single multi-year maintenance

agreement. The following is a brief description of the products and their purpose for MTS which are critical and necessary for efficient day-to-day transit operations.

- Trapeze PASS: Paratransit scheduling software. This has been the scheduling software for our paratransit operation since 2001, and allows approximately 1,200 trips a day to be efficiently scheduled.
- Trapeze PASS CT (Zonal Management): Mapping and zone management program for the paratransit service to manage our four internal service zones.
- Trapeze ATIS Agent/WEB: Utilized by the MTS Regional Telephone Information and Customer Service Center (Tele-Info) for passenger trip-planning support.
- Trapeze ATIS Import: Interfaces with HASTUS software that contains all of the routes and time schedules of MTS services, which provides information to MTS Telephone Information representatives via the Agent/WEB program.
- Trapeze INFO IVR FX: Automated regional transit information software that contains all the routes and time schedules.
- Trapeze ATIS RTSI: Provides real time route information to Tele-Info operators and to the public through the automated IVR system.

In addition to the above mentioned software licenses and maintenance components, staff have determined that overall MTS Access operational performance can be further enhanced by adding a Mobile Data Terminal / Automatic Vehicle Locator (MDT/AVL) component to the current system. This new component is called DriverMate. DriverMate is a technology that runs on mobile devices, such as tablets, and acts as a mobile data computer providing the driver with real-time manifest information as well as GPS and schedule adherence for the dispatcher.

The MDT/AVL will allow real-time tracking of vehicles by dispatchers; replace printed maps/directions for pick-up and drop off points with automated mapping and annunciated directions to the driver; provide availability of an interactive voice response function to notify passengers in advance of their trip if the bus is early or late.

Both the ongoing maintenance agreements and the addition of the MDT/AVL represent a sole source procurement. In accordance with third party contracting guidelines, FTA Circular 4220.1F, Chapter VI, Section 3i(1)(b)1b, a sole source award may be recommended in cases where the recipient (MTS) requires supplies or services available from only one responsible source and no other supplies or services will satisfy its requirements. Patent or data rights restrictions preclude competition.

MTS staff has determined the pricing for ongoing license and maintenance and the addition of the MDT/AVL module to be consistent with historical pricing and

found the prices to be fair and reasonable and of the best value to the Agency.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Amendment No. 3, Contract B0563.0-11
 B. Amendment No. 5, Contract B0563.0-11
 C. Amendment No. 6, Contract B0563.0-11



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ORIGINAL

January 28, 2013

MTS Doc. No. B0563.3-11

Trapeze Software Group, Inc.
Mr. Brian Beattie, CFO
8360 East Via de Ventura, Suite L-200
Scottsdale, AZ 85258

Subject: AMENDMENT NO. 3 TO MTS DOC. NO. B0563.0-11 SOFTWARE LICENSE AND
MAINTENANCE SUPPORT FOR TRAPEZE PRODUCTS

MTS amends the Agreement B0563.0-11 to incorporate the following changes:

SCOPE OF WORK

Software Maintenance Agreement for Trapeze INFO-IVR-FX software for the period of November 1, 2012 through October 31, 2013 as per attached invoice (Attachment A).

PAYMENT

As a result of this Amendment the contract value will increase by \$24,282.00 from \$318,535.00 to \$342,817.00.

All other conditions remain unchanged. If you agree with the above, please sign below, and return the document marked "Original" to the Contracts Specialist at MTS. The other copy is for your records.

Sincerely,

Paul G. Jablonski
Chief Executive Officer

Agreed:

Brian Beattie
Chief Financial Officer

LMARQUIS-CL
CL-B0563.3-11.TRAPEZESOFTWAREGRPINC.SREED.012813

Date: 07/02/2013

Attachment A: Trapeze Invoice No. 12-1051853

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ATTACHMENT A



Software Support Invoice

Metropolitan Transit System
 Attn: Daniel McCaslin
 1255 Imperial Ave
 Suite 1000
 San Diego, CA 92101
 USA

Invoice 12-1051853
 Date August 28, 2012
 Customer ID
 Contract No. 0000002132
 Due date November 01, 2012
 Contract type 455MAINT
 Project No 7367-204

Purchase Order No :		
Trapeze INFO-IVR-FX Up to 450 Peak Vehicles Coverage period 11/1/2012 - 10/31/2013 0% tax applied, client receives updates by download only	\$24,282.00	
Subtotal	\$24,282.00	
State Tax - 8.75%	\$0.00	
Total payable in USD		\$24,282.00

Please make payment to following:

Lockbox
 Trapeze Software Group
 P.O.Box 202528
 Dallas, TX 75320-2528
 USA

Courier
 Trapeze Software Group
 2975 Regent Blvd,
 P.O.Box 202755
 Irving, TX 75063 - USA.

Interest at 15% per annum will be charged on all late payments.



Metropolitan Transit System

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San Diego, CA 92101-7490
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ORIGINAL

October 2, 2013

MTS Doc. No. B0563.5-11

Trapeze Software Group, Inc.
Mr. Brian Beattie, CFO
8360 East Via de Ventura, Suite L-200
Scottsdale, AZ 85258

Subject: AMENDMENT NO. 5 TO MTS DOC. NO. B0563.0-11; SOFTWARE LICENSE AND
MAINTENANCE SUPPORT FOR TRAPEZE PRODUCTS

MTS amends the Agreement B0563.0-11 to incorporate the following changes:

Renew Software Maintenance Agreement for Trapeze INFO-IVR-FX software for the period of November 1, 2013 through October 31, 2014, as per attached Invoice 13-1052008 and add Software Maintenance Agreement for Trapeze ATIS-RTSI for the period of November 1, 2012 through October 31, 2014, per attached Invoice 13-1052023.

As a result of this Amendment the not to exceed contract value has increased by \$59,209.00 from \$445,617.00 to \$504,826.00. All other conditions remain unchanged.

If you agree with the above, please sign below, and return the document marked "Original" to the Contracts Specialist at MTS. The other copy is for your records.

Sincerely,

Paul C. Jablonski
Chief Executive Officer

LMARQUIS-CL
CL-B0563.5-11.TRAPEZE.SREED.100213

Agreed:

Brian Beattie
Chief Financial Officer

Date:

October 21, 2013

Attachments: A - Trapeze Invoice No. 13-1052008
B - Trapeze Invoice No. 13-1052023

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Software Support Invoice

Metropolitan Transit System
Attn: Daniel McCaslin
1255 Imperial Ave
Suite 1000
San Diego, CA 92101
USA

Invoice 13-1052008
Date August 28, 2013
Customer ID
Contract No. 0000002132
Due date November 01, 2013
Contract type 455MAINT
Project No 7357-204

Purchase Order No :		
Trapeze INFO-IVR-FX Up to 450 Peak Vehicles Coverage period 11/1/2013 - 10/31/2014 0% tax applied, client receives updates by download only	\$30,714.00	
Subtotal	\$30,714.00	
State Tax - 8.75%	\$0.00	
Total payable in USD		\$30,714.00

Please make payment to following:

Lockbox
Trapeze Software Group
P.O.Box 202528
Dallas, TX 75320-2528
USA

Courier
Trapeze Software Group
2975 Regent Blvd,
P.O.Box 202755
Irving, TX 75063 - USA.

Interest at 15% per annum will be charged on all late payments.



RE: Maintenance Invoice – Trapeze Suite of Products

To Whom It May Concern:

Please find enclosed invoice(s) for maintenance fees on the Trapeze suite of products. As a long term customer, Trapeze is pleased to continue to offer a wide variety of services:

- 24-hour, 7 days a week support via phone, email, fax and web;
- Toll-free Customer Support Line – 877-411-8727
- Customer Care Web Site – www.MyTrapeze.com;
 - Online tracking of support request and the status of reported issues;
 - Access to standard documentation;
 - On line Training courses to update and enhance your skills;
 - On line Training Videos;
 - Participate in the Trapeze Certification program;
 - Access to on line knowledge base;
 - Trapeze Help site - access to online and downloadable documentation
 - *Trapeze Community - Online forums to input suggestions or questions that can be responded to by other Trapeze Users*
- Product upgrades for life;
- Trapeze Times newsletter;
- Quarterly user forums for Trapeze products; and
- Invitation to annual multi-day user training conference.

In order to continue enhancing your customer care experience, we appreciate your suggestions and comments. We thank you for your business and remain committed to being your trusted partner.

Should you have any questions, please feel free to contact me at (905) 629-5478 or andrea.potter@trapezgroup.com.

Sincerely,

TRAPEZE SOFTWARE GROUP

Andrea L. Potter
Vice President, Customer Care

enclosures



Software Support Invoice

Metropolitan Transit System
Attn: Daniel McCaslin
1255 Imperial Ave
Suite 1000
San Diego, CA 92101
USA

Invoice 13-1052023
Date August 28, 2013
Customer ID
Contract No. 0000002446
Due date November 01, 2012
Contract type 455MAINT
Project No 7357-240

Purchase Order No :		
Trapeze ATIS-RTSI Up to 450 Peak Vehicles Coverage period 11/1/2012 - 10/31/2013	\$13,900.00	
Trapeze ATIS-RTSI Up to 450 Peak Vehicles Coverage period 11/1/2013 - 10/31/2014	\$14,595.00	
0% tax applied, client receives updates by download only		
Subtotal	\$28,495.00	
State Tax - 8.75%	\$0.00	
Total payable in USD		\$28,495.00

Please make payment to following:

Lockbox
Trapeze Software Group
P.O.Box 202528
Dallas, TX 75320-2528
USA

Courier
Trapeze Software Group
2975 Regent Blvd,
P.O.Box 202755
Irving, TX 75063 - USA.

Interest at 15% per annum will be charged on all late payments.

March 20, 2014

MTS Doc. No. B0563.6-11

Trapeze Software Group, Inc.
Mr. Brian Beattie, CFO
8360 East Via de Ventura, Suite L-200
Scottsdale, AZ 85258

Subject: AMENDMENT NO. 6 TO MTS DOC. NO. B0563.0-11 SOFTWARE LICENSE AND
MAINTENANCE SUPPORT FOR TRAPEZE PRODUCTS

MTS amends the Agreement B0563.0-11 to incorporate the following changes:

Renew Software Maintenance Agreement for Trapeze products as per Attachment A and add the
DriverMate product and maintenance agreement as per Attachment B.

As a result of this Amendment the not to exceed contract value has increased by \$1,471,135.25 from
\$504,826.00 to \$1,975,961.25. All other conditions remain unchanged.

If you agree with the above, please sign below, and return the document marked "Original" to the Contracts
Administrator at MTS. The other copy is for your records.

Sincerely,

Agreed:

Paul C. Jablonski
Chief Executive Officer

Brian Beattie
Chief Financial Officer

Date: _____

Attachments: A Trapeze 5 Year Maintenance Agreement Quotation
B Trapeze DriverMate Quote, SOW, and Terms and Conditions



1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

REVISED

Agenda Item No. 16

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

COLLABORATION WITH ZIZHU NATIONAL HI-TECH INDUSTRIAL DEVELOPMENT
ZONE (MINHANG DISTRICT OF SHANGHAI, CHINA)

RECOMMENDATION:

That the Board of Directors approve MTS Doc. No. G1700.0-14 (Attachment A) to execute an agreement with the Zizhu National Hi-tech Industrial Development Zone for an exchange of expertise and reimbursement of travel expenses.

Budget Impact

None. Travel expenses for a site visit and inspection will be reimbursed by Zizhu National Hi-tech Industrial Development Zone.

DISCUSSION:

In October 2013, representatives from the Minhang District of Shanghai, China, visited San Diego to view the MTS light rail transit system (in addition to other industries and public services in San Diego) and to seek advice on how to implement a similar mass transit system in a proposed new development of approximately 800,000 residential units. The local Shanghai government and the land developer (Shanghai Zizhu Hi-Tech Zone (Group) Limited Company as the managing and operating entity of the Zizhu National Hi-tech Industrial Development Zone) have requested that MTS send an official to visit the site in China and provide advice on how best to plan, construct, and operate a mass transit system in the proposed development.



The Board Chairman therefore recommends that the Board designate MTS Chief Executive Officer, Paul Jablonski, to participate in this collaboration on the basis that the proposed collaboration facilitates the exchange of expertise regarding public transportation, including emerging trends in mass transit and transit-oriented development. It also generates goodwill for MTS and enhances MTS's public image by being considered an international example of a model public transit system. Travel is proposed from April 16 to 30, 2014.

By letter agreement, MTS would contribute the value of the CEO's time, and the Zizhu National Hi-tech Industrial Development Zone would contribute the travel expenses in a roughly even exchange of value. MTS will directly pay for some expenses subject to reimbursement, and the Zizhu National Hi-tech Industrial Development Zone will directly pay for most expenses (airfare, lodging and some meals).

MTS General Counsel has consulted with the California Fair Political Practices Commission (FPPC) and confirmed that this trip and proposed reimbursement of travel expenses would not violate any of the FPPC's regulations regarding gifts and travel payments because the payments are for travel made in conjunction with official MTS business pursuant to FPPC Regulation § 18950.1. The letter agreement requires the Zizhu National Hi-tech Industrial Development Zone to provide MTS with an accounting of travel expenses paid for Mr. Jablonski's travel so that an FPPC Payment to Agency Report (Form 801) can be made by the July 31, 2014, reporting deadline.

Consistent with General Services Administration (GSA) Federal Travel Regulation (FTR) §301-10.123(b)(6) and §301-10.125, Zizhu National Hi-tech Industrial Development Zone intends to book air travel in business class because this international flight will be in excess of 14 hours (including scheduled flight time, stopovers and change of planes). Meetings with the Zizhu representatives will commence the day following arrival or sooner. The MTS travel policy (Board Policy No. 44) generally provides for coach class air travel using the most direct route, "unless particular circumstances reasonably dictate otherwise." For travel situations not generally contemplated by the MTS policy, MTS refers to the GSA travel regulations for guidance. The GSA FTR requires coach class air travel unless certain exceptions exist. Business class travel is expressly allowed if the scheduled flight time exceeds 14 hours and the employee is expected to report to duty the following day or sooner. Blanket authorization of other than coach class transportation accommodations is prohibited under the GSA regulations and must instead be authorized on an individual trip-by-trip basis. FPPC regulations regarding payments for travel related to official duties (Tit. 2, Div. 6, Cal.Code Reg. § 18950.1(e)) require that payments under this provision be no more than the expenses allowable for travel for agency business that would reasonably be paid at agency expense. By approving this Letter Agreement with Zizhu National Hi-tech Industrial Development Zone, the Board will be approving business class travel consistent with GSA FTR §301-10.123(b)(6).

The travel itinerary for this trip is still being developed. To the extent no business-related purpose is identified on individual work days (Monday through Friday), Mr. Jablonski intends to use annual leave or compensatory time off and pay for related personal expenses. Board Policy No. 44 expressly allows personal travel to be combined with MTS-related travel "provided it does not exceed the cost equivalent to a single-person trip."

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

Harry Mathis
Chairman

Key Staff Contact: Karen Landers, 619.557.4512, Karen.Landers@sdmts.com

Attachment: A. Draft MTS Doc. No. G1700.0-14

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

MTS Doc. No. G1700.0-14

March 20, 2014

Mr. Wen Shen
President
Shanghai Zizhu National Hi-tech Industrial Development Zone
No., 1388 Qixin Road
Minhang District, Shanghai, P.R.C, 201199

RE: Zizhu Hi-tech Zone Collaboration

Dear Mr. Shen:

The San Diego Metropolitan Transit System (MTS) is in receipt of your request for an exchange of expertise regarding the Zizhu Hi-tech Zone. This will be a beneficial collaboration for MTS and Zizhu Hi-tech Zone.

MTS hereby accepts your invitation for Paul Jablonski, Chief Executive Officer of MTS, to visit the Zizhu Hi-tech Zone in April 2014 to experience the current status of the region's economic development, inspect its potential as a research and development platform, and determine how MTS can assist and collaborate with you regarding the planning, design, construction and operation of a new public mass transit system.

In exchange for the Zizhu Hi-tech Zone paying the expenses incurred by MTS for Mr. Jablonski's travel, lodging, meals, foreign medical insurance and other incidental expenses during this visit, MTS will send Mr. Jablonski on this important site visit and inspection trip. It is our understanding that the Zizhu Hi-tech Zone will pay for Mr. Jablonski's travel expenses through a combination of direct payments to the airlines, hotel, restaurant or other providers or by reimbursing MTS for similar expenses.

In order to comply with California regulations related to payments for travel expenses by third parties, MTS requests that the Zizhu Hi-tech Zone provide MTS with an accounting of expenses paid by May 31, 2014. MTS is required to report the payments received for travel expenses to local authorities no later than July 30, 2014.

By signing below, MTS and the Zizhu Hi-tech Zone agree to the above exchange and collaboration.

Sincerely,

IT IS AGREED:

Harry Mathis
Chairman
Board of Directors

Mr. Wen Shen
President
Zizhu National Hi-tech Industrial Development Zone





1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

Agenda Item No. 16

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

COLLABORATION WITH ZIZHU NATIONAL HI-TECH INDUSTRIAL DEVELOPMENT
ZONE (MINHANG DISTRICT OF SHANGHAI, CHINA)

RECOMMENDATION:

That the Board of Directors approve MTS Doc. No. G1700.0-14 (Attachment A) to execute an agreement with the Zizhu National Hi-tech Industrial Development Zone for an exchange of expertise and reimbursement of travel expenses.

Budget Impact

None. Travel expenses for a site visit and inspection will be reimbursed by Zizhu National Hi-tech Industrial Development Zone.

DISCUSSION:

In October 2013, representatives from the Minhang District of Shanghai, China, visited San Diego to view the MTS light rail transit system (in addition to other industries and public services in San Diego) and to seek advice on how to implement a similar mass transit system in a proposed new development of approximately 800,000 residential units. The local Shanghai government and the land developer (Shanghai Zizhu Hi-Tech Zone (Group) Limited Company as the managing and operating entity of the Zizhu National Hi-tech Industrial Development Zone) have requested that MTS send an official to visit the site in China and provide advice on how best to plan, construct, and operate a mass transit system in the proposed development.



The Board Chairman therefore recommends that the Board designate MTS Chief Executive Officer, Paul Jablonski, to participate in this collaboration on the basis that the proposed collaboration facilitates the exchange of expertise regarding public transportation, including emerging trends in mass transit and transit-oriented development. It also generates goodwill for MTS and enhances MTS's public image by being considered an international example of a model public transit system. Travel is proposed from April 16 to 30, 2014.

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MTS General Counsel has consulted with the California Fair Political Practices Commission (FPPC) and confirmed that this trip and proposed reimbursement of travel expenses would not violate any of the FPPC's regulations regarding gifts and travel payments because the payments are for travel made in conjunction with official MTS business pursuant to FPPC Regulation § 18950.1. The letter agreement requires the Zizhu National Hi-tech Industrial Development Zone to provide MTS with an accounting of travel expenses paid for Mr. Jablonski's travel so that an FPPC Payment to Agency Report (Form 801) can be made by the July 31, 2014, reporting deadline.



Harry Mathis
Chairman

Key Staff Contact: Karen Landers, 619.557.4512, Karen.Landers@sdmts.com

Attachment: A. Draft MTS Doc. No. G1700.0-14



Metropolitan Transit System

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

MTS Doc. No. G1700.0-14

March 20, 2014

Mr. Wen Shen
President
Shanghai Zizhu National Hi-tech Industrial Development Zone
No., 1388 Qixin Road
Minhang District, Shanghai, P.R.C, 201199

RE: Zizhu Hi-tech Zone Collaboration

Dear Mr. Shen:

The San Diego Metropolitan Transit System (MTS) is in receipt of your request for an exchange of expertise regarding the Zizhu Hi-tech Zone. This will be a beneficial collaboration for MTS and Zizhu Hi-tech Zone.

MTS hereby accepts your invitation for Paul Jablonski, Chief Executive Officer of MTS, to visit the Zizhu Hi-tech Zone in April 2014 to experience the current status of the region's economic development, inspect its potential as a research and development platform, and determine how MTS can assist and collaborate with you regarding the planning, design, construction and operation of a new public mass transit system.

In exchange for the Zizhu Hi-tech Zone paying the expenses incurred by MTS for Mr. Jablonski's travel, lodging, meals, foreign medical insurance and other incidental expenses during this visit, MTS will send Mr. Jablonski on this important site visit and inspection trip. It is our understanding that the Zizhu Hi-tech Zone will pay for Mr. Jablonski's travel expenses through a combination of direct payments to the airlines, hotel, restaurant or other providers or by reimbursing MTS for similar expenses.

In order to comply with California regulations related to payments for travel expenses by third parties, MTS requests that the Zizhu Hi-tech Zone provide MTS with an accounting of expenses paid by May 31, 2014. MTS is required to report the payments received for travel expenses to local authorities no later than July 30, 2014.

By signing below, MTS and the Zizhu Hi-tech Zone agree to the above exchange and collaboration.

Sincerely,

IT IS AGREED:

Harry Mathis
Chairman
Board of Directors

Mr. Wen Shen
President
Zizhu National Hi-tech Industrial Development Zone





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San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

Agenda Item No. 30

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

TAXICAB CONTRACT RENEWAL (SHARON COONEY)

RECOMMENDATION:

Executive Committee:

That the Board of Directors adopt the principles for renewal of the taxicab administration contract with the City of San Diego (Attachment A).

Budget Impact

None.

DISCUSSION:

At its January meeting the Board of Directors created an ad hoc committee to formulate guiding principles for contract negotiations with the City of San Diego for taxicab administration. The ad hoc committee's recommendations were presented to the Executive Committee for its consideration on March 13. The Executive Committee recommends the attached principles for approval by the Board. The adopted principles would be used by staff in negotiations for the contract renewal, and it is anticipated that the final agreement would return to the Board for approval before the term of the contract expires on July 1.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Principles for Negotiation of the Taxicab Administration Contract on Behalf of the Metropolitan Transit System



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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, Lamon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.

Draft

Principles for Negotiation of the Taxicab Administration Contract on Behalf of the
Metropolitan Transit System

(As proposed by the Taxicab Contract Renewal Committee and recommended by the
Executive Committee)

The Metropolitan Transit System (MTS) anticipates renewing the agreement with the City of San Diego (the City) for taxicab administration. The Committee recommends that the following principles be followed when negotiating contract amendments:

1. The City will continue to set fundamental policy and MTS will be the administrator.
2. State law requires that MTS recover its costs associated with taxicab administration. Changes to ordinances or regulations proposed by the City should indicate the expected source of funding for their implementation (eg. permit fees versus City subsidy) and include an analysis of cost.
3. In the event the City chooses to initiate a policy change, the MTS Board will have to vote to approve amendments to its Ordinance 11 in order to implement that change.
4. The City's indemnification of MTS for actions it takes pursuant to policies and regulations approved by the City should continue with the renewal.
5. It is in the best interest of the taxi industry, MTS and the City to approve a five year renewal.
6. In the event that the City determines that it is in the public's best interest to create a new forum for resolution of disputes between lease drivers and permit holders, the City may choose to operate a dispute resolution center or create some other mechanism for processing these types of disputes. During the term of this agreement MTS is not interested in assuming this role.
7. MTS will entertain some changes to Ordinance 11 that have been publicly sought, specifically those related to maximum vehicle age or mileage and the requirement that permit holders issue and maintain records of receipts for lease payments and produce them upon request of MTS. These

Ordinance 11 proposals could be included in the amended agreement or may also be subjects for discussion after contract renewal.



AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

1

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM

1. INSTRUCTIONS

This Request to Speak form must be filled out and submitted in advance of the discussion of your item to the Clerk of the Board (please attach any written statement to this form). Communications on hearings and agenda items are generally limited to three minutes per person unless the Board authorizes additional time; however, the Chairperson may limit comment to one or two minutes each if there are multiple requests to speak on a particular item. General public comments on items not on the agenda are limited to three minutes. Please be brief and to the point. No yielding of time is allowed. Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

(PLEASE PRINT)

DATE	3/20/2014		
Name	Mikail Hussein		
Address	4265 Fairmount Ave #180 San Diego CA 92105		
Telephone	619 255-7355		
Organization Represented	United Taxi Workers of San Diego		
Subject of Your Remarks	Taxicab Contract Renewal		
Regarding Agenda Item No.	30		
Your Comments Present a Position of:	<input type="checkbox"/>	SUPPORT	<input checked="" type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

3. DISCUSSION OF AGENDA ITEMS

The Chairman may permit any member of the public to address the Board on any issue relevant to a particular agenda item.

4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Public comment on matters not on the agenda will be limited to five speakers with three minutes each, under the Public Comment Agenda Item. Additional speakers will be heard at the end of the Board's Agenda.

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AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

2

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(PLEASE PRINT)

DATE	3/20/14		
Name	CHRIS MORSE		
Address	5631 Lake Park Way #2 La Mesa, CA		
Telephone	(661) 645-7291		
Organization Represented	UTWSD		
Subject of Your Remarks	Taxi Regulation		
Regarding Agenda Item No.	30		
Your Comments Present a Position of:	<input type="checkbox"/>	SUPPORT	<input checked="" type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

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AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

3

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM

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(PLEASE PRINT)

DATE	3/20/14
Name	Abebe ANTALLO
Address	4356 Wilson Ave. #1 S.D CA 92004
Telephone	(619) 200-6245
Organization Represented	United Taxi Workers of S.D
Subject of Your Remarks	Taxi Contract Renewal Rejection
Regarding Agenda Item No.	
Your Comments Present a Position of:	<input type="checkbox"/> SUPPORT <input checked="" type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

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AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

4

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
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(PLEASE PRINT)

DATE						
Name	Christina Griffin					
Address	2900 Calle Cumbre San Diego, CA 92139					
Telephone	619 755 2186					
Organization Represented	National Association for the Advancement of Colored People (NAACP) San Diego Branch					
Subject of Your Remarks	Taxi Cab Contract Renewal					
Regarding Agenda Item No.	30					
Your Comments Present a Position of:	<table border="1"><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>SUPPORT</td><td><input checked="" type="checkbox"/></td><td>OPPOSITION</td></tr></table>	<input type="checkbox"/>	<input type="checkbox"/>	SUPPORT	<input checked="" type="checkbox"/>	OPPOSITION
<input type="checkbox"/>	<input type="checkbox"/>	SUPPORT	<input checked="" type="checkbox"/>	OPPOSITION		

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At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

3. DISCUSSION OF AGENDA ITEMS

The Chairman may permit any member of the public to address the Board on any issue relevant to a particular agenda item.

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Public comment on matters not on the agenda will be limited to five speakers with three minutes each, under the Public Comment Agenda Item. Additional speakers will be heard at the end of the Board's Agenda.

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AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

5

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
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(PLEASE PRINT)

DATE	3/20/2014		
Name	MARCO BRIONES		
Address	1350 FRONT ST. SE 6022 92101		
Telephone	(619) 338-8090		
Organization Represented	ASSEMBLY WOMAN LORENA GONZALEZ		
Subject of Your Remarks	TAXI Cab CONTRACT Renewal		
Regarding Agenda Item No.	30		
Your Comments Present a Position of:	<input type="checkbox"/>	SUPPORT	<input checked="" type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

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AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

6

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(PLEASE PRINT)

DATE	3/20/2014		
Name	PASTOR WAYNE RIEGGS		
Address	8646 AVAROL AVE. San Diego, CA 92123		
Telephone	619 884-7972		
Organization Represented	Interfaith Center for Worker Justice		
Subject of Your Remarks	Taxi Cab Contract renewals		
Regarding Agenda Item No.	30		
Your Comments Present a Position of:	<input type="checkbox"/>	SUPPORT	<input checked="" type="checkbox"/> OPPOSITION

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AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

7

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT)
TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM

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(PLEASE PRINT)

DATE	3/20/14
Name	Sarah Saez
Address	
Telephone	
Organization Represented	United Taxi Workers of San Diego
Subject of Your Remarks	Taxicab Contract Renewal
Regarding Agenda Item No.	30
Your Comments Present a Position of:	<input type="checkbox"/> SUPPORT <input checked="" type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

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3. DISCUSSION OF AGENDA ITEMS

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AGENDA ITEM NO.

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(PLEASE PRINT)

DATE	3/20/2014		
Name	Michael Roderick		
Address	4622 32 nd St		
Telephone	781 983 7596		
Organization Represented	San Diego City College Student		
Subject of Your Remarks	Taxicab Contract Renewal		
Regarding Agenda Item No.	30		
Your Comments Present a Position of:	<input type="checkbox"/>	SUPPORT	<input checked="" type="checkbox"/> OPPOSITION

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(PLEASE PRINT)

DATE	3/20/2014		
Name	Alar F. Calderon		
Address	1520 Robinson Ave, San Diego		
Telephone	619-521-1372		
Organization Represented	ERC		
Subject of Your Remarks	Taxi Renewal contract		
Regarding Agenda Item No.			
Your Comments Present a Position of:	<input type="checkbox"/>	SUPPORT	<input checked="" type="checkbox"/> OPPOSITION

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AGENDA ITEM NO.

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(PLEASE PRINT)

DATE	3.20.14		
Name	RAY SEYED SALEHI		
Address	8273 ABBOTSHILL RD S.D. CA 92123		
Telephone	619 3062889		
Organization Represented	JR CAB / RJ CAB / GRANGE CAB		
Subject of Your Remarks	SUPPORT CONTRACT ON MTS		
Regarding Agenda Item No.			
Your Comments Present a Position of:	<input checked="" type="checkbox"/>	SUPPORT	<input type="checkbox"/> OPPOSITION

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PLEASE GIVE MY TIME
TO MICHEL ANDERSON.

AGENDA ITEM NO.

30

REQUEST TO SPEAK FORM

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(PLEASE PRINT)

DATE	3/20/14	Time to Michel Anderson
Name	ANTHONY PALMERI	
Address	3473 HURTZ ST SD CA 92110	
Telephone	619-239-8061	
Organization Represented	YELLOW RADIO SERVICE	
Subject of Your Remarks	POSITIVE INPUT	
Regarding Agenda Item No.	30	
Your Comments Present a Position of:	<input checked="" type="checkbox"/> SUPPORT	<input type="checkbox"/> OPPOSITION

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(PLEASE PRINT)

Time to Michael Anderson

DATE	3-20-14
Name	GEORGE ABRAHAM
Address	11175 Breckenridge Dr S.D. CA 92131
Telephone	619-972-0611
Organization Represented	ERITICAN cab
Subject of Your Remarks	I need 5 years contract with MTS (TAXI)
Regarding Agenda Item No.	30
Your Comments Present a Position of:	<input checked="" type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSITION

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(PLEASE PRINT)

DATE	20 MARCH		
Name	MICHEL ANDERSON		
Address	2531 STATE STREET SO 92101		
Telephone	(619) 232-0045		
Organization Represented	SAN DIEGO TRANSPORTATION ASSN		
Subject of Your Remarks	SUPPORT 5 YEAR CONTRACT RENEWAL		
Regarding Agenda Item No.	30		
Your Comments Present a Position of:	<input checked="" type="checkbox"/>	SUPPORT	<input type="checkbox"/> OPPOSITION

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(PLEASE PRINT)

DATE	March 20, 2014		
Name	MARGO TANQUAY		
Address	229 16th St #116		
Telephone	[619] 231-1144		
Organization Represented	Lease Driver Rep MTS/TA Self as a Lease Driver		
Subject of Your Remarks	5 year contract for 50004 of sister cities of MTS		
Regarding Agenda Item No.	22		
Your Comments Present a Position of:	<input type="checkbox"/>	<input checked="" type="checkbox"/> SUPPORT	<input type="checkbox"/> OPPOSITION

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(PLEASE PRINT)

DATE	3-20-14		
Name	TONY HUEZO		
Address	2660 IMPERIAL AVE		
Telephone	619 231-1144		
Organization Represented	USA CAB		
Subject of Your Remarks			
Regarding Agenda Item No.			
Your Comments Present a Position of:	<input checked="" type="checkbox"/>	SUPPORT	<input type="checkbox"/> OPPOSITION

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1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

Agenda Item No. 31

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

UNITED STATES FISH AND WILDLIFE SERVICE (FWS) BAYSIDE BIRDING
AND WALKING TRAIL PROJECT; CONSTRUCTION AND MAINTENANCE
AGREEMENT (KAREN LANDERS)

RECOMMENDATION:

That the Board of Directors approve, reject or give direction to staff regarding negotiation of a Construction and Maintenance Agreement (CMA) for the FWS Bayside Birding and Walking Trail Project.

Budget Impact

If approved as currently drafted, the CMA would create new liability risks related to MTS owned property and transfer such risks to MTS. Because the cost of such risks is dependent upon future incidents or injuries and related legal expenses and settlement costs, the specific Budget Impact for this transfer of risk cannot be quantified.

DISCUSSION:

As part of the FWS's San Diego Bay National Wildlife Refuge Bayside Birding and Walking Trail Project (Bayside Trail Project), the FWS has requested that MTS allow the construction of the Bayside Trail Project on MTS/San Diego & Arizona Eastern Railway Co. (SD&AE) owned right-of-way. This project was originally proposed to SD&AE on April 21, 2009, when a CMA consistent with MTS's standard terms and conditions was approved. (Attachment A.) FWS is now ready to finalize the CMA. MTS's standard CMA requires third parties constructing and maintaining projects or facilities on MTS land to provide defense, indemnification and insurance protections for all claims and liabilities



related to the third party's use of the property. This language has been included in all agreements between MTS and other jurisdictions for similar projects such as the Bayshore Bikeway, the Otay Valley Regional Park, the Ocean Beach Bikeway, and the San Diego River Multi-Use Pathway. Such projects open up MTS property to active public recreational use, which creates a new source of liability not currently assumed by MTS. Therefore, MTS has traditionally attempted to cooperate in these regional projects by making MTS property available at no cost, but with the sponsoring agency assuming all costs, responsibilities, risks and liabilities related to the project. MTS's mission is to provide public mass transit. Park and trail projects are typically the responsibility of cities, counties, state parks, federal agencies and local non-profits.

In reviewing the standard indemnification and insurance provisions in the draft CMA, the FWS's attorneys concluded that the FWS cannot agree to provide for indemnification or insurance related to this (or any) project. A legal opinion by the U.S. Department of the Interior (Attachment B) states that indemnification agreements violate the Anti-Deficiency Act because such agreements obligate funds prior to appropriation by Congress. Similarly, the FWS does not have statutory authority to purchase insurance. Instead, FWS proposes language stating it will cooperate with the submission of claims pursuant to the Federal Tort Claims Act against the United States for personal injuries or property damage resulting from FWS negligence or wrongful acts.

This proposed language would provide MTS with a significantly lower level of coverage/risk protection than the indemnification and insurance provisions of MTS's standard CMA. The language would provide a forum for MTS to direct claimants to – essentially telling a claimant that because this is a FWS project, he or she should file their claim with the FWS and then pursue the case against FWS in federal court. However, it is common in such cases that the claimant and their attorney will name all potentially involved parties, including MTS as the land owner. MTS's standard indemnification language allows MTS to tender such claims to the project sponsor for defense and payment of all costs. This generally results in the project sponsor hiring one attorney to represent both its agency and MTS in the lawsuit. Under the FWS required language, MTS would not have the right to tender a claim to FWS. Instead, MTS would be required to hire its own attorney to defend the case. Even in meritless cases, attorneys' fees to can be significant. Therefore, the FWS's proposed language operates as a transfer of some of the risks related to the project from FWS to MTS.

Because FWS contends that it is legally barred from indemnifying MTS or purchasing insurance, MTS has three potential options related to this CMA:

- (1) Approve CMA with FWS changes and assume transfer of risk related to the Bayside Trail Project.
- (2) Reject CMA and not allow Project to be constructed on MTS property.
- (3) Approve CMA with FWS changes but also charge an annual fee to FWS sufficient to cover the costs of an independent low-deductible insurance policy purchased by MTS to protect against the Project's liabilities. Staff is currently exploring the costs of such a policy and will provide more

information as to whether this is a feasible alternative at the Board meeting.

Staff requests that the Board select from Options (1), (2) and (3) above.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A – April 21, 2009 SD&AE Agenda Item
B – Department of Interior Legal Opinion
C – Draft Construction and Maintenance Agreement (MTS Doc. No. S200-10-425)

Agenda

Item No. 6d

**San Diego and Arizona Eastern (SD&AE)
Railway Company
Board of Directors Meeting**

SDAE 710.1 (PC 50771)

April 21, 2009

SUBJECT:

**LICENSE TO THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE
BAYSIDE BIRDING AND WALKING TRAIL PROJECT**

RECOMMENDATION:

That the SD&AE Board of Directors approve issuing a license to the United States Fish and Wildlife Service, San Diego National Wildlife Refuge Complex (USFW) for the construction of the Bayside Birding and Walking Trail within SD&AE right-of-way in the City of Imperial Beach.

Budget Impact

License fees would be credited to the SD&AE Reserve. MTS staff costs would be reimbursed for fees incurred in preparing and processing the license.

DISCUSSION:

USFW requests a license for the Bayside Birding and Walking Trail within SD&AE right-of-way in the City of Imperial Beach. The trail consists of a six-foot wide, 2,060-foot-long pedestrian trail along the south end of San Diego Bay from 7th Street to 10th Street. The proposed trail will impact portions of the right-of-way along this stretch. Attached is a project description and exhibit.

APRIL21-09.6d.BAYSIDE BIRDING WALKING TRAIL LICENSE.TALLISON.doc

Attachment: Project Description and Exhibit

Attachment A

License to Construct in the Right-of-Way of the San Diego and Arizona Eastern Railway Company San Diego Bay National Wildlife Refuge - Bayside Birding and Walking Trail

Proposed Action

The U.S. Fish and Wildlife Service, San Diego National Wildlife Refuge Complex (Complex) requests consideration of a license to construct portions of the Bayside Birding and Walking Trail within the San Diego and Arizona Eastern Railway Company Right-of-Way.

Project Description

The Complex proposes to construct a six-foot-wide, 2,060-foot-long pedestrian trail along the south end of San Diego Bay from 7th Street to 10th Street in Imperial Beach. The trail, which would run just north of and parallel to the Bayshore Bikeway within the San Diego Bay NWR, is intended to direct users away from sensitive salt marsh habitat located along the edge of San Diego Bay and the Otay River channel by providing a formal delineated pathway for pedestrian use. A 50-foot-long pedestrian bridge would be required to provide trail access across an existing drainage channel and a 750-square-foot overlook area (consisting of stabilized soil) would be constructed to the north of the trail at 10th Street. As part of a future project, an additional observation area will be constructed to the north of the trail at 8th Street. A project location map and other graphics are attached.

Although the majority of the trail appears to be located on lands included within the boundary of the San Diego Bay National Wildlife Refuge, according to existing survey maps portions of the trail may extend into the right-of-way in areas where there is limited distance between the Bayshore Bikeway and the adjacent wetlands. It will also be necessary to cross the right-of-way during construction of the trail and associated amenities.

The trail is being proposed for the following reasons: 1) the area located to the north of the Bayshore Bikeway, particularly in the vicinity of Pond 10, is subject to considerable unauthorized access, which has resulted in the trampling and loss of salt marsh vegetation – by designating an official trail in this area, currently destructive unauthorized access would be eliminated and coastal salt marsh vegetation could be restored; and 2) the construction of an official pedestrian trail would improve the public's experience (e.g., walking, wildlife observation, sightseeing) of the San Diego Bay NWR, because they would have a trail separated from bicycle traffic and would not longer have to be constantly watching out for bicyclists traveling along the Bayshore Bikeway.

The project also includes a proposal to restore coastal salt marsh habitat along the southwest end of San Diego Bay and plant native upland vegetation between the proposed trail and the adjacent Bayshore Bikeway. The San Diego National Wildlife Refuge Complex would be responsible for the long term management and maintenance of the proposed trail, pedestrian bridge, overlook areas, and restored habitat areas.

Previous Environmental Review

The California Coastal Conservancy, which proposes to provide funding to implement this project, and the Service prepared a Final Mitigated Negative Declaration, Initial Study/Environmental Assessment, and a Finding of No Significant Impact (FONSI) for this project. The draft documents were distributed for public review on December 23, 2008. The 30-day public review period ended on January 21, 2009. Two public comment letters were received as a result of public review. Neither letter raised issues regarding the adequacy or accuracy of the documents, therefore, no response is required. In addition, no comments were received by the State Clearinghouse (State Clearinghouse Number: 2008121098). The Service also prepared a Final Environmental Impact Statement for the San Diego Bay National Wildlife Refuge Comprehensive Conservation Plan that addressed this project. The Record of Decision for this EIS was signed in September 2006.

Project Contact Information

For additional information regarding this project, please contact Don Brubaker, Refuge Manager at 619-575-2704 extension 302.



United States Department of the Interior

OFFICE OF THE SOLICITOR

Phone: (510) 817-1460

Pacific Southwest Region

Fax: (510) 419-0143

San Francisco Field Office

1111 Jackson Street, Suite 735

Oakland, California 94607

A federal agency cannot, unless specifically authorized by Congress, execute an indemnification or hold harmless agreement. Neither the U.S. Fish and Wildlife Service nor the National Park Service has Congressional authorization to enter into indemnification or hold harmless agreements.

Absent Congressional authorization, indemnification and hold harmless agreements would involve the United States in a contract or obligation for the payment of money before the money is appropriated by Congress. Under the Anti-Deficiency Act, 31 U.S.C. 1341(a), agencies of the United States may not agree to obligate federal funds in advance of a Congressional appropriation. Numerous federal courts have construed indemnification and hold harmless agreements as a violation of the Anti-Deficiency Act because such agreements obligate funds prior to appropriation by Congress. California Pacific Utilities Co. V. United States, 194 Ct. Cl. 703 (1971); Anna Marie Frank v. United States, No. 85-2205, Ninth Circuit Court of Appeals (1986); John Manville Corp., et al v. United States, 12 Cl.Ct. 1 (1987).

To address this legal prohibition, the U.S. Department of the Interior Solicitor's Office has developed a substitute provision. This provision provides essentially the same protection a landowner would seek under a "hold harmless" agreement. It states that the Federal Tort Claims Act (28 U.S.C. § 2671) provides for recourse against the United States for negligent acts or omissions caused by federal employees. Additionally, the United States may promise to perform the work with all reasonable diligence and precaution. Failure to do so could be considered a breach of contract which could be disposed of under the Tucker Act. (28 U.S.C. § 1491)

The substitute provision is as follows:

The (choose one: National Park Service or U.S. Fish and Wildlife Service) agrees to cooperate, to the extent allowed by law, in the submission of claims pursuant to the Federal Tort Claims Act against the United States for personal injuries or property damage resulting from the negligent or wrongful act or omission of any employee of the United States while acting within the scope of his/her employment, arising out of this agreement. Further, the (choose one: National Park Service or U.S. Fish and Wildlife Service) agrees to perform all work under this agreement with reasonable diligence and precaution.

The question of insurance often arises along with questions regarding indemnification. Absent specific statutory authority, an agency of the United States cannot purchase insurance (see 19 Comp. Gen. 798 and its progeny). The U.S. Fish and Wildlife Service and the National Park Service do not have

statutory authority to purchase insurance and are thus unable to provide certificates of insurance. In place of insurance, these agencies, as part of the federal government, are “self insured.” If there is a claim against FWS or NPS for damage or injury, the claim would be considered under the Federal Tort Claims Act.

MTS DOC. NO. S200-10-425

**CONSTRUCTION AND MAINTENANCE AGREEMENT FOR THE BAYSHORE
BIRDING AND WALKING TRAIL PROJECT**

THIS CONSTRUCTION AND MAINTENANCE AGREEMENT ("CMA") is made and entered into this _____ day of _____, 2014, by and between the SAN DIEGO METROPOLITAN TRANSIT SYSTEM ("MTS"), a California public agency, the San Diego and Arizona Eastern Railway (SD&AE), a Nevada non-profit corporation (collectively the "Railroad"), and the UNITED STATES FISH AND WILDLIFE SERVICE ("FWS") (collectively the "Parties").

RECITALS

WHEREAS, Railroad is the owner of certain railroad right-of-way assets (the "ROW") located in the City of Imperial Beach commonly known as the Coronado Branch Line. The ROW is not in active use for heavy or light-rail operations; and

WHEREAS, FWS proposes to construct, operate and maintain the Bayside Birding and Walking Trail (the "Project") within the ROW in substantial compliance with plans attached hereto as Exhibit "A"; and

WHEREAS, the Project will consist of a walking path with ancillary amenities for bird and wildlife watching which compliment the walking path; and

WHEREAS, the Parties agree that FWS will construct, maintain, and operate the Project and FWS will reimburse Railroad for all Railroad staff expenses, consultant expenses, and other direct expenses accrued in reviewing, and approving the Project and in preparing this CMA and any other agreements relating to the Project, including but not limited to a license for the Project and a Right of Entry Permit that allows the FWS's contractor to enter into the ROW to construct the Project;

NOW, THEREFORE, IT IS AGREED:

1. **License.** Railroad agrees to grant to FWS a license upon certain portions of the ROW in the City of San Diego, County of San Diego, depicted in Exhibit "B" solely for the purpose of constructing, maintaining and operating the Project, in strict accordance with the provisions of this CMA. This license will be granted subject to the prior, continuing, and future rights and obligations of Railroad (including its licensees, successors and assigns) to use the ROW for railroad purposes and other consistent uses, including, but not limited to, existing and future transportation activities, utilities, communication systems, pipeline facilities and appurtenances in, upon, over, across and along the ROW, and there is expressly reserved unto Railroad, and its respective successors and assigns, the right (consistent with the rights herein granted) to construct, reconstruct, maintain, operate, and use any and all existing and future facilities and appurtenances related to the above-referenced uses.

2. **Use.** If FWS shall use the ROW for any purpose other than as stated in Section 1 above, or fail to act in accordance with the provisions of this CMA, or act in a manner which interferes with the use of the ROW by Railroad (including its licensees, successors and assigns), then Railroad (or its successors and assigns) shall provide FWS with a timely written notice of any claim of default, meet and confer with FWS regarding the claim of default, and allow FWS a reasonable opportunity to cure the default so long as FWS proceeds expeditiously to cure the default. If FWS fails to cure the default in a timely manner, Railroad may exercise its remedies at law or equity against FWS. It is expressly understood and agreed by Railroad that FWS shall use the ROW without interference or damage to any railroad facilities existing or constructed during the term of this CMA over, under, along and across the ROW.

3. **Limitations.**

(a) **Limitations on Use.**

- (i) FWS shall comply with all applicable terms, conditions, directives and requirements of Railroad's policies regarding rights-of-way and other MTS ordinances, rules and regulations. FWS shall comply with all applicable laws and regulations of the federal, state, county, local governments and all administrative agencies thereof which may have jurisdiction over FWS's construction, maintenance and operation of the Project.
- (ii) No use, construction, or maintenance by FWS or on FWS's behalf of the Project will interfere with any type of railroad operations on the ROW.
- (iii) FWS shall not leave any personal property or equipment on the ROW unattended at any time after the completion of the Project that would cause a safety hazard or violate a Public Utilities Commission regulation.

(b) **Limitations on License.** The license and permission to be granted are without warranty of title of any kind, expressed or implied, and are subject to and subordinate to all prior licenses, leases, easements, restrictions, reservations, conditions, covenants, encumbrances, right-of-ways, liens and claims of title which may in any manner encumber the ROW.

4. **Maintenance of Project.** FWS shall maintain at its expense the Project and appurtenances constructed pursuant to the terms of this CMA and which are over, under, along and across the ROW. In performing its maintenance obligations in accordance with this Paragraph 4, the FWS and/or its contractors, agents and assigns shall comply with Railroad's rules and regulations concerning use of and work within the ROW, and the instructions of Railroad's representatives in relation to the proper manner of protecting Railroad's tracks and

other property of Railroad, or its tenants or licensees, at or in the vicinity of any maintenance work.

5. **Right of Entry Permit.** The exercise of any and all rights provided by this CMA is subject to the requirement that the FWS's contractors and agents first obtain a Right of Entry Permit ("ROE Permit") from Railroad prior to entry onto the ROW for the construction or maintenance of the Project. The ROE Permit requires that the FWS's contractors and agents procure and maintain in force at all times during the construction contract, the insurance described in this CMA. Railroad shall timely process any applications required to obtain the Permits, and shall not unreasonably deny or delay the issuance of such Permit. The FWS's contractors and agents will comply with all Railroad policies, rules and regulations as stated in the ROE Permit, and the instructions of Railroad's representatives in relation to the proper manner of protecting the railroad tracks and traffic moving thereon, catenary lines, pull lines, signals and other property of Railroad, or their respective tenants or licensees, during the period of construction of the Project.

6. **Durable Maintenance ROE Permit.** Notwithstanding the foregoing, Railroad hereby grants to FWS a Durable Maintenance ROE Permit to allow FWS to enter onto the ROW for routine maintenance of the Project, including, but not limited to, activities such as trash removal, cleaning of pedestrian walkway, cleaning of pedestrian guardrail, and similar maintenance activities. The Durable Maintenance ROE Permit shall remain effective throughout the life of this CMA and be subject to all of the terms of this CMA, including but not limited to the indemnity and insurance provisions. Entry onto the ROW by individuals or entities other than the FWS (such contractors, agents, and non-FWS employees) shall require a separate ROE Permit as specified in paragraph 5.

7. **Notice.** The exercise of any and all rights provided to FWS by this CMA is also subject to the notice requirements set forth in the ROE Permits for the construction and maintenance of the Project, prior to entry onto the ROW for any purpose.

8. **Indemnification.**

(a) FWS

FWS agrees to cooperate, to the extent allowed by law, in the submission of claims pursuant to the Federal Tort Claims Act against the United States for personal injuries or property damage resulting from the negligent or wrongful act or omission of any employee of the United States while acting within the scope of his/her employment, arising out of this agreement. Further, FWS agrees to perform all work under this agreement with reasonable diligence and precaution.

(b) RAILROAD

Railroad agrees to indemnify, defend and hold harmless the FWS and its Council members, officers, agents, volunteers, contractors, and employees ("FWS Indemnitees"), from

any and all liability, loss, expense (including reasonable attorneys' fees and other defense costs), demands, suits, liens, damages, costs, claims, including but not limited to, claims for bodily injury, death, personal injury, or property damage, that are incurred by or asserted against the FWS Indemnitees arising out of or connected with any negligent acts or omissions on the part of Railroad, their Boards, officers, agents, contractors, or employees, under or in connection with any work, authority or jurisdiction delegated to Railroad under this CMA. Railroad shall have no obligation to indemnify any sublicensee or invitee of FWS for any reason whatsoever.

(c) CONCURRENT NEGLIGENCE

In the event of an act or acts of concurrent negligence which results in the filing of a demand, claim, or complaint against the Parties, each party shall defend and represent itself such that each party shall bear its own costs and attorney's fees.

9. Insurance.

The FWS, , shall require its Contractor(s) to carry the following insurance (in accordance with the Federal Acquisition Regulation, Part 28.307-2), which is consistent with the insurance required for issuance of a MTS right of entry permit pursuant to Section 5 of this CMA:

A. COVERAGE REQUIRED

(1) Liability

- (a) Commercial General Liability. At all times during this contract and, with respect to Products and Completed Operations Liability, for 12 months following the acceptance of the work by MTS, Permittee agrees to maintain Commercial General Liability Insurance for bodily injury and property damage in an occurrence form and with insurance companies acceptable to MTS. Commercial General Liability Insurance must include coverage for the following:

- Premises/Operations Liability
- ~~Per Project Aggregate~~
- Products/Completed Operations Liability
- No Explosion, Collapse, and Underground (XCU) exclusion
- Contractual Liability, with respect to this agreement
- Personal Injury Liability
- Broad Form Property Damage
- Independent Contractors

All such policies shall name in the endorsement as additional insureds the following entities including their directors, officers, agents, and employees as their interests may appear:

- San Diego Metropolitan Transit System (MTS),
- San Diego Trolley, Inc. (SDTI),
- San Diego and Arizona Eastern Railway (SD&AE),
- San Diego and Imperial Valley Railroad (SD&IV), and
- San Diego Transit Corporation (SDTC)

- (b) Automobile Liability. At all times during this contract, Permittee agrees to maintain Automobile Liability Insurance for bodily injury and property damage including coverage for all owned, nonowned, and hired vehicles.
- (c) Workers' Compensation/Employer Liability. At all times during this contract, Permittee agrees to maintain Workers' Compensation and Employers' Liability Insurance in compliance with the applicable statutory requirements.

B. ADDITIONAL COVERAGES REQUIRED (AS INDICATED)

☐ (1) Railroad Protective or Equivalent
REQUIRED

Any exclusions relating to performance of operations within the vicinity of any railroad, bridge, trestle, track, roadbed, tunnel, underpass, or crossing must be deleted. Option: purchase separate Railroad Protective Liability Policy as required.

☐ (2) Pollution Liability
REQUIRED

At all times during this contract, and for 24 months following, Permittee agrees to maintain Pollution Legal Liability Insurance with respect to services or operations under this agreement. The extended discovery period must be no less than 24 months.

☒ (3) Primary and Non-Contributory Insurance
REQUIRED

Permittee agrees that all general liability coverages required under this insurance section are PRIMARY insurance and that any insurance of MTS, SDTI, SD&AE, SD&IV, and SDTC shall be excess and

noncontributory (endorsement required).

C. MINIMUM POLICY LIMITS REQUIRED

	Combined Single Limit (CSL)
Commercial General Liability (Per Occurrence)	\$1,000,000
General Aggregate	\$2,000,000
Completed Operations & Products Aggregate	\$2,000,000
Automobile Liability	\$1,000,000
Worker's Compensation Employer's Liability	\$1,000,000

Additional Coverages (as indicated under Section B, Additional Coverages Required):

<input type="checkbox"/> B (1) Railroad Protective	\$1,000,000
<input type="checkbox"/> B (2) Pollution Liability	\$

D. POLICY PROVISION REQUIRED

All policies and coverages shall contain a provision for 30 days written notice by the Insurer(s) to MTS Contracts Specialist of any cancellation or material reduction of coverage. A ten-day notice is required for non-payment of premium.

E. SPECIAL PROVISIONS

The foregoing requirements as to the types and limits of insurance coverage to be maintained by Permittee, and any approval of said insurance by MTS, SDTI, SD&AE, SD&IV, and SDTC, or their insurance Contractor(s) are not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by Permittee pursuant to this agreement, including but not limited to the provisions concerning indemnification.

MTS reserves the right to stop Permittee work in the event of material noncompliance with the insurance requirements outlined above.

11. **Default; Termination.**

(a) . If FWS uses the ROW for any purpose not expressly authorized by this CMA or fails to act strictly in accordance with the terms and conditions of this CMA, and if such default is not corrected within 30 days' notice from Railroad to FWS, Railroad may prevent FWS from entering the ROW until the default is corrected. If Railroad determines that any

default by FWS does or has the potential to cause a danger to the ROW, light rail vehicle operations, or railroad operations, and FWS fails or refuses to timely correct the default, Railroad may, upon thirty (30) days additional notice and in addition to any other remedy provided by law, terminate this CMA and prevent FWS from entering the ROW thereafter. Notwithstanding the above, if the uncured default is an immediate threat to public safety, in RR's sole discretion, the ROW may be closed to the public immediately and shall not be reopened until the safety hazard has been removed or repaired. RR's right to address public safety concerns under this provision shall not release FWS of its primary obligation to monitor and maintain the Project in a safe condition. RR shall have no independent obligation to identify or monitor safety hazards related to the Project.

(b) In the event Railroad fails to perform any of its obligations under this CMA, FWS shall give Railroad written notice of the nature of the default and the steps required to remedy the default. If the default is not cured within thirty (30) days of the delivery of FWS' notice, FWS may proceed to enforce its rights and protect its interests under this CMA. Railroad shall pay all costs and expenses incurred by FWS in obtaining performance of the obligations, and protecting FWS's interests hereunder, including costs of suit and reasonable attorney's fees. In no case will any enforcement action modify the ownership or operation of the ROW.

(c) This CMA may be terminated at any time by either party upon one hundred twenty (120) days notice in writing to be served upon the other party, stating therein the date that such termination shall take place, and that upon the termination of this CMA in this or any other manner herein provided, FWS, upon demand of Railroad, shall abandon the ROW and the use of the Project, remove any improvements constructed, installed or maintained on the ROW for the Project, and restore the ROW and any other improvements or facilities within said ROW, whether owned by Railroad or others, to their original condition in which they were prior to the installation of the Project.

(d) Termination of this CMA shall not release either party from any liability or obligation hereunder resulting from an event which occurred before termination.

12. **Notices.** All notices to be given under this CMA shall be in writing and either:

(a) Sent by a nationally recognized overnight courier, in which case notice shall be deemed delivered upon actual receipt or one (1) business day after deposit with this courier, whichever occurs first; or

(b) Sent by telecopy or similar means, if a copy of the notice is also sent by United States Mail, in which case notice shall be deemed delivered on transmittal by facsimile provided that a transmission report is generated reflecting the accurate transmission of the notice, as follows:

Metropolitan Transit System/San Diego and Arizona Eastern Railway
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101
Attn: Manager of Real Estate Assets

Tel: 619-595-4903

Fax: 619-744-5986

San Diego National Wildlife Refuge Complex
1080 Gunpowder Point Drive
Chula Vista , CA 91910
Attn: Project Leader – Andy Yuen
Tel: 619-476-9150 ext. 100

Copy to:

U.S. Fish and Wildlife Service
Regional Director – Pacific Southwest Region
2800 Cottage Way, W-2606
Sacramento, CA 95825
Attn: Ren Lohofener
Tel: 919-414-6469

These addresses may be changed by written notice to the other Parties provided that no notice of a change of address shall be effective until actual receipt by the Parties of the notice. Copies of notices, if any are so indicated, are for informational purposes only, and a failure to give or receive copies of any notice shall not be deemed a failure to give notice.

13. **Waiver.** Any party's failure to enforce or exercise its rights with respect to any provision hereof shall not be construed as a waiver of such rights or of such provision.

14. **Federal Anti-Deficiency Act.** Notwithstanding any provision to the contrary herein, nothing in this Right-of-Entry shall be construed as binding the United States of America to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of compliance with the conditions for this Right-of-Entry for the fiscal year, or bind the United States under any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations, and nothing in this Right-of-Entry may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies.

15. **Dispute Resolution.**

(a) The Parties agree that they shall first meet, through their senior staff representatives, to attempt to informally resolve any dispute that arises under this CMA.

(b) If the informal efforts are unsuccessful, then the Parties may agree to participate in mediation. If the Parties agree to participate in mediation, within five (5) business days of the request of any party, the parties shall mutually agree on the person or

alternative dispute resolution agency to conduct the mediation. If the Parties are unable to agree on the person or alternative dispute resolution agency to conduct the mediation, the initiating party may arrange for the office of the American Arbitration Association in downtown San Diego, California, to perform the mediation. The initiating party shall then schedule the mediation so that it is conducted within five (5) business days of the mediator's appointment.

(c) By mediating any dispute, neither Party waives any of its legal remedies.

IN WITNESS WHEREOF, the parties hereto have caused this CMA to be executed by and through their respective officers thereunto duly authorized on the date written below their signatures.

METROPOLITAN TRANSIT SYSTEM

UNITED STATES FISH AND WILDLIFE
SERVICE

By: _____
Paul C. Jablonski, Chief Executive Officer

By: _____
Name: _____
Its: _____

APPROVED AS TO FORM:

By: _____
Office of General Counsel

SAN DIEGO & ARIZONA EASTERN
RAILWAY

By: _____
Paul C. Jablonski, President

APPROVED AS TO FORM:

By: _____
Of Counsel

List of Exhibits

- A. Bayshore Birding & Walking Trail Plans (1 Page)
- B. Depiction of License on Right of Way

- COVER SHEET	SHEET 0
- NOTES	SHEET 1
- MATERIALS LEGEND	SHEET 2
- LAYOUT AND GRADING PLAN	SHEETS 3 to 6
- ENLARGEMENT PLANS	SHEETS 7 to 9
- CONSTRUCTION DETAILS	SHEETS 10 to 14

DECOMPOSED GRANITE (D.G.)	BASE BID: 245 CY
COLOR: PALM SPRINGS GOLD	ADD ALT 1: 6.5 CY
OR APPROVED EQUAL.	ADD ALT 2: 2 CY
WOOD DECKING	ADD ALT 1: 1325 SF
	ADD ALT 2: 550 SF
	ADD ALT 3: 825 SF
MANISTEE BACKED BENCH	ADD ALT 1: 1
OR APPROVED EQUAL.	ADD ALT 2: 4
	ADD ALT 3: 4
MANISTEE BACKLESS BENCH	ADD ALT 1: 4
OR APPROVED EQUAL.	
CONCRETE HEADER	BASE BID: 69 LF
	ADD ALT 1: 34 LF
	ADD ALT 2: 61 LF
	ADD ALT 3: 6 LF
FILL MATERIAL FOR GRADING	700 CYD
CUT MATERIAL FROM GRADING	350 CYD
STABILIZED ACCESS ROAD	22.25 CYD
MARINE GRADE POSTS	8
CABLE RAILING	270 LF

B.LDG	BUILDING	R
*C.I.P.	CAST IN PLACE	REV
CTWALK	CATWALK	SC
CTR	CENTER	*SCH
CTL	CENTLINE	*SCH
CU FT	CUBIC FEET	SLEP
CU IN	CUBIC INCH	SLP
CU YD	CUBIC YARD	SO
*CUM	CUMULATIVE	SO
CUMD	CUM YARD	ST
DIA	DIAMETER	STD
EACH	EACH	STG
ELECT	ELECTRICAL	STL
ENGR	ENGINEER	STA
EQL	EQUAL	STL
EXST	EXISTING	STR
FEET	FEET	STR
*GRD	GRADE	SYM
HDR	HEIGHT	SYM
HGT	HIGH	T.F.
INPT	INCH	*T.F.
IN	INCH	T.F.
*L.F.	LINEAL FEET	T.F.
M	METER	*USP
MIN	MINIMUM	
NIC	NOT IN CONTRACT	
NIS	NOT TO SCALE	UTL
*N(S)	NUMBER(S)	YD
PSF	POUNDS PER SQUARE	FOOT
PSI	POUNDS PER SQUARE	INCH
QTY	QUANTITY	

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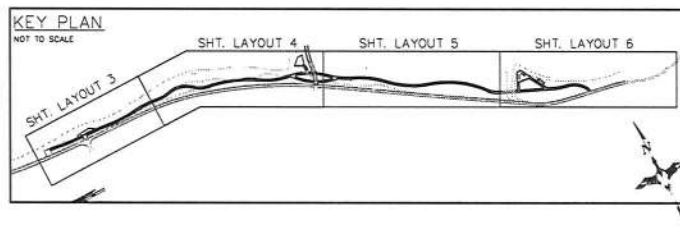
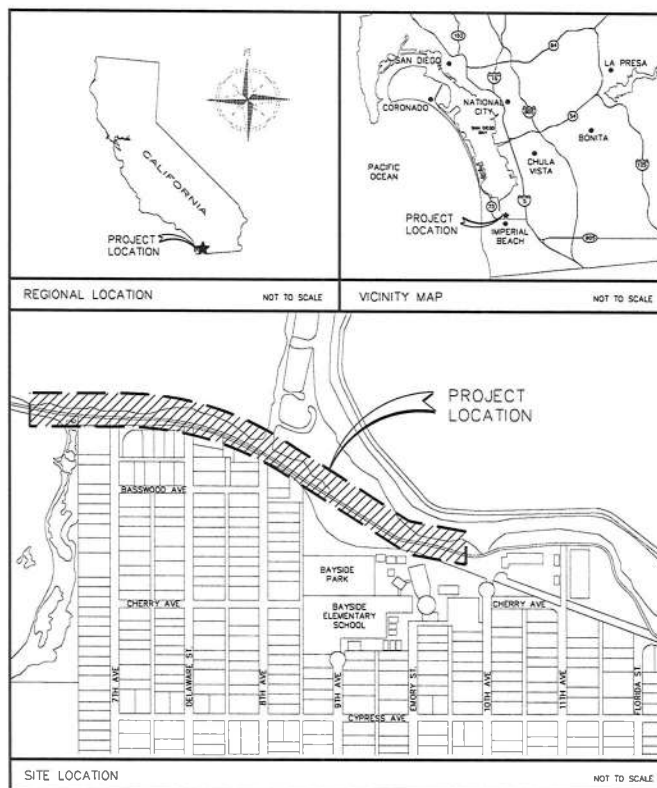
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UNITED STATES FISH
AND WILDLIFE SERVICE
UTILITY
YARD

1 Acre	=	43,560 sq. ft.
1 Board Ft.	=	144 cu. in.
1 cu. yd.	=	27 cu. ft.
1 Degrees	=	.017453 Radians
1 Foot	=	3048 Meters
1 Gal. (Liquid)	=	3.7854 Liters
1 Inch	=	25.4 Millimeters
1 mil	=	.001 Inches
1 Meter	=	3.28084 ft.
1 Relation	=	57.2958 Degrees
1 sq. ft.	=	144 sq. in.
1 sq. in.	=	645.16 sq. mm
1 sq. m	=	10.7639 sq. ft.
1 sq. mile	=	640 Acres
1 sq. yd.	=	9 sq. ft.
1 Ton (Short)	=	2,000 lbs.

THE HORIZONTAL DATUM FOR THIS SURVEY IS NAD 83, 1991.35 EPOCH.
THE BASIS OF BEARINGS IS THE GRID BEARING BETWEEN CONTROL POINT #185
AND CONTROL POINT #183 PER RECORD OF SURVEY MAP NO. 14492; I.E.
N 05°35'42" W.

BM-2 PER CORNERSTONE ENGINEERING LETTER TO TIJUANA SLOUGH,
DATED MARCH 14, 2010.
ELEVATION = 16.52'
DATUM: NAVD 88



SECTION 4216/4217 OF THE GOVERNMENT CODE REQUIRES A DIG ALERT IDENTIFICATION NUMBER BE ISSUED BEFORE A PERMIT TO EXCAVATE WILL BE VALID. FOR YOUR DIG ALERT I.D. NUMBER CALL UNDERGROUND SERVICE ALERT AT 811 TWO WORKING DAYS BEFORE YOU DIG.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL SUBSTRUCTURES, WHETHER SHOWN HEREON OR NOT, AND PROTECT THEM FROM DAMAGE. THE EXPENSE OF REPAIR OR REPLACEMENT OF SAID SUBSTRUCTURES SHALL BE BORNE BY THE CONTRACTOR.

THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE TO ENFORCE SAFETY MEASURES OR REGULATIONS.

LOCATION AND ELEVATION OF ALL EXISTING IMPROVEMENTS WITHIN THE AREA OF WORK SHALL BE CONFIRMED BY FIELD MEASUREMENT PRIOR TO CONSTRUCTION OF NEW WORK. CONTRACTOR WILL MAKE EXPLORATORY EXCAVATIONS AND LOCATE EXISTING UNDERGROUND FACILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLANS IF REVISIONS ARE NECESSARY BECAUSE OF ACTUAL LOCATION OF EXISTING FACILITIES.

THE FOLLOWING PUBLICATIONS ARE HERBY APPENDICES AS PART OF THE CONSTRUCTION DOCUMENTS:

A. STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION
"GREENBOOK" (2009 EDITION), INCLUDING THE REGIONAL SUPPLEMENT
AMENDMENT DOC. NO. PITS0504092 FILED MAY 4, 2009.

B. CALIFORNIA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (FHWA'S MUTCD, 2003 EDITION, AS AMENDED FOR USE IN CALIFORNIA), DOCUMENT NO. AEC1231064, FILED DECEMBER 31, 2009.

C. STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS DOCUMENT NO. AEC0925062, FILED SEPTEMBER 25, 2006.
D. USFWS REGION 1 AND REGION 8 GENERAL ENGINEERING REQUIREMENTS, REVISION OCTOBER 24, 2008.

ALL OPERATIONS CONDUCTED ON THE PREMISES, INCLUDING THE WARMING UP, REGRIND, ARRIVAL, DEPARTURE, OR RUNNING OF TRUCKS, EARTH MOVING EQUIPMENT, CONSTRUCTION EQUIPMENT, AND ANY OTHER EQUIPMENT SHALL BE LIMITED TO THE HOURS BETWEEN 6:00 AM AND 5:00 PM EACH DAY, MONDAY THROUGH FRIDAY, AND NO GRADING OR EARTH MOVING OPERATIONS SHALL BE CONDUCTED ON THE PREMISES ON SATURDAYS, SUNDAYS OR CITY OF IMPERIAL BEACH HOLIDAYS WITHOUT APPROVAL BY THE PROJECT MANAGER.

ALL WORK SHALL BE ACCOMPLISHED IN CONFORMANCE WITH APPLICABLE CITY OF SAN DIEGO AND CITY OF IMPERIAL BEACH ORDINANCES AND STANDARDS.

CONTRACTOR IS RESPONSIBLE FOR POT HOLING PRIOR TO START OF CONSTRUCTION TO VERIFY ALL ELEVATIONS AND LOCATIONS OF UNDERGROUND UTILITIES.

NO GRADING OPERATIONS SHALL COMMENCE UNTIL A PRE-GRADING MEETING HAS BEEN HELD ON-SITE WITH THE FOLLOWING PEOPLE PRESENT: GRADING CONTRACTOR, AND REFUGEE REPRESENTATIVE. THE PRE-GRADING MEETING SHALL BE SCHEDULED WITH THE USFWS AT LEAST 48 HOURS IN ADVANCE BY CALLING 619-575-2704 x334.

UPON AWARD OF CONTRACT, THE CONTRACTOR SHALL NOTIFY SPECIFIED MATERIALS PROVIDERS OF PROJECT AND REQUIRED QUANTITIES.

A diagram of a detail circle. The circle is divided into three sections: a top section labeled '1' and two bottom sections labeled '2'. Callout lines point from the text 'DETAIL NUMBER' to the top section, and from 'SHEET WHERE DETAIL IS SHOWN' to each of the bottom sections.

△					
△					
REV.	DATE	DESCRIPTION			
<p>UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE REGION 8, OFFICE OF ENGINEERING SAN DIEGO, CALIFORNIA</p>					
SUBMITTED BY PROJECT MANAGER		<p>S.D. BAY NATIONAL WILDLIFE REFUGE BAYSIDE BIRDING AND WALKING TRAIL COVER SHEET</p>			
REVIEWED FOR SAFETY COMPLIANCE					
REVIEWED FOR ENVIRONMENTAL COMPLIANCE					
REVIEWED FOR ADA COMPLIANCE					
CONTAINS 12 CFR 435 COMPLIANCE (CHECKED)					
SUBMITTED BY REGIONAL ENGINEER		<p>SAN DIEGO COUNTY CALIFORNIA</p>			
PROPOSED/REVIEW		SUBMITTED MA	DESIGNED GA	DRAWN MF	CHECKED DR
DATE		DRAINING NO.			
MAY 15, 2012		1X-CR-XXXX-X			

San Diego Bay NWR

-  Refuge (FWS R8 Realty)



Basswood Ave

Cherry Ave

Bayside Elementary School

C-13

Item No. 31

US Fish & Wildlife Service Bayside Birding and Walking Trail

March 20, 2014



1



2





MTS License Agreement Issues

- Federal Government Will Not Indemnify or Insure against loss/liability
 - Property currently not open to the public
 - Periodic sweeps by MTS Security for trespassers/homeless encampments
 - By opening a trail to the public, this creates a new pool of risk for MTS



MTS License Agreement Issues

- Claims against FWS can be brought under Federal Tort Claims Act
- No protection/defense of MTS if MTS is also sued
 - MTS would have to pay its own defense costs
- All similar projects (sponsored by other agencies or nonprofits) have included indemnification and insurance to protect MTS



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Options

- A: Approve Agreement and Assume Transfer of Risk from FWS to MTS
- B: Reject Agreement and Not Allow Project
- C: Approve Agreement BUT charge annual fee equivalent to cost for low-deductible insurance policy (informal quote: upto \$5000/yr with \$1000 deductible)



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2015 Fixed-Route Bus Services Procurement

MTS Board of Directors
Agenda Item No. 45
March 20, 2014



Fixed-Route Bus Service Overview

- About half of MTS fixed-route bus service is operated via contract agreement - Veolia
 - Includes urban fixed-route, commuter, and rural bus
 - Operates out of the South Bay, East County, and Chula Vista facilities
 - 9 million annual revenue miles
 - 260 total buses
 - 750 employees – All mechanics and operators are currently represented by ATU or Teamsters via CBA
 - Contractor paid by Revenue Mile



Fixed-Route RFP

- Existing contract will end June 30, 2015
- Request For Proposals (RFP) is being finalized
 - Complex process that will take several months of staff time and multiple reviews to complete
 - Anticipate receiving multiple proposals
 - Negotiated procurement process
 - Technical proposal evaluation criteria:

25% qualifications of firm	25% cost/price
25% work plan	25% staffing and mgt plan
- Scheduled to go into effect July 1, 2015



Fixed-Route RFP Highlights

- Six-year base contract (July 2015 - July 2021) with two three-year options (through July 2027)
- Estimated 9.5 million annual revenue miles at the beginning of the agreement
- New South Bay Bus Rapid Transit (BRT) service starting approximately FY18
- Estimated 10.9 million annual revenue miles post-BRT startup
- Language that provides flexibility for service growth or reduction in future years



Fixed-Route RFP Highlights

- Specific bonuses and penalties based on very high service quality standards set by MTS including Safety, Customer Service, and On-Time-Performance
- Additional unit pricing included for large events and potential future minibus operations



5

Fixed-Route RFP Highlights

What does MTS provide?

- South Bay and East County operations and maintenance facilities and fueling stations
- All buses
- Bus fuel and facility utilities expenses
- Schedules, service design, and service quality standards



6

Fixed-Route RFP Highlights

What does the contractor provide?

- Comprehensive facilities and bus maintenance
- All personnel (drivers, operations, maintenance)
- Operation of the service per contract requirements
 - Includes run cuts and driver bidding process
- Bus stop maintenance, facility landscaping, and transit center power washing work
 - Currently part of the existing contract with Veolia



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Fixed-Route RFP ICE

Independent Cost Estimate (ICE)

Total Base Period (6 yrs)	\$382.74 Million	through 7/2021
Option Period 1 (3 yrs)	\$233.65 Million	through 7/2024
Option Period 2 (3 yrs)	\$255.95 Million	through 7/2027

Grand Total ICE \$872.34 Million



8

Fixed-Route RFP Timeline

- | | |
|---|----------------|
| • Final draft to <i>Caltrans</i> for review | Late Mar 2014 |
| • Advertise RFP | Early May 2014 |
| • Publish/Issue RFP | Mid May 2014 |
| • Proposals Due | July 2014 |
| • Final Negotiations (week of) | Sept 2014 |
| • <i>Caltrans</i> Final Review | Early Oct 2014 |
| • Board Approval | Fall 2014 |
| • Anticipated Contract Award | Late Oct 2014 |
| • Notice To Proceed | November 2014 |
| • Service Start Date | July 1, 2015 |



9

2015 Fixed Route Bus Services Procurement

Questions?



10

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

PLEASE SUBMIT THIS COMPLETED FORM (AND YOUR WRITTEN STATEMENT) TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM

1. INSTRUCTIONS

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(PLEASE PRINT)

DATE	3/26/14		
Name	Andrew Yuen		
Address	1080 Gompouder Pt Drive Chula Vista		
Telephone	619-476-9156		
Organization Represented	US Fish & Wildlife Service		
Subject of Your Remarks	Go Trail		
Regarding Agenda Item No.	31		
Your Comments Present a Position of:	<input checked="" type="checkbox"/>	SUPPORT	<input type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

At Public Hearings of the Board, persons wishing to speak shall be permitted to address the Board on any issue relevant to the subject of the Hearing.

3. DISCUSSION OF AGENDA ITEMS

The Chairman may permit any member of the public to address the Board on any issue relevant to a particular agenda item.

4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Public comment on matters not on the agenda will be limited to five speakers with three minutes each, under the Public Comment Agenda Item. Additional speakers will be heard at the end of the Board's Agenda.

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
San Diego National Wildlife Refuge Complex
Post Office Box 2358
Chula Vista, California 91912



March 20, 2014

Mr. Henry Mathis
Chairperson, Metropolitan Transit System Board
James R. Mills Building
1255 Imperial Avenue, San Diego

Re: San Diego Bay National Wildlife Refuge, Bayside Birding and Walking Trail
Construction and Maintenance Agreement

Dear Mr. Mathis:

The U. S. Fish and Wildlife Service manages the San Diego Bay National Wildlife Refuge (Refuge). This Refuge protects a rich diversity of endangered, threatened, migratory, and native species and their habitats in the midst of a highly urbanized coastal environment. The San Diego Bay National Wildlife Refuge also provides the public with the opportunity to observe birds and wildlife in their native habitats and to enjoy and connect with the natural environment. We have expanded the opportunities for the public to enjoy this Refuge by providing a pedestrian trail, benches, and interpretive signs and the County of San Diego designed and constructed the Sellers-Keever Outdoor Education Activity Center at 13th Street in the City of Imperial Beach. The Refuge serves as a haven for wildlife and the public to be appreciated by this and future generations.

We have been working with the California Coastal Conservancy, City of Imperial Beach, and others in the design and development of the Bayside Birding and Walking Trail, a public foot trail designed to improve pedestrian access opportunities for the safe enjoyment of wildlife viewing and outdoor educational and interpretational activities at the southern end of San Diego Bay. The proposed trail is offset to the north of the Bayshore Bikeway and extends from 7th Street to 10th Street. The proposed project includes an observation deck, and would complement the City of Imperial Beach's recently completed Bayshore Bikeway improvement project. This project enjoys a great deal of support from members of the public and elected officials.

The planned footprint of our trail intersects with a short section of a Right of Way (ROW) owned by the Metropolitan Transit System. This ROW falls within the footprint of the historic railroad line that ran along the Silver Strand to Coronado (the former "Coronado Belt Line"). This rail line is now abandoned and replaced in places by the Bay Shore Bikeway and Highway 75. None of these historical features associated with former Coronado Belt Line will be impacted by the construction of our walking trail.

We require a "Construction and Maintenance Agreement" with MTS to allow us to build and maintain our trail along the section where our planned trail overlays the MTS ROW (see figure 1). MTS staff have expressed concerns regarding the need for MTS to obtain legal protection from third party tort claims that could be made in relation to the use of our planned public trail that crosses an historical MTS ROW.

MTS staff members have been informed by FWS staff, and further MTS Counsel in discussion with an Assistant Field Solicitor on behalf of FWS staff that the United States is constrained by statute from indemnifying MTS (or anyone else), and is not able to agree to the indemnification provisions that might be commonly used in other agreements between MTS and non-federal entities. We have provided your staff and Counsel with an explanation of the statutory restrictions on, and provided alternate language which can be used in any agreement with the United States:

A federal agency cannot, unless specifically authorized by Congress, execute an indemnification or hold harmless agreement. The U.S. Fish and Wildlife Service does not have Congressional authorization to enter into indemnification or hold harmless agreements.

Absent Congressional authorization, indemnification and hold harmless agreements would involve the United States in a contract or obligation for the payment of money before the money is appropriated by Congress. Under the Anti-Deficiency Act, 31 U.S.C. 1341(a), agencies of the United States may not agree to obligate federal funds in advance of a Congressional appropriation. Numerous federal courts have construed indemnification and hold harmless agreements as a violation of the Anti-Deficiency Act because such agreements obligate funds prior to appropriation by Congress. *California Pacific Utilities Co. V. United States*, 194 Ct. Cl. 703 (1971); *Anna Marie Frank v. United States*, No. 85-2205, Ninth Circuit Court of Appeals (1986); *John Manville Corp., et al v. United States*, 12 Cl.Ct. 1 (1987).

To address this legal prohibition, the U.S. Department of the Interior Solicitor's Office has developed a substitute provision. This provision provides essentially the same protection a landowner would seek under a "hold harmless" agreement. It states that the Federal Tort Claims Act (28 U.S.C. § 2671) provides for recourse against the United States for negligent acts or omissions caused by federal employees. Additionally, the United States may promise to perform the work with all reasonable diligence and precaution. Failure to do so could be considered a breach of contract which could be disposed of under the Tucker Act. (28 U.S.C. § 1491).

The question of insurance often arises along with questions regarding indemnification. Absent specific statutory authority, an agency of the United States cannot purchase insurance (see 19 Comp. Gen. 798 and its progeny). The U.S. Fish and Wildlife Service does not have statutory authority to purchase insurance and are thus unable to provide certificates of insurance. In place of insurance, these agencies, as part of the federal government, are "self insured." If there is a claim against FWS for damage or injury, the claim would be considered under the Federal Tort Claims Act.

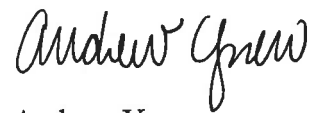
The substitute provision is as follows:

The U.S. Fish and Wildlife Service agrees to cooperate, to the extent allowed by law, in the submission of claims pursuant to the Federal Tort Claims Act against the United States for personal injuries or property damage resulting from the negligent or wrongful act or omission of any employee of the United States while acting within the scope of his/her employment, arising out of this agreement. Further, the U.S. Fish and Wildlife Service agrees to perform all work under this agreement with reasonable diligence and precaution.

We are working under a grant deadline to complete the construction of the Bayshore Birding and Walking Trail, and must expend all funding (approximately a half million dollars) that we have obtained to complete this project. Those funds expire in September of this year, so it is important that this issue be resolved promptly so this important public recreational trail may be completed.

We request that the MTS Board of Directors approve the substitute language we provided to MTS staff and Counsel. We request that the Board of Directors direct MTS staff to move towards the timely completion of a final licensing agreement with the U.S. Fish and Wildlife Service so we may be able to successfully provide this important recreational and educational resource to the residents and visitors of South San Diego Bay.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Yuen", written in a cursive style.

Andrew Yuen
Project Leader

cc: SOL, Oakland, CA


Bayside Birding and Walking Trail MTS ROW

San Diego Bay NWR

 Bayside Birding and Walking Trail

 Observation Platform

 Right of Way (SANGIS)

 Refuge (FWS R8 Realty)





1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

Agenda Item No. 45

MEETING OF THE METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

March 20, 2014

SUBJECT:

UPDATE ON CONTRACT SERVICES FIXED-ROUTE PROCUREMENT (BILL SPRAUL
AND JEFF CODLING)

INFORMATIONAL

Budget Impact

None.

DISCUSSION:

In July 2006 the Board of Directors approved the award of a contract to Veolia Transportation, Inc. for the provision of fixed-route bus services for East County, Chula Vista, South Bay, the rural unincorporated County and regional express services. The contract term was a 5 ½-year base with 3 one-year options. Under the contract MTS provides three operating divisions and the buses, with the exception of the 26 commuter express buses which were provided by Veolia under the terms of the contract. The terms of the contract were implemented in phases in the first 6 months of 2007. Staff has begun the procurement process for competitively bidding fixed-route bus services to coincide with the expiration of the current contract at the end of 2014. Staff will provide an update on the procurement process and timeline.



Paul C. Jablonski
Chief Executive Officer

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





1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

Agenda Item No. 62

Chief Executive Officer's Report

March 20, 2014

In accordance with Board Policy No. 52, Procurement of Goods and Services, attached are listings of contracts, purchase orders, and work orders that have been approved within the CEO's authority (up to and including \$100,000) for the period February 13, 2014, through March 14, 2014.



CONTRACTS - EXPENSES

Doc #	Organization	Subject	Amount	Day
G1690.0-14	FINEST CITY OIL, INC.	COMPASS CARD OUTLET	\$2,500.00	2/13/2014
G1691.0-14	SUPER MERCADO MURPHY'S	COMPASS CARD OUTLET	\$2,500.00	2/13/2014
G1692.0-14	SLEEWA, INC.	COMPASS CARD OUTLET	\$2,500.00	2/13/2014
B0594.2-13	CALIFORNIA TRILLIUM COMPANY	EAST COUNTY FUELING STATION	\$32,047.05	2/19/2014
L0955.3-10	UTC FIRE & SECURITY COMPANY	ADD FUNDS FOR BASE CONTRACT	\$83,505.41	2/20/2014
L1120.1-13	SIMMONS MACHINE TOOL CORP	TAX ADJUSTMENT	\$3,586.25	2/25/2014
B0570.4-12	NEW FLYER INDUSTRIES, INC.	REVISE SPECIAL TOOLS REQUIREMENT	\$64,604.99	3/4/2014
L0856.2-09	CANON BUSINESS SOLUTIONS	EXTEND LEASE BY 3 MONTHS	\$13,186.00	3/5/2014
B0607.0-14	SAN DIEGO GAS & ELECTRIC	UNDERGROUND ELECTRIC TO CNG EL CAJON	\$21,926.00	3/11/2014
G1693.0-14	PM REALTY GROUP	HAZARD CENTER PARKING STRUCTURE USE	\$10,600.00	3/10/2014

CONTRACTS - REVENUE

Doc #	Organization	Subject	Amount	Day
L1189.0-14	UNDERGROUND SOLUTIONS, INC.	DURABLE ROE - POT HOLE SERVICE	(\$3,000.00)	2/14/2014
L4625.0-14	ENTREPRENEURS ORGANIZATION	ROE - GASLAMP SQUARE	(\$1,500.00)	2/21/2014
L5764.0-14	HERZOG	ROE PERMIT - NCTD PTC UPGRADE	(\$2,000.00)	2/21/2014
S200-14-584	BETA ENGINEERING CA	ROE - EAST COUNTY SUBSTATION	(\$5,000.00)	2/21/2014
S200-14-589	SDGE	DURABLE ROE - DESERT LINE	(\$7,500.00)	3/3/2014

PURCHASE ORDERS

DATE	Organization	Subject	AMOUNT
3/4/2014	PRO COMPLIANCE INC	BUSINESS CREDIT CHECK SERVICES	\$2,000.00
3/4/2014	S&A SYSTEMS	FUEL MONITOR AND INSTALLATION	\$13,027.06
3/5/2014	BODY BEAUTIFUL CAR WASH	CAR WASH	\$1,065.50
3/5/2014	BLACK SWAN SEARCH	RECRUITMENT FEE DATABASE ADMIN	\$25,750.00
3/6/2014	DELL COMPUTER CORP	DELL LATITUDE	\$1,302.48
3/6/2014	CDWG	SERVER RACK	\$17,149.42
3/6/2014	DELL	OPTIPLEX 9020 AND MONITOR	\$60,883.88
3/6/2014	JOBSPECS, INC.	TEMPORARY STAFFING, RISK AND CLAIMS	\$755.55
3/7/2014	CDWG	MONITORS, GRAPHIC CARDS, HEADSETS	\$6,560.00
3/7/2014	MADDEN CONSTRUCTION	CEMENT DEBO TRANSIT STORE	\$966.26
3/7/2014	ROBERT HULSEY	INVENTORY LABELS	\$340.32

PURCHASE ORDERS

DATE	Organization	Subject	AMOUNT
3/7/2014	SO CAL GRAPHICS	CLEAR POLYESTER LABELS	\$1,458.00
3/7/2014	CELICO PARTNERSHIP	SAMSUNG GALAXY 3 TABLETS	\$33,600.00
3/7/2014	UTILITY TREE SERVICE	TREE REMOVAL, 1ST & BROADWAY	\$5,265.12
3/12/2014	ORACLE CORPORATION	ANNUAL SUPPORT RENEWAL	\$4,801.80
3/12/2014	PRESSNET EXPRESS	SPECIAL EVENT TICKETS	\$2,991.60
3/12/2014	HEADSETS DIREST	H1414N DUO SETS AND CABLES	\$2,798.13
3/12/2014	ADVANCED AIR & VACUUM	COMPRESSORS FOR IAD	\$25,409.35
3/12/2014	VERDUNGO TESTING	RELOCATION OF ABOVE GROUND GAS TANK	\$27,712.26

WORK ORDERS

Doc #	Organization	Subject	Amount	Day
PWL135.0-12.07.2	ABC CONSTRUCTION, INC.	12TH IMPERIAL BUS DRIVEWAY	\$36,694.45	3/3/2014
PWL134.0-12.25	HERZOG CONSTRUCTION, INC.	YARD A SINK HOLE TRACK REPAIR	\$11,164.97	3/5/2014



AGENDA ITEM NO.

64

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

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(PLEASE PRINT)

DATE	3/19/24	
Name	Valerie Hightower	
Address	4758 Imperial Ave #4	
Telephone	609-264-0697	
Organization Represented		
Subject of Your Remarks	a bench for 54th & The Sloper - SEE - something tell something & enforcement of no smoking	
Regarding Agenda Item No.		
Your Comments Present a Position of:	<input type="checkbox"/>	<input checked="" type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSITION

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