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04-11-14 P01:35 IN

Agenda

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 17, 2014

9:00 a.m.

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

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ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - March 20, 2014
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.

Approve

Please SILENCE electronics
during the meeting

1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 • (619) 231-1466 • www.sdmts.com



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.

CONSENT ITEMS

- | | | |
|-----|---|---------------|
| 6. | <u>Investment Report - February 2014</u> | Informational |
| 7. | <u>California Department of Transportation (CALTRANS) Program of Projects for Federal Transit Administration (FTA) Section 5311(f) Funding, Fiscal Year 2014</u>
Action would approve Resolution No. 14-6 authorizing the use of and application for \$200,000 of FTA Section 5311(f) for operating assistance in non-urbanized areas. | Approve |
| 8. | <u>Light Rail Vehicle Paint and Body Rehabilitation-Sole Source Contract Award</u>
Action would authorize CEO to execute MTS Doc. No. L1176.0-14 with Carlos Guzman Inc. on a sole-source basis for the provision of Light Rail Vehicle (LRV) Paint and Body Rehabilitation Services for five (5) SD-100s. | Approve |
| 9. | <u>MTS Enterprise Infrastructure for RTMS Back Office Upgrade and Contract Bus Fleet Expansion Project - Contract Award</u>
Action would authorize the CEO to execute MTS Doc. No. G1707.0-14 with Nth Generation for the provision of HP computer hardware, maintenance and technical services in support of the Regional Transportation Management System (RTMS) Back Office Upgrade and Contracted Bus Fleet Expansion project. | Approve |
| 10. | <u>June 2014 Service Changes</u> | Informational |
| 11. | <u>Proposed Fiscal Year 2015 Internal Audit Plan</u>
Action would approve the proposed fiscal year 2015 Internal Audit Plan. | Approve |

CLOSED SESSION

- | | | |
|-----|--|-----------------|
| 24. | a. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.9 (D)(1): <u>Virginia De Los Santos v. San Diego Metropolitan Transit System, et al</u> SDSC Case No. 37-2013-00032020-CU-PA-CTL | Possible Action |
| | b. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.9 (D)(1): <u>Michele Zubak v. San Diego Metropolitan Transit System, et al</u> (SDSC Case No. 37-2013-00077126-CU-PA-CTL | Possible Action |
| | <u>Oral Report of Final Actions Taken in Closed Session</u> | |

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. None.

REPORT ITEMS

- | | | |
|-----|---|---------------|
| 45. | <u>Year-End Security Report (January through December 2013) (Bill Burke)</u> | Informational |
| 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> May 15, 2014 (Finance Workshop) | |
| 66. | <u>Adjournment</u> | |

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

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

March 20, 2014

1. Roll Call

Chairman Mathis called the Board meeting to order at 9:09 a.m. A roll call sheet listing Board member attendance is attached.

2. a. Fiscal Year 2015 Capital Improvement Program

Mr. Roberts opened the Finance Workshop and introduced Mike Thompson, Budget Manager. Mr. Thompson discussed the development of the fiscal year 2015 (FY15) Capital Improvement Program (CIP). He reviewed the CIP project highlights with regard to bus, rail and future projects. He presented capital funding levels and capital project highlights proposed for FY15. He discussed the capital budget funding trend, provided a five year overview of the CIP for fiscal years 2015-2019 and FY15 CIP recommendations.

Ms. Cole asked for further information on the Bus Shelter contract. Mr. Thompson stated it was a 3 year project to update all shelters systemwide. Mr. Jablonski stated the implementation plan for 500 shelters will replace 100 per year and will continue to collect ad revenue thus making the program self-funding. Ms. Cole mentioned that there were a number of bus benches recently installed in her District and she wanted to thank staff. She also wanted to address unmet need for shelters. Mr. Jablonski said the primary objective is to replace existing shelters, but also there is some expansion capability, and we would do that based on demand as long as MTS can obtain the permits.

Action Taken

Mr. Ovrom moved to: (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. Mr. McClellan seconded the motion, and the vote was 13 to 0 in favor with Ms. Lightner and Mr. Alvarez absent.

b. Fiscal Year 2014 Midyear Adjustment

Mr. Thompson provided a fiscal year 2014 (FY14) midyear revenue assumptions summary and revenue summary. He reviewed the FY14 midyear expenses assumption summary and expense summary. He discussed the FY14 midyear revenue less expense, FY14 midyear contingency reserves, FY14 non-recurring revenues and FY14 midyear service levels.

Action Taken

Mr. Minto moved to 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. Mr. McClellan seconded the motion, and the vote was 14 to 0 in favor with Mr. Alvarez absent.

Mr. Jablonski commented that MTS is rated by Standard & Poors (S&P) for debt obligation and MTS's rating has been increased from A to AA-. Mr. Jablonski summarized the very favorable report MTS received from S&P.

3. Public Comments

None.

5 b. Approval of Minutes

Ms. Emerald moved to approve the Minutes of the February 20, 2014, MTS Board of Directors meeting with a correction to the roll call sheet revising Ms. Salas' attendance. Mr. Roberts seconded the motion, and the vote was 14 to 0 in favor with Mr. Alvarez absent.

CONSENT ITEMS

6. Investment Report - January 2014
Informational item only. No action taken.

7. Cubic Software Maintenance
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
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
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.

10. California Governor's Office of Emergency Services (CalOES) California Transit Security Grant Program (CTSGP) Funding, Fiscal Year 2013-2014
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
Action would approve the proposed revisions to MTS Policy No. 41 - Signature Authority.
12. Property Insurance Renewal
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
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
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)
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)
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.

Action on Recommended Consent Items

Ms. Cole moved to approve Consent Agenda Item Nos. 6-16. Mr. Cunningham seconded the motion, and the vote was 10 to 0 in favor with Board members Emerald, Gastil, Lightner, Roberts, and Salas absent.

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. Taxicab Contract Renewal (TAKEN OUT OF ORDER)

Sharon Cooney, Chief of Staff, discussed the formation of an Ad Hoc Taxicab Contract Negotiating Committee and the potential long term contract renewal between MTS and the City of San Diego and the particulars of the contract including relevant policies and the City processes. She stated that the decision today was to approve guidelines for negotiations of the contract renewal with the City of San Diego. She explained the guidelines that were being recommended by the Negotiating Committee and the Executive Committee. She discussed possible changes to Ordinance 11 that the Committee was willing to entertain either as changes to the contract or, in the interest of time, after the contract is renewed.

Ms. Emerald stated she would like to create a mechanism for the City to approve permit transfers so the City knows who is operating the taxis with regard to permits.

Ms. Cole asked about the creation of a new forum with regard to disputes and if this would be the City's responsibility and who at the City would set up its parameters. Ms. Cooney advised it would be up to the City to decide. She stated that a few cities we surveyed do have this type of mechanism. Currently a dispute goes through the judicial system, and the proposal is that the City of San Diego would be responsible for creation of any other type of forum.

Ms. Bragg stated in Imperial Beach there are only two taxicabs and the City of Imperial Beach could handle their administration on its own, and she would advocate that MTS get out of the taxicab business. She believes it is an issue that lies with the City of San Diego.

Mr. Cunningham sought clarification that the Board members are not voting on the contract, but rather voting on the tools the negotiation team be armed with to negotiate with the City of San Diego. Ms. Cooney advised this was correct.

Mr. Gloria asked whether the MTS Board had ever voted to decide to not engage in dispute resolutions and other items listed in principle number six. Ms. Cooney stated that the Board last weighed in on this issue over a year ago, but today's vote is whether or not to maintain this as a principle of negotiation.

Mr. Gastil commented that he is from the small city of Lemon Grove and it has no interest in taking on taxicab regulation by itself, but would like to take the issue on with other cities and MTS is a good vehicle for Lemon Grove. He asked for insight with regard to the advantages and disadvantages to deal with dispute resolutions through the City of San Diego as opposed to MTS. Ms. Cooney stated the reason cities do it is that they usually issue business licenses. In addition, she explained MTS has concerns this dispute resolution could lead MTS to allegations of interference with contracts, and that the primary mission of MTS, transit, would take a back seat to resolving disputes. Mr. Jablonski stated the other concern is it would require considerable more staff on MTS's end resulting in increased costs transferred to permit holders in annual fees and then transferred to lease holders and it is in conflict with the ongoing complaint that lease rates are too high. MTS wants to keep the permits as economical as possible as well as the leases. But if the City wishes to set up an adjudication process they are free to do that. Ms. Cooney stated that MTS is required to maintain full cost recovery but the City is not.

Mr. Roberts stated taxicabs were not always with MTS and due to time taken discussing taxi the City asked MTS to take over the administration several years ago, but not with the intention that MTS would take over negotiations and dispute resolution part of it. The principles are a start of

negotiations. Perhaps a severance clause is required to allow the City to take it back if it wants during the contract term. However MTS is more than willing to continue its current role.

Public Comments

Mikail Hussein – Mr. Hussein is founder of United Taxi Workers of San Diego. He stated he is against MTS continuing taxicab administration. The industry is 3 layers; leased drivers, permit holders and the consumer. There are many complaints against MTS. It makes no sense why MTS would want to renew the contract when they have been hands-off for many years.

Chris Morse – Legal Intern with United Taxi Workers of San Diego. He does not support contract renewal as it is not in the best interest of the taxi industry. He has worked with drivers from across the globe. When these drivers have issues they do not feel they are able to go to MTS. He has had to wait months to hear back from MTS and has public records requests neglected. He says there is an apparent need for regulatory reform and the City is not holding MTS accountable.

Abebe Antallo – He has driven a cab for 8 years and his car was stolen by a medallion holder. He was thrown out of the business because he was one of the organizers working with United Taxi Workers and this was out of retaliation. We fought to bring balance on Taxi Advisory Board and five drivers were on the board and three were taken off of the board. MTS has no moral or ethical standard to run taxi which belongs to the City taxpayers and he opposes the proposal for contract renewal.

Christina Griffin – Ms. Griffin stated she was with the National Association for Advancement of Colored People (NAACP), San Diego branch. She gave an example of garbage collectors who were killed due to unsafe conditions. She stated that taxi workers deserve decent wages, better working conditions and respect. Ms. Griffin stated these taxi drivers represent the community in many ways. She stated that she is in hopes the Board does not vote to approve contract renewal.

Mr. Marco Briones – Mr. Briones stated that he was speaking on behalf of Assemblywoman Lorena Gonzalez. He discussed workers' rights and stated the taxi workers should be supported and that they oppose a long term contract.

Pastor Wayne Riggs – Mr. Riggs stated that he had been working in the religious branch of law enforcement. He said to treat people the way one would like to be treated. The industry needs a great deal of help and there should be a moral dimension placed on the work MTS does with regard to taxi administration. It must be recognized that these drivers are a big part of the economy and they are working long hours for small wages. He stands with the drivers in urging for a short term contract so a long term contract can reflect the needs and just rights of the workers.

Sarah Saez – Ms. Saez stated she is Program Director with United Taxi Workers. She stated a member of MTS's Executive Committee meeting stated that it does not matter that taxi drivers are working 16 hours and her attendance at meetings was a waste of time. She stated that everyone deserves dignity and to be safe from harm. She supports a short term contract. She stated that there are only 53 permits in the smaller cities combined. There has been undue influence at MTS. Those who want to stay with MTS are saying so because they are receiving monetary benefit due to unfair practices.

Michael Roderick – Mr. Roderick was a student at San Diego City College. He stated the City should administer taxicabs and reform it and it would be for the City Council to make decisions

with regard to common sense reform. All of the schools in the region have unanimously supported the safe cab campaign and asks that taxi be put back with the City of San Diego.

Alan Calderon – Mr. Calderon said he was an employee rights director and stated MTS can decide whether or not it wants to pursue a long term contract. Thousands of people who pay hundreds of dollars a week do not have a mandated right to even receive receipts for their payments. He is against a contract renewal.

Mr. Ray Seyed Salehi – Mr. Selehi stated that he has been in the taxi business since 1977, even when the City of San Diego controlled taxi. He stated when taxi moved to MTS and created Ordinance 11 the industry radically changed. The workers who support the transition to the City have many children and not enough income to cover this number of dependents.

Michel Anderson – Mr. Anderson stated he provided a letter from SDTA President Tony Hueso encouraging the Board to move forward with contract renewal. He stated he is a lifetime member of NAACP. He stated there is a lot of money in the industry and he is here to support the community. Drivers are independent contractors and they set their own hours and lease the car 24 hours a day. He wants a regional transportation network. The former mayor began exploring the idea of taking back taxi and considered it infeasible. Taxi apps are hurting all of the drivers and the industry needs a home for 5 years to implement effective programs to counteract their negative force.

Margo Tanguay – Ms. Tanguay stated that she lives on 16th St. and provided her history with the taxi industry. She talked about the industry bringing in refugees from all over the world. All of these groups had labor problems, which is nothing new. The economy is in trouble as a whole and for stability a five year contract is needed.

Mr. Mathis opened Board discussion.

Ms. Emerald stated that she has great affection for this industry having worked in it herself. She has very serious concerns about the industry based on the division and growing competition outside the industry she sees. She believes all need to be united for the health of the industry.

Mr. Mathis interrupted to take a public speaker who was overlooked.

Tony Hueso – Mr. Hueso stated that he has been in the business for 32 years and politics impedes the taxi industry. It is not about a wage or hour issue, it is about an opportunity to drive a cab in the City of San Diego if there is an available cab. Government cannot guarantee anything other than the creation of a forum to get it right.

Ms. Emerald offered a motion to accept the recommendation of the Executive Committee with amendments: 1) to change principle 5 to say "It is in the best interest of the taxi industry, MTS and the city to approve a two year renewal with the option of 3 one-year extensions; 2) to change principle 7 to state MTS will make (rather than entertain) changes to Ordinance 11, and that the Ordinance 11 changes will be included in the amended contract; 3) to add principle number 8, "MTS will restrict the ability to transfer permits without the permission of the City of San Diego." She stated that these changes were shown to Mayor Faulconer and he is willing to entertain all of these principles as amended. Ms. Cole seconded the motion.

Mr. Roberts stated that a severance clause could allow the City to make a change within the 5 year term with a notice of 6 months and that the principles are meant to be negotiating points. He would not support a two year renewal with three one year options.

Mr. Cunningham stated that we should arm our negotiators with the ability to negotiate up to a 5 year term. If the City feels differently they can negotiate for something else. The language proposed by the motion ties the negotiators hands. We don't want a deal breaker if the City disagrees with MTS's proposed changes to Ordinance 11. Also, the City has used the Mediation Center effectively and this could be a mechanism for dispute resolution. He wanted to explain the thinking of the Negotiating Committee in putting together the recommended principles.

Mr. Gastil stated that he did not think a convincing argument was made why a 2 year term would be better than a 5 year term. The recommended principles would leave open the possibility that the City could do more if it chose. The guiding principles would allow a discussion to be had at the City.

Mr. Minto stated that the discussion was helpful and that he believes that the principles should be broad enough to allow the negotiation to proceed.

Ms. Salas asked if MTS should set a two year term if it was interested in turning taxicab administration back to the City.

Mr. Roberts clarified that the Committee did not want to stop administering taxicabs.

Mr. Ovrom agreed that the negotiating principles should be kept broad enough to allow the negotiations to proceed.

Ms. Cole stated that she heard today that the system is broken and that she wants to talk about how to fix the problem. She stated that taxicabs should be part of the transit system.

Mr. Gloria stated that he is in favor of the motion and that the City is not interested in taking over taxicab administration. He agreed that the industry faces challenges from competition from Uber and other services.

Mr. Cunningham suggested amendments to the motion and the maker of the motion

Action Taken

Mr. Emerald accepted amendments to the motion as follows: 1) Principle No. 5 would read as "It is in the best interest of the taxi industry, MTS and the City to approve up to a five year renewal"; 2) Principle No. 7 would read as "MTS will strongly advocate for 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 be included in the amended agreement or may also be subjects for discussion after contract renewal"; and 3) No. 8 will read as "MTS will address the ability to transfer permits without the permission of the City of San Diego." The vote was 14 to 0 in favor with Mr. Alvarez absent.

CLOSED SESSION

24. Closed Session Items

The Board convened to Closed Session at 11:28 a.m.

- 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)
- b. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS Pursuant to California Government Code Section 54957.6
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
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.

The Board reconvened to Open Session at 12:06 p.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board had a conference with legal counsel and gave instructions.
- b. The Board had a conference with labor negotiators and gave instructions.
- c. The Board had a conference with real property negotiators and gave instructions.

31. United States Fish and Wildlife Service (FWS) Bayside Birding and Walking Trail Project; Construction and Maintenance Agreement

Karen Landers, General Counsel presented a proposal for an FWS birding trail on MTS real property. She explained that opening the trail to the public would carry some risk for MTS as owner of the property. MTS does allow other agencies to use its property for the public good but the agencies usually indemnify MTS. She discussed three potential approaches. She explained the staff recommendation was to agree to allow the use of the property by FWS but to charge a fee to FWS to cover the cost of MTS purchasing separate insurance coverage. She provided three options and gave a staff recommendation.

Public Comments

Mr. Yuen – He stated that the federal government could not indemnify MTS or purchase an insurance policy for MTS. He stated that he offered alternative language. He explained the trail and the benefits of the trail to that member of the community in Imperial Beach.

Action Taken

Ms. Emerald moved to approve a Construction and Maintenance Agreement (CMA) for the FWS Bayside Birding and Walking Trail Project but charge an annual fee equivalent to cost for low-deductible insurance policy. Mr. Ovrom seconded the motion, and the vote was 11 to 1, with Mr. Minto opposed and Messrs. Alvarez, Cunningham and Ewin absent.

REPORT ITEMS

45. Update on Contract Services Fixed-Route Procurement

Mr. Jablonski provided a background and history with regard to fixed route bus contract services. He introduced Bill Spraul, Chief Operating Officer of Transit. Mr. Spraul gave a synopsis of the procurement and introduced Jeff Codling, Manager of South Bay operations. Mr. Codling provided a fixed-route bus service overview and request for proposals (RFP) highlights. He discussed the fixed-route RFP, the Independent Cost Estimate, and the RFP timeline. The report was for information only.

60. Chairman's Report

None.

61. Audit Oversight Committee Chairman's Report

None.

62. Chief Executive Officer's Report

Mr. Jablonski reported that he had traveled to Washington, D.C. with SANDAG for the APTA Legislative Conference and met with members of the Federal Transit Administration regarding the Mid-Coast Trolley Extension Project.

63. Board Member Communications

Mr. Gloria advised City staff was working with MTS staff on implementation of the Quiet Zone and there are still ongoing concerns with the regard to trolley bell noise and thanked MTS Staff for continuing to help mitigate the noise issues.

Mr. Jablonski stated that Wayne Terry, Chief Operating Officer of Rail was primarily responsible for the continued work and has put forth great effort in utilizing his knowledge in regard to the Quiet Zone initiative. Mr. Terry has been in constant communication with the residents and PUC and other organizations. Mr. Gloria responded he has heard positive comments with regard to MTS's efforts.

Ms. Emerald asked about the progress with regard to the Mid-Coast project. Mr. Jablonski responded.

64. Additional Public Comments on Items Not on the Agenda

Valerie Hightower – Ms. Hightower stated she lives on 47th and Imperial and it's hard when the buses run every half hour and there are no benches to sit on. She stated there were other areas downtown lacking benches. She advised there are many smokers at the bus stops downtown and wants to know who she should complain to. She requests that the buses have

windows that roll down properly due to ill people riding the bus. She requested more frequent buses for the riders, specifically students so they do not abandon their studies.

65. Next Meeting Date

The next regularly scheduled Board meeting is on April 17, 2014.

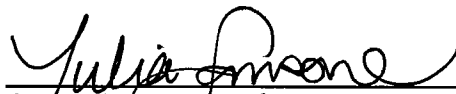
66. Adjournment

Chairman Mathis adjourned the meeting at 12:28 p.m.



Chairperson
San Diego Metropolitan Transit System

Filed by:



Clerk of the Board (Interim C.O.B.)
San Diego Metropolitan Transit System

Approved as to form:



General Counsel
San Diego Metropolitan Transit System

- Attachments:
- A. Roll Call Sheet
 - B. Proposed Amendments to Principles for Negotiation of the Taxicab Administration Contract on Behalf of the Metropolitan Transit System
 - C. Letter from Tony Hueso of the San Diego Transportation Association (SDTA)
 - D. Letter from Andrew Yuen, Project Leader at the United States Department of the Interior

METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS
ROLL CALL

MEETING OF (DATE): March 20, 2014

CALL TO ORDER (TIME): 9:09 a.m.

RECESS: N/A

RECONVENE: N/A

CLOSED SESSION: 11:28 a.m.

RECONVENE: 12:06 p.m.

PUBLIC HEARING: N/A

RECONVENE: N/A

ORDINANCES ADOPTED: 41 (revised)

ADJOURN: 12:26 p.m.

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ALVAREZ	<input type="checkbox"/> (Gloria) <input type="checkbox"/>		
BRAGG	<input checked="" type="checkbox"/> (Bilbray) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
COLE	<input checked="" type="checkbox"/> (Gloria) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
CUNNINGHAM	<input checked="" type="checkbox"/> (Mullin) <input type="checkbox"/>	9:09 a.m.	12:06 p.m.
EMERALD	<input checked="" type="checkbox"/> (Gloria) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
EWIN	<input checked="" type="checkbox"/> (Arapostathis) <input type="checkbox"/>	9:09 a.m.	12:06 p.m.
GASTIL	<input checked="" type="checkbox"/> (Jones) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
LIGHTNER	<input type="checkbox"/> (Gloria) <input checked="" type="checkbox"/>	9:30 a.m.	12:26 p.m.
MATHIS	<input checked="" type="checkbox"/>	9:09 a.m.	12:26 p.m.
MCCLELLAN	<input checked="" type="checkbox"/> (Ambrose) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
MINTO	<input checked="" type="checkbox"/> (McNelis) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
OVROM	<input checked="" type="checkbox"/> (Denny) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
RIOS	<input checked="" type="checkbox"/> (Sotelo-Solis) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
ROBERTS	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:09 a.m.	12:26 p.m.
SALAS	<input checked="" type="checkbox"/> (Ramirez) <input type="checkbox"/>	9:09 a.m.	12:15 p.m.

SIGNED BY THE CLERK OF THE BOARD:

CONFIRMED BY THE GENERAL COUNSEL:

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 black ink, appearing to read "Tony Hueso".

Tony Hueso, President
San Diego Transportation Association



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".

Andrew Yuen
Project Leader

cc: SOL, Oakland, CA

Bayside Birding and Walking Trail MTS ROW

San Diego Bay NWR

Bayside Birding and Walking Trail

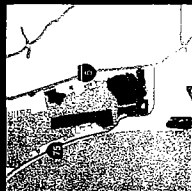
Observation Platform

Right of Way (SANGIS)

Refuge (FWS R8 Realty)

Proposed Footbridge

Bayside Elementary School





AGENDA ITEM NO.

3

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	4/17/2014		
Name	DUKES WOOTERS		
Address	3852 MISSION BLVD.		
Telephone	610.316.8391		
Organization Represented	SURF RIDER FOUNDATION		
Subject of Your Remarks	CIGARETTE WASTE		
Regarding Agenda Item No.			
Your Comments Present a Position of:	<input 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.

NOTE: Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.

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Agenda Item No. 6

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

APRIL 17, 2014

SUBJECT:

INVESTMENT REPORT – February 2014

RECOMMENDATION:

That the Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

Attachment A comprises a report of MTS investments as of February 28, 2014. The combined total of all investments has decreased from \$202.6 million to \$200.0 million in the current month. This \$2.6 million decrease is attributable to expenditure of \$6.9 million for acquisition of capital assets, partially offset by \$4.9 million in STA 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 February 2014



**San Diego Metropolitan Transit System
Investment Report
February 28, 2014**

	<u>Restricted</u>	<u>Unrestricted</u>	<u>Total</u>	Average rate of return
Cash and Cash Equivalents				
JP Morgan Chase - concentration account	-	10,479,660	10,479,660	0.00%
Total Cash and Cash Equivalents	-	10,479,660	10,479,660	
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	5,302,413	442,565	5,744,978	
Total Cash - Restricted for Capital Support	13,848,240	442,565	14,290,805	
Investments - Working Capital				
Local Agency Investment Fund (LAIF)	18,155,040	39,029,281	57,184,321	0.236%
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)	39,367,489	-	39,367,489	
Rabobank - Payment Undertaking Agreement	78,692,891	-	78,692,891	7.69%
Total Investments Restricted for Debt Service	118,060,380	-	118,060,380	
Total cash and investments	<u>\$ 150,063,660</u>	<u>\$ 49,951,506</u>	<u>\$ 200,015,166</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 SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 17, 2014

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

RECOMMENDATION:

That the Board of Directors approve Resolution No.14-6, (Attachment A) authorizing the use of, and application for, \$200,000 of FTA Section 5311(f) for operating assistance in non-urbanized areas.

Budget Impact

If awarded, MTS will receive FY2014 5311(f) funds in the amount of \$200,000. Based on the maximum percent federal share 55.33% of eligible expenditures, MTS will be required to provide nonfederal matching funds in the amount of \$161,468.

DISCUSSION:

Caltrans administers a statewide competitive grant program wherein transit agencies and nonprofit organizations are eligible to apply for up to \$300,000 in financial assistance for operations serving areas outside of the federally defined urban boundary. Eligible projects can include existing operations, new services or service expansion. However, projects must be consistent with the state-adopted objectives and meet federal certifications and assurance guidelines. MTS already meets the federal guidelines as an eligible recipient of other federal funds.

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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.

Caltrans requires the submission of a resolution by agency Board of Directors authorizing the submission of a grant application and project programming. Staff has also requested SANDAG to certify that it will amend the Regional Transportation Improvement Program in the event of a grant award, as per Caltrans requirements.

A handwritten signature in black ink, appearing to read 'Paul C. Jablonski', is written over a horizontal line.

Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Board Resolution 14-6

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Resolution No. 14-6

Resolution Authorizing Federal Funding Under FTA Section 5311(f)
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(f) 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(f) grants for public transportation projects; and

WHEREAS, San Diego Metropolitan Transit System (MTS) desires to apply for said financial assistance to operate rural transit service 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(f) 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(f) 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(f) 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(f) 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. 8

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 17, 2014

**SUBJECT: LIGHT RAIL VEHICLE PAINT AND BODY REHABILITATION – SOLE SOURCE
CONTRACT AWARD**

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1176.0-14 (in substantially the same format as Attachment A) with Carlos Guzman Inc. on a sole-source basis for the provision of Light Rail Vehicle (LRV) Paint and Body Rehabilitation Services for five (5) SD-100s.

Budget Impact

The total cost for Light Rail Vehicle Paint and Body Rehabilitation Services would not exceed \$221,900.00 and is funded by MTS Capital Improvement Project (CIP) 11165-0800 for FY2014.

DISCUSSION:

San Diego Trolley, Inc. (SDTI) operates a fleet of 128 LRVs (including U2, SD-100, S70, and S70 ultra short vehicles). The SD-100s were purchased between 1992 and 1995. In 2005 a paint and body rehabilitation program for the fleet of 52 SD-100s was launched. Due to funding limitations, all but five SD-100s have been restored. The five remaining SD-100s need substantially more work than the previously rehabilitated SD-100s. The project includes painting the LRVs, roof repairs, repainting of HVAC units and fiberglass repairs. With the FY14 CIP, the Board authorized sufficient funds to complete the work on the remaining units.

MTS Policy No. 52 governing the acquisition of materials, supplies and services requires a formal competitive procurement process for purchases exceeding \$100,000. However, MTS's existing contract for ongoing LRV paint and body services gives Carlos Guzman, Inc. (CGI) exclusive control of and maintenance responsibilities for the paint booth in MTS's trolley yard. The contract places certain turnaround deadlines for paint jobs on CGI and gives CGI discretion of how to schedule the paint booth operations to accomplish this goal. This prevents MTS from allowing another contractor to use the paint



booth during the term of the CGI contract. Consequently, it is not feasible to competitively bid this additional LRV paint work since it needs to be completed before the CGI contract expires. A third party contract would require moving the LRVs off-site for painting, which is cost prohibitive and creates quality control issues. The CGI contract was competitively bid and awarded in 2009 with a 5 year term that expires June 30, 2014.

Based on the in-house estimate of \$280,000 (\$56,000 per vehicle) in comparison to the new pricing negotiated with CGI, staff has determined that the price of \$221,900 is fair and reasonable. The negotiated price of \$221,900.00 (\$44,380 per vehicle) is 20 percent lower than the in-house estimate and includes a contingency amount of \$32,500 (\$6,500 per vehicle) for unforeseen car body damage. (See Attachment B.)


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 L1176.0-14
B. Cost Analysis

ATTACHMENT A

DRAFTSTANDARD SERVICES AGREEMENT
FOR
LIGHT RAIL VEHICLE PAINT AND BODY REHABL1176.0-14
CONTRACT NUMBEROPS 970.4
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 contractor, hereinafter referred to as "Contractor":

Name: Carlos Guzman Inc. Address: 1619 Creston Street

Form of Business: Corporation Signal Hill, CA, 90755
(Corporation, Partnership, Sole Proprietor, etc.)

Telephone: 562 427-8497

Authorized person to sign contracts: John D. Guzman Vice President
Name Title

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

Provide Labor, material and equipment for paint and body rehabilitation services for the remanding five (5) Siemens model SD-100 Light Rail Vehicles, as specified in the Technical Specifications (attached as Exhibit A), the Bid Summary (attached as Exhibit B), and the Standard Conditions Services (attached as Exhibit C), and the Federal Requirements (attached as Exhibit D).

The total amount of this contract shall not exceed \$221,900.00 including all applicable sale taxes.

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	BUDGET ITEM	FISCAL YEAR
<u>\$ 221,900.00</u>	<u>11165-0800</u>	<u>FY14</u>

By: _____
Chief Financial Officer

(_____ total pages, each bearing contract number)



Purchasing Department
 1255 Imperial Ave., Suite 1000
 San Diego, CA 92101
 619.231.1466 FAX 619.696.7084

ATTACHMENT "B" COST ANALYSIS

Light Rail Vehicle (LRV) Paint and Body Rehab MTS DOC. NO L1176.0-14

<i>MTS In-House Estimate</i>			
PAINT AND BODY REHAB	REHABILITATION COST	ESTIMATED UNFORESEEN COST FOR CAR BODY DAMAGE	TOTAL PROJECT COST
Total Cost	\$250,000	\$30,000	\$280,000
Cost Per Vehicle	\$50,000	\$6,000	\$56,000

<i>Carlos Guzman Pricing</i>			
PAINT AND BODY REHAB	REHABILITATION COST	ESTIMATED UNFORESEEN COST FOR CAR BODY DAMAGE	TOTAL PROJECT COST
Total Cost	\$189,400	\$32,500	\$221,900
Cost Per Vehicle	\$37,880	\$6,500	\$44,380

* Carlos Guzman's proposal is 20.75% (or \$58,100) lower than MTS's in-house estimate.



Metropolitan Transit System (MTS) is comprised of the Metropolitan Transit Development Board (MTDB) a California public agency, San Diego Transit Corp., and San Diego Trolley, Inc., in cooperation with Chula Vista Transit and National City Transit. MTS is Taxicab Administrator for eight cities. MTDB is owner of the San Diego and Arizona Eastern Railway Company. MTDB Member Agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of San Marcos, and the County of San Diego.



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Agenda Item No. 9

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 17, 2014

**SUBJECT: MTS ENTERPRISE INFRASTRUCTURE FOR RTMS BACK OFFICE UPGRADE AND
CONTRACT BUS FLEET EXPANSION PROJECT – CONTRACT AWARD**

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1707.0-14 (in substantially the same format as Attachment A) with Nth Generation for the provision of HP computer hardware, maintenance and technical services in support of the Regional Transportation Management System (RTMS) Back Office Upgrade and Contracted Bus Fleet Expansion project.

Budget Impact

The value of this agreement will not exceed \$387,787.56 for hardware, maintenance and technical services and approximately \$22,608.31 for California sales tax, for an estimated grand total of \$410,395.70. Funding for this project is provided as follows for fiscal year 2014:

	Hardware, Maint., Technical Svcs.	Estimated Sales Tax	Grand Total
Hardware	\$ 251,768.19	\$ 22,608.31	\$ 274,376.50
Maintenance	99,513.60		99,513.60
Technical Services	36,505.60		36,505.60
Total	\$ 387,787.39	\$ 22,608.31	\$ 410,395.70
Capital Project (11290)	\$ 288,273.79	\$ 22,608.31	\$ 310,882.10
Operating Budget (661-53910)	\$ 99,513.60	\$ -	\$ 99,513.60

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DISCUSSION:

In December 2013, the MTS Board of Directors approved a contract with ACS/Xerox for the RTMS Back Office Upgrade and Contract Bus Fleet Expansion Project to purchase, install, test, verify, and warranty RTMS equipment, and vehicle hardware for the MTS Bus, MTS Contracted Bus, and North County Transit District (NCTD) bus fleets. In order to proceed with the RTMS Back Office Upgrade portion of this contract, MTS will supply the required servers, storage, network equipment, workstations, laptops, off-the-shelf software, and specialized back office hardware required for the back office infrastructure for the new and expanded RTMS system.

NCTD participates in cost sharing of the RTMS infrastructure upgrade based upon an existing Memorandum of Understanding and the relevant costs of back office infrastructure will be allocated appropriately.

These goods are being purchased from the California Department of General Services (DGS) Contract B27164 of which Nth Generation is an authorized reseller.

This purchase is in accordance with MTS Policy No. 52 (52.2) governing the procurement of goods and services and Federal Transit Administration (FTA) Circular 4220.1F (Third Party Contracting Guidance) Chapter V, Section 4 (State or Local Government Purchasing Schedules or Purchasing Contracts).



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 G1707.0-14

STANDARD PROCUREMENT AGREEMENT

G1707.0-14
 CONTRACT NUMBER
 CIP 11290 OPS960.2
 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: Nth GENERATION COMPUTING, INC.

Address: 17055 Camino San Bernardo

Form of Business: Corporation

San Diego, CA 92127

(Corporation, partnership, sole proprietor, etc.)

Telephone: 858-451-2383

Authorized person to sign contracts: Joyce Russell

Executive Vice President / Chief Financial Officer

Name

Title

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

Provide Computer Equipment as described in Nth Generation Quotations 83412, 83413, 83415, 83416, 83417, 83418, 83427, 83434, 83435, 83437, 84026, and 84039 under California Department of Government Services (DGS) Contract No. B27164 (attached as Exhibit A), the MTS Standard Procurement Agreement, Standard Conditions - Procurement, (attached as Exhibit B), the Federal Requirements, (attached as Exhibit C), and MTS Safety SOP (SAF-016-03), (attached as Exhibit D).

Delivery Address: (To be determined prior to Contract issue)

This is a firm-fixed-price contract. The total cost shall not exceed \$387,787.56 without the express, written consent of MTS. MTS shall be responsible for remittance of applicable sales tax.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM		CONTRACTOR AUTHORIZATION
By: _____	Chief Executive Officer	Firm: _____
Approved as to form:		By: _____
By: _____	Office of General Counsel	Signature
		Title: _____
AMOUNT ENCUMBERED	BUDGET ITEM	FISCAL YEAR
\$288,273.79	CIP 11290	FY 14
\$99,513.60	661-53910	FY 14
Grand Total \$ 387,787.39		

By: _____

Chief Financial Officer

(____ total pages, each bearing contract number)

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Agenda

Item No. 10

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 17, 2014

SUBJECT:

JUNE 2014 SERVICE CHANGES

RECOMMENDATION:

That the Board of Directors receive a report for information.

Budget Impact

Routine and seasonal schedule adjustments are included within MTS's annual budgeting process. Net operating subsidies for the new Rapid services are to be reimbursed by SANDAG out of TransNet funds. A package of major service changes, primarily adjusting current services to complement new Rapid routes, was approved by the MTS Board of Directors on February 20, 2014. These are anticipated to have an annual budget impact of \$55,000.

DISCUSSION:

MTS makes planned changes to its routes and schedules three times per year: January, June, and September. These changes typically include seasonal schedule adjustments, minor alterations to routes, and the implementation of any Board-approved major changes.

June 8, 2014 Changes

The changes planned for June 2014 are some of the most significant since the Comprehensive Operational Analysis in 2006-2007, and are largely driven by the implementation of new Rapid service along the Interstate 15 corridor between Downtown San Diego and Escondido. A summary of these changes is listed below:



Interstate 15 Rapid Changes: The new Rapid Route 235 will offer frequent, limited-stop service seven days a week between Downtown San Diego and Escondido. It has created an opportunity to revise other connecting routes to optimize the system and leverage the new service and investment to increase ridership and improve mobility along the corridor. Local service in Poway and Sabre Springs is being significantly modified, with notable changes also being made in Mira Mesa, Kearny Mesa, Mission Valley, and City Heights. *Routes impacted: 20, 31, 210 (renumbered 110), **Rapid 235**, 844 (renumbered 944), 845 (renumbered 945), 921, 960 (renumbered 60), 964.*

Premium Express Changes: The Premium Express routes along the Interstate 15 corridor will be overhauled with new routes and branding. Now known as Rapid Express, Routes 810, 820, 850, and 860 will be replaced with new Routes 280 and 290. These routes will serve the five park and ride lots (with nearly 2,000 parking spaces) at the transit stations along north Interstate 15. Instead of the current service to bus stops along local streets, the Rapid Express routes will offer more capacity and a greater frequency than the combined individual routes that they are replacing. The last Premium Express route, Route 880, will be replaced with Rapid Express Route 270 in September 2014. *Routes impacted: 810 (renumbered 280), 820, 850, 860 (renumbered 290).*

Seasonal and Other Minor Adjustments: These are routine schedule changes made to enhance reliability, increase efficiency, and/or adjust for seasonal demand fluctuations (in summer, mostly reduced school trips, and increased ridership and added traffic in the beach areas). *Routes impacted: 7, 8, 9, 14, 27, 30, 41, 44, 88, 709, 854, 904, 928.*

Related On-going Projects

There are several projects currently in process that will impact the implementation of the June service changes:

Downtown Layover Site: Currently, all MTS routes with a Downtown San Diego terminus are using curbside space for their layover, a short period after each trip when the schedule is recovered and the driver has a break. Redevelopment has significantly reduced the amount of viable on-street space, so MTS is working with SANDAG to establish an off-street location in Downtown for layovers. An interim on-street solution is planned for June service changes, but further expansion of Rapid or other service in Downtown is challenged by the lack of parking availability for buses.

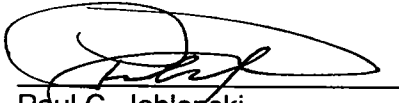
Hillery Direct Access Ramps: When completed, these ramps will enable buses to access the Miramar College Transit Station directly from the managed lanes in the center of Interstate 15. CalTrans now anticipates opening the ramps in July 2014. Until the ramps are available, Rapid Route 235 will travel directly between Kearny Mesa and Sabre Springs (no stop in Mira Mesa).

Miramar College Transit Station: CalTrans is constructing the transit station that will anchor Rapid and local routes in Mira Mesa. This project is scheduled to be completed prior to our June service change date, but MTS has an interim plan to use curbside space along Westview Parkway should there be any construction delays on the transit station.

Future Changes

The service change following June will occur on August 31, 2014. MTS anticipates starting service on two more Rapid routes at that time: Rapid Route 215, formerly known as Mid-City Rapid, which will replace Route 15 along the El Cajon Blvd. corridor between

Downtown San Diego and SDSU; and, Rapid Route 237, which will operate during weekday peak periods between Rancho Bernardo and UCSD. Other complementary changes will also be implemented at that time.



Paul C. Jablonski
Chief Executive Officer

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

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Agenda Item No. 11

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 17, 2014

SUBJECT:

PROPOSED FISCAL YEAR 2015 INTERNAL AUDIT PLAN

RECOMMENDATION:

That the Board of Directors approve the proposed fiscal year 2015 Internal Audit Plan.

Budget Impact

None.

DISCUSSION:

The MTS Internal Auditor has proposed a work plan commencing in April 2014 and continuing through the end of fiscal year 2015. The plan consists of eight audits estimated to consume 1,680 hours, with an additional 333 hours budgeted for consulting and management-requested projects.

The plan was presented before the Audit Oversight Committee on April 10, 2014. The presentation provided an overview of audit resources and a listing of the planned audits. It also explained the process of selecting audits, which is based on an assessment of risk and other factors such as prior audit findings and management input.

A handwritten signature in black ink, appearing to read 'Paul C. Jablonski', is written over a horizontal line.

Paul C. Jablonski
Chief Executive Officer

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





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Agenda Item No. 45

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 17, 2014

SUBJECT:

YEAR-END SECURITY REPORT (JANUARY THROUGH DECEMBER 2013)
(BILL BURKE)

RECOMMENDATION:

That the Board of Directors receives a report for information.

Budget Impact

None.

DISCUSSION:

Statistics related to security incidents concerning the transit system are compiled by staff based on reports generated by security personnel and Code Compliance Inspectors. This information is augmented by reports from local police authorities and is then compiled, summarized, and submitted to the Board of Directors on a midyear and year-end basis. The Year-End report covers the period from January 1, 2013, through December 31, 2013.

DEPARTMENT OF HOMELAND SECURITY – TRANSPORTATION SECURITY GRANT PROGRAM (TSGP)

MTS has been the recipient of several Homeland Security grants on an annual basis. Approved funding through current open grants is approximately \$11,220,000.

STATUS OF ONGOING AND OPEN GRANTS

Federal Grants

- TSGP FY 2012



Award: \$100,000
Projects: \$100,000 for Drills and Exercises

This funding will enable MTS to continue to organize training drills and exercises in order to increase preparedness for emergency situations that would require an emergency response from MTS and/or other agencies. \$33,000 was expended for the 2013 Rock 'n' Roll Marathon Drill and the San Diego State University (SDSU) Earthquake Drill. This funding will also cover the June 2014 Rock 'n' Roll Marathon Drill.

Status: Open - \$33,000 expended to date
Expiration date: August 2014

California Funding

- Proposition 1B FY 2010-11

Award: \$2.78 million
Projects: \$457,526 for CCI Handheld Inspection Units and Software
\$100,000 for Transit Store Security
\$1.764 million for CCTV System Upgrades
\$300,000 for IAD/KMD upgrades

This investment is for automated handheld citation issuance devices including eForce software, improved security measures at The Transit Store, and additional closed-circuit television upgrades throughout the system. CCTV system upgrades are to include upgrade to the Avigilon camera system, which offers a superior video signal. The Transit Store security upgrades have been completed. Additional funds will be used for fencing repairs at the Imperial Avenue Division (IAD) and the Kearny Mesa Division (KMD) bus yards, as well as a camera system replacement for the entire MTS Transit System.

Status: Open - \$1,256,000 expended to date
Expiration date: May 2014

- Proposition 1B FY 2011-12

Award: \$2.78 million
Projects: \$500,000 for CCTV system upgrade
\$700,000 for SDSU monitoring system
\$165,000 for SDTC security improvement
\$178,000 for Back-up generator for Building C
\$500,000 for CCTV installation on ADA/Paratransit vehicles
\$730,000 for CCTV installation on new buses

This investment funds CCTV system upgrades for the CCTV system and enhanced monitoring capabilities at the San Diego State University Trolley Station (fire alarm enhancements and automated notifications), and the installation of a back-up generator at the C-Building. These funds will also fund security improvements at IAD and KMD and the installation of CCTV cameras on Americans with Disabilities Act/Paratransit vehicles and new buses. The Back-up generator for Building C is currently under construction.

Status: Open - \$941,000 expended to date
Expiration date: March 2015

- Proposition 1B FY 2012-13

Award: \$2.78 million
Projects: \$1.06 million for fiber optic cable expansion
\$75,000 for the Cyber Security project
\$125,000 for Security handheld software upgrade
\$40,000 for SDTC security improvement project
\$200,000 for Operations Control Center back-up generator
\$645,000 for CCTV installation on ADA/Paratransit vehicles
\$100,000 for Emergency Operations Center (EOC)

This investment is expansion of the fiber optic cable system, continued improvements to Cyber Security, and a software upgrade for the security department's compass card handheld inspection units (HHU). This investment also funded the back-up generator at the Operations Control Center, and continue funding of CCTV cameras on new buses. Funding will also be used to repurpose existing space at the Security Department's area in the C-Building to be used as an Emergency Operations Center.

Status: Open - \$61,000 expended to date
Expiration date: March 2016

Proposition 1B FY 2013-14

Award: \$2.78 million
Projects: \$1.06 million for Network Switches and Comm. Cabinets
\$75,000 for the Cyber Security project
\$100,000 for CPD Perimeter Fence Replacement
\$217,445 for Wireless Infrastructure
\$887,000 for CCTV installation

Status: Open
Expiration Date: March 2017

Homeland Security

In June, the City of Los Angeles hosted the 2013 National Homeland Security Conference for grantees from all of the Homeland Security Grant Initiative Programs. Chief Burke was invited to present during the conference where the topic was "Homeland Security begins with Hometown Security". Chief Burke introduced the MTS System and the Transit Enforcement team and how they work with interoperability, joint operations, drills and exercises, and prevention of terrorist acts.

Regional Training

MTS Staff continued to seek training opportunities in counter-terrorism. In January, staff attended the Anti-Defamation League's (ADL) Counter Terrorism Conference in San Diego. Over 500 law enforcement professionals were in attendance including police, sheriffs, district attorneys and many speakers.

Staff attended the annual International Association of Bomb Technicians and Investigator's (IABTI) conference, this year in Dallas, Texas. This conference offered an educational and networking experience which included presentations on case histories and recent bombing events, tactics, and emerging weapons.

Security staff attended the Federal Emergency Management Agencies (FEMA) week-long training in Alabama that addressed Response to Suicide Bomb Attacks, Response Action for Chemical, Biological, Radiological, Nuclear, Explosives (CBRNE) incidents, hands on training and protective measures.

An Earthquake Drill/Response Exercise was conducted at SDSU to test the first responder capabilities of local, state, and federal agencies within San Diego County. MTS was chosen to be a part of the scenario due to its unique environment and to simulate a train derailment along with a tunnel collapse. The goal of the exercise was to demonstrate the abilities of MTS staff to effectively communicate with outside responding agencies and to assist patrons and first responders with an evacuation of the San Diego State University Transit Center while addressing any safety or security issues. MTS Enforcement staff was instructed to respond as if it was a real life situation and to conduct initial assessment for responding public safety personnel. Officers assisted local fire and medical personnel removing injured patrons and moving them to the makeshift triage center next to the security office on the mezzanine level of the station. This exercise will help local responders more effectively respond to a real life emergency.

Staff continues to participate in joint training with agencies such as The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Amtrak Police, United States Marshalls, TSA, Harbor Police and local and non-local police and sheriff agencies.

MTS Security participated in a three day Surveillance Detection for Law Enforcement and Security Professionals training class in Los Angeles. The DHS and Office of Bombing Prevention conducted this hands-on training course covering surveillance detection and counter surveillance tactics through the use of clandestine operations and the recognition of surveillance indicator techniques. The participants were exposed to three days of classroom training and undercover field activities to test their abilities to notice simulated terrorists conducting surveillance on a transit system.

"If You See Something, Say Something" Text Messages

During the first half of the period, MTS introduced a new text number so patrons could covertly relay information regarding suspicious activity or packages to our dispatch center. The new text number was published on bus header posters, small handout cards and in a video created by staff. The video is posted on the MTS web site under the "Contact Us" and "Security and Code Compliance" tabs.

Security began receiving text messages related to quality of life issues on the trolley, in addition to medical emergencies or criminal activities. During the latter part of the reporting period, the program gained popularity, and the volume of text messages increased.

Transportation Security Administration (TSA)

MTS collaborates with TSA by participating in the planning, coordination and implementation of Visible Intermodal Prevention and Response (VIPR) team patrols. A VIPR team consists of uniformed federal police officers that provide a customer-friendly,

high visibility presence during peak hours on select areas of the MTS network. TSA was present during many events along the transit system including Comic-Con, Rock N Roll Marathon, Padres games and football games at Qualcomm Stadium.

The Transportation Security Administration (TSA) has commended MTS for earning TSA's highest rating of "Gold Standard" on their most recent Baseline Assessments for Security Enhancement (BASE) for their dedication to building a strong security program.

Closed-Circuit Television (CCTV)

During this reporting period, CCTV was installed on additional LRV's, bringing the total to 124 LRVs equipped with onboard CCTV. This CCTV enhances our ability to document incidents and provide evidentiary matter to law enforcement agencies. The new equipment and configuration in the Operations Control Center is more efficient and continues to be user friendly for operators.

Technology Projects

During the reporting period, personnel tested body cameras worn on their uniforms. The purpose of the cameras is to record contacts in the field to more readily investigate allegations of officer misconduct and to afford some protection when officers become involved in litigation stemming from allegations of misconduct. After a test period, a high quality and compatible system was selected. Fifty cameras were purchased and delivered. A video storage solution is being engineered by the MTS Information Technology (IT) Department, and the cameras are expected to be deployed in July 2014.

The mTicket application was implemented on August 29, 2013, during a Charger's preseason football game. The mTicket application enables patrons to purchase and store trolley tickets on their smartphones for use at special events. Due to the mTickets ease of use and the ability to bypass the lines at the revenue booth, the mTickets became more popular as the season progressed. On December 8, 2013 a total of approximately 1300 mTicket fares were recorded at the Charger's game.

Records Management System

Staff continued to work on the transition from the current Transit Watch records management system to the new eForce system. This program captures and reports crime data, accommodates automated and wireless citation writing, and utilizes a Computer Aided Dispatch (CAD) module. Denver RTD recommended the system and MTS moved forward with this option. The Board approved the procurement at the April 2013 Board Meeting. California Proposition 1B funds are being used to replace the old system.

The new software will work in conjunction with the new handheld devices which will be used by the Code Compliance Inspectors. The automated citation writing module, reporting/records management, and CAD modules are scheduled to be fully implemented in July 2014.

Copper Wire Thefts

Two adults were arrested near Murray Drive attempting to steal copper wire from the tracks; they were charged and prosecuted for attempted grand theft. In 2008, one of

these two men had been arrested by MTS officers and charged for stealing copper wire in the Baltimore Junction area.

In October 2013, the security staff participated in a noteworthy metal theft arrest at SD&IV Yard/Blue Building in San Ysidro. Police had requested assistance regarding multiple thefts at the location. Members of the MTS Crime Suppression Unit and the Eagle Team conducted several days of surveillance and apprehend a suspect that was involved in the series of crimes. The suspect was charged with (5) felony and (1) misdemeanor charge and faces potential federal charges.

Plainclothes Unit

Throughout the year, the plainclothes unit focused on graffiti and other quality of life issues on the transit system. Several high-profile arrests were made by the team. These arrests have led to further charges being filed by the Chula Vista and San Diego police agencies using the Graffiti Tracker database program.

The staff arrested a suspect with the moniker "TAPE" and, after forwarding his information to Chula Vista Police; they prosecuted and convicted him on 20 tagging incidents, gathered from the Graffiti Tracker database, and sought \$20,000 in restitution.

The team arrested a suspect with the moniker "POE." The information was forwarded to the Chula Vista Police Department and he was charged with 46 incidents of tagging resulting in \$5,000 in damage.

The team twice arrested a suspect who uses the moniker "STUDDERS." While investigating his social media accounts and using Graffiti Tracker, the suspect was also connected to the moniker "KRE8." There were numerous incidents in Graffiti Tracker and that information was forwarded to the San Diego Police Department (SDPD). The suspect was arrested and charged as an adult in the cases totaling approximately \$17,000 in damage.

Transient Camp Details and Homeless Outreach

During the reporting period January-December, over thirty camp details were performed on MTS property. There was a dramatic increase in the number of homeless encampments throughout the system. The encampments consisted of multiple tents/make shift shelters with several occupants in each. The majority of the occupants of these camps were involved in drug activities (dealers/users) with heroin and methamphetamines being the drugs of choice. Most of the camps were littered with stolen property that is used to support the occupants' drug habits. Prostitution also appears to be rampant in the homeless encampments. In the latter part of the year the encampments appeared to be smaller in size, seemingly, in an effort by the occupants to better camouflage them.

Dogs continue to be an ongoing problem in the homeless encampments, particularly "Pit Bull" breeds. Although a number of homeless persons in the encampments have dogs for companionship, there has been an increase in dogs being used in an aggressive manner to protect tents/shelters and the occupants. These dogs are mainly owned by homeless persons involved in drug activity. After several close calls with these dogs aggressively charging at officers, we have implemented some new training techniques and carry larger and more potent pepper spray in the hopes of avoiding the use of firearms.

MTS bus stops are also included in the homeless encampment details. Most of these details arise from complaints of homeless persons taking over and living in the bus stop or creating problems in the bus stop. Bus stops in downtown, Point Loma and Hillcrest are normally the primary focus. While working downtown bus stops the trolley stations are also checked for issues related to the homeless population.

The following are the approximate citations for the details from January to December 2013:

- Trespassing – 223
- Loitering – 89
- Drugs – 18
- No Fare – 175
- Quality of Life – 113*

* Includes: Smoking, Alcoholic Beverages, and Disorderly Conduct.

Downtown Partnership

The Downtown Partnership is the leading advocate for the revitalization, economic vitality, and growth of Downtown San Diego. They are member-based with more than 325 members, representing a variety of business sectors including real estate, banking, law, defense, insurance, communications, technology, energy, and tourism and hospitality.

Participating agencies in the Downtown Partnership are the San Diego Police Department, San Diego Sheriff's Department, San Diego Harbor Police, Code Enforcement, San Diego County Probation, San Diego Parks & Recreation, MTS Enforcement, Neighborhood Partnership Unit and the San Diego Padres Baseball Club.

The purpose of the meetings is to make plans to curb illegal lodging, drug sales, illegal cigarette sales, loitering and thefts. During these meetings law enforcement entities will propose and setup special enforcement details to deal with these on-going illegal activities.

Border Transportation Council (BTC)

The Border Transportation Council (BTC) focuses on issues regarding the United States & Mexican border transportation services. Throughout the year members of the MTS Enforcement Department, along with other MTS officials attended the monthly Border Transportation meetings. Agencies such as Caltrans, Department of Homeland Security, San Diego Police Department, SANDAG, Customs/Border Protection, California Highway Patrol, U.S. Border Patrol, San Ysidro Chamber of Commerce, Public Utilities Commission and privately owned transportation companies also attend.

Topics of discussions included construction improvements, wildcatting (unlicensed/unauthorized transportation operators), traffic issues and nuisance crimes (disorderly conduct, illegal cigarette/cheese sales and drunk in public). Attendees at these meetings collectively come up with solutions to the problems as they arise.

The following are the arrests/citations from the BTC related special enforcement details from January to December 2013:

- Disorderly Conduct – 565
- Miscellaneous Other – 891*
- Vandalism – 6
- Curfew & Loitering – 61
- Trespassing – 106
- Burglary – 1
- Larceny/Theft – 4
- Drug Abuse – 11
- Other Assaults – 7

*These numbers include: Fare and smoking violations, illegal sales, and Jay walking.

Canine Teams and Counter Terrorism Activities

MTS continued the Transportation Security Administration (TSA) funded canine program which has been in place since 2006. Primary duties include ongoing training, patrol of trains, buses and facilities, fare enforcement, and response to check suspicious packages. The canine teams regularly work large events such as Charger games at Qualcomm Stadium or the 12th and Imperial Station during Padres games at Petco Park. The teams have also searched locker rooms and other areas upon request.

In March, a new member of the K9 team, Molli, was brought on board, replacing K9 Bino who retired and was adopted by his handler after seven years working at MTS. Molli was assigned to the Rock and Roll Marathon where she screened trucks filled with runners' bags both pre - and post-event. A number of canine searches on MTS property were conducted during this period. Searches included items such as duffle bags and boxes left unattended. One search included a local University campus library, where the MTS K9 units assisted the police agency who responded to the bomb threat. Harbor Police also assisted in this search due to the size of the areas needing screening. The search was completed in approximately two hours. Another high-profile response occurred at Olivewood Elementary School and Sweetwater High School regarding a bomb threat.

In December 2013 the MTS Canine program was featured in a Union Tribune article. A reporter participated in a ride-along with Canine Handler Izzarelli and published a positive article.

Rock 'n' Roll Marathon

On June 2, 2013, the annual San Diego Rock 'n' Roll Marathon was held, drawing an estimated 90,000 participants and onlookers. Because of the bombing during the Boston Marathon in April, this year's perceived heightened risk demanded increased security while transporting an estimated 25 percent of the attendees.

In order to enhance public safety at this high profile event, the Rock 'n' Roll Marathon was designated as a Drill in order to perfect our procedures and skills alongside other agencies. MTS was the lead public transportation agency during this event. We partnered with North County Transit District, San Diego Police Department, San Diego Fire Department, Harbor Police Department, San Diego Sheriff's Office, Amtrak, and other state and federal partners. In doing so, a comprehensive security plan was created to ensure safe and enjoyable public transportation services into, among, and out of the event venues. This plan included heavy usage of the MTS K9 explosives detection dogs. Our K9 units swept Petco Park, the MTS parking structure and the 12th

& Imperial Transfer Station in addition to many areas in the immediate vicinity of the event. MTS K9 units also participated in sweeping vehicles belonging to vendors accessing the secured area.

The staff is currently working on plans for the 2014 Rock and Roll Marathon event.

Eagle Team

The Eagle Team was created in December 2012 as a result of numerous complaints from late night riders on the Orange and Blue Line trolleys. After funding was approved by the Budget Development Committee (annual cost of \$435,000), the unit was deployed to forestall crimes such as thefts, robberies, fights, drinking and fare evasion on late night trains. Eight TSS officers and two CCIs are assigned to the Eagle Team detail. Each team consists of four TSS officers and one CCI on the Orange Line and four TSS officers and one CCI on the Blue Line. After 9:00 p.m., an armed TSS officer is assigned to each Blue Line train and each Orange Line train until the assigned train goes out of service.

The Eagle Team operations have been highly successful in deterring crime, improving ride quality, and deterring vandalism on the late night Orange and Blue Line trains. Crime at night has been significantly impacted and the goals of the team have been met.

Special Enforcement Units (SEUs)

SEU operations are conducted at random transit centers at irregular intervals as an enhancement to regular code enforcement fare checks. The purpose is to check all patrons for proper fare media who are either already on board or boarding and deboarding trains. Throughout 2013, 31 SEUs were conducted and following are the statistics from those details:

- Patrons Inspected 124,205
- Citations Issued 3,319
- Written Warnings 46
- Fare Evasion 2.7%

During the months of May and June, there was a concentrated effort to remind patrons to tap while in a fare paid zone and before boarding a train. Fare Enforcement Warning handouts, explaining the requirement to tap, were distributed during SEUs and regular patrol. During the operations verbal warnings were given and the patrons were informed on how to activate and tap Compass Cards.

Large-Scale Operations with San Diego Law Enforcement Agencies

MTS Security participated in numerous operations with various law enforcement agencies in San Diego. Operation "Take Back Imperial" was conducted with SDPD's Central Division. The focus was on the chronic drug users/sellers, cigarette sellers, loiterers, and people panhandling around the area of the 12th and Imperial Transit Center. During the operation, MTS Enforcement assisted San Diego Police with clearing out large numbers of people in the area adjacent to the Petco Park parking lot and the border wall from Park Avenue to 14th Street. The wall was known as a "hang out" to conduct criminal activity.

Security participated in two "Tip the Scales" operations with the Lemon Grove Sheriff's Department, SDPD, and Probation Department. In April 2013, the focus was on Euclid, Lemon Grove, and Spring Street Stations. During the operation 236 Citations were issued and 6 arrests made. In October 2013, a second operation took place involving Lemon Grove and Santee Sheriff's Department, Probation, El Cajon Police Department, and La Mesa Police Department in El Cajon. During that operation 243 citations were issued and 19 suspects arrested.

In November 2013, "Operation Clean Sweep" involving the Lemon Grove Sheriff's Station, Probation Department, and SDPD's Western, Southeastern, Southern and Central Divisions focused on various Blue, Orange and Green Line stations. During the operation 190 citations were issued and 6 suspects arrested.

In December 2013, a truancy sweep involving the SDPD's Eastern Division Juvenile Service Team focused on the Green Line. The operation resulted in 21 citations and three suspects arrested.

Security also participated in the "Santee Holiday Watch" with Santee Sheriff's Department and the Probation Department at the Santee and Gillespie Field Stations. During the operation 58 citations were issued and 20 suspects arrested.

Juvenile Diversion Program

In April of 2012, in collaboration with the Juvenile Court system, MTS launched a Juvenile Diversion Program to address citations issued to juveniles. The program was introduced as an effort to relieve parents from taking time off of work - and their children out of school - to attend court, as well as to eliminate some of the burden on the court system. Many parents appealed to the Court asking if they could simply pay a fine rather than attend court.

Staff worked with the Juvenile Court to develop a diversion program for select juvenile violations. When offered participation in the program, juveniles have the option to make a payment directly to MTS or attend court for adjudication.

In late April 2012, MTS began offering the diversion program to juveniles for minor ordinance violations, such as fare evasion, feet on seats, littering, etc.

While some juveniles took advantage of the offer, staff worked with the Court system to improve the number of participants, which would help alleviate more of the burden from the Court system. The only violations that do not qualify for the program at this time are those involving drugs, alcohol, vandalism or Vehicle Code violations.

During this period MTS collected \$12,450. To date, MTS has collected over \$16,000 in payments.

Buses and Bus Stops

During the reporting period, MTS Code Compliance Inspectors and Transit System Security Officers conducted numerous sweeps and checks of buses and bus facilities.

Three plainclothes/undercover details were conducted in response to cell phone "snatch and grabs" from onboard the buses. Those victims, sitting with their backs to the rear doors, were more susceptible to the thefts. Video stills captured the faces of the

suspects which were disseminated to field officers as BOL's (be on the lookout for these suspects).

There were several plainclothes details to deter the homeless sleeping at our bus stops along the University, El Cajon Blvd and downtown Broadway corridors. Several citations were issued. We gained compliance from transients to move with only verbal warnings. Other citations were issued for smokers and drinkers. We have assisted the local police agencies along the MTS system with videos of crimes against persons and property

San Diego Trolley


San Diego Trolley experienced 2058 Part II arrests and 184 reports of Part I incidents in 2013. In 2012, there were 1917 Part II arrests and 149 reports of Part I Incidents.

Bus Operations - San Diego Transit Corporation

San Diego Transit Corporation experienced 215 Part II arrests and 17 reports of Part I incidents in 2013. In 2012, there were 173 Part II arrests and 32 reports of Part I incidents.

Bus Operations - Contract Transportation Services

MTS Contract Services experienced 60 Part II arrests and 10 reports of Part I incidents in 2013. In 2012, there were 78 Part II arrests and 15 reports of Part I incidents.



Paul G. Jablonski
Chief Executive Officer

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

Attachments: A. Board FTA 405 Reports (January- December 31, 2013, SDTI)
B. Board FTA 405 Reports (January- December 31, 2012, SDTI)
C. Board FTA 405 Reports (January- December 31, 2013, SDTC)
D. Board FTA 405 Reports (January- December 31, 2012, SDTC)

<input type="checkbox"/> Form not applicable NTD ID <input type="checkbox"/> Form 005 Included		<h2 style="margin: 0;">BOARD 405 REPORT</h2> <p style="font-size: small; margin: 5px 0;">Based on the Uniform Crime Reporting Handbook</p>		<div style="border: 1px solid black; padding: 2px; font-size: x-small;"> Required from transit agencies serving UZAs of 200,000 or more population. </div> <div style="text-align: right; margin-top: 10px;"> Mode Type of Service </div>	
Security Items		In Vehicle	In Station	Other Transit Prop.	
Location SDTI					
Part I Offenses (Reports)					
Violent Crime	Inc Inv	Arrests			
Homicide	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Forcible rape	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Robbery	28	11			
			Patrons	9	15
			Employees	0	0
			Others	0	2
Aggravated assault	18	12			
			Patrons	4	8
			Employees	0	0
			Others	0	5
Property Crime	Inc Inv	Arrests			
Burglary	1	0			
Larceny/theft	114	8			
			Patrons	25	23
			Employees	0	0
			Others	0	14
Motor vehicle theft	23	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Arson	0	0			
			Patrons	0	0
Part II Offenses (Arrests)					
Other assaults	Inc Inv	Arrests			
Other assaults	117	83	16	58	9
Vandalism	199	114	25	56	33
Sex offenses	6	3	2	1	0
Drug abuse violations	289	284	33	230	21
Driving under the influence	11	11	0	1	10
Drunkenness	188	72	15	49	8
Disorderly conduct	1,018	979	284	629	66
Trespassing	502	421	0	1	420
Fare evasion	16,324	15,575	8,492	7,081	2
Curfew & loitering laws	111	91	0	72	19
Total Transit Property Damage			\$ 100,834.35		
<h1 style="margin: 0;">Internal Use Only</h1>					
Report Run Date		Report Run Time		Reporting Period	
04/07/2014		02:23:09PM		01/01/2013 To 12/31/2013	

<input type="checkbox"/> Form not applicable NTD ID <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="checkbox"/> Form 005 Included		BOARD 405 REPORT <i>Based on the Uniform Crime Reporting Handbook</i>		Required from transit agencies serving UZAs of 200,000 or more population. Mode <input type="text"/> <input type="text"/> Type of Service <input type="text"/> <input type="text"/>	
Security Items		In Vehicle	In Station	Other Transit Prop.	
Location SDTI					
Part I Offenses (Reports)					
Violent Crime	Inc Inv	Arrests			
Homicide	0	0	Patrons 0	0	0
			Employees 0	0	0
			Others 0	0	0
Forcible rape	2	3	Patrons 0	1	1
			Employees 0	0	0
			Others 0	0	0
Robbery	18	4	Patrons 10	7	1
			Employees 0	0	0
			Others 0	0	0
Aggravated assault	15	8	Patrons 5	4	0
			Employees 0	0	0
			Others 2	5	2
Property Crime	Inc Inv	Arrests			
Burglary	1	0	0	0	1
Larceny/theft	92	7	Patrons 25	12	38
			Employees 1	2	0
			Others 0	3	12
Motor vehicle theft	21	0	Patrons 0	0	16
			Employees 0	0	0
			Others 0	0	5
Arson	0	0	0	0	0
Part II Offenses (Arrests)					
	Inc Inv	Arrests			
Other assaults	107	58	13	40	5
Vandalism	212	116	36	54	26
Sex offenses	7	1	1	0	0
Drug abuse violations	190	187	18	156	13
Driving under the influence	11	11	0	1	10
Drunkenness	241	132	29	98	5
Disorderly conduct	975	908	283	521	104
Trespassing	416	308	0	2	306
Fare evasion	21,329	20,251	13,458	6,791	2
Curfew & loitering laws	237	196	0	168	28
Total Transit Property Damage			\$ 34,988.66		
<h2 style="margin: 0;">Internal Use Only</h2>					
Report Run Date		Report Run Time		Reporting Period	
04/07/2014		02:43:43PM		01/01/2012 To 12/31/2012	

<input type="checkbox"/> Form not applicable NTD ID <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		BOARD 405 REPORT		Required from transit agencies serving UZAs of 200,000 or more population.	
<input type="checkbox"/> Form 005 included		Based on the Uniform Crime Reporting Handbook		Mode <input type="text"/> <input type="text"/> Type of Service <input type="text"/> <input type="text"/>	
Security Items		In Vehicle		In Station	
Other Transit Prop.					
Location SDTC					
Part I Offenses (Reports)					
Violent Crime		Inc Inv	Arrests		
Homicide	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Forcible rape	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Robbery	1	0			
			Patrons	0	1
			Employees	0	0
			Others	0	0
Aggravated assault	6	5			
			Patrons	3	1
			Employees	0	1
			Others	0	0
Property Crime		Inc Inv	Arrests		
Burglary	0	0			
Larceny/theft	10	0			
			Patrons	2	1
			Employees	1	0
			Others	0	0
Motor vehicle theft	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Arson	0	0			
			Patrons	0	0
Part II Offenses (Arrests)		Inc Inv	Arrests		
Other assaults	19	10			
Vandalism	21	6			
Sex offenses	2	0			
Drug abuse violations	11	11			
Driving under the influence	1	1			
Drunkenness	32	6			
Disorderly conduct	115	47			
Trespassing	5	3			
Fare evasion	6	2			
Curfew & loitering laws	143	131			
Total Transit Property Damage		\$ 3,903.48			
Internal Use Only					
Report Run Date		Report Run Time		Reporting Period	
04/07/2014		02:23:09PM		01/01/2013 To 12/31/2013	

<input type="checkbox"/> Form not applicable NTD ID <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="checkbox"/> Form 005 Included		BOARD 405 REPORT <i>Based on the Uniform Crime Reporting Handbook</i>		Required from transit agencies serving UZAs of 200,000 or more population. Made <input type="checkbox"/> <input type="checkbox"/> Type of Service <input type="checkbox"/> <input type="checkbox"/>	
Security Items		In Vehicle	In Station	Other Transit Prop.	
Location SDTC					
Part I Offenses (Reports)					
Violent Crime	Inc Inv	Arrests			
Homicide	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Forcible rape	0	0			
			Patrons	0	0
			Employees	0	0
			Others	0	0
Robbery	6	1			
			Patrons	2	3
			Employees	0	0
			Others	0	1
Aggravated assault	6	6			
			Patrons	2	2
			Employees	1	0
			Others	2	2
Property Crime	Inc Inv	Arrests			
Burglary	0	0			
Larceny/theft	19	1			
			Patrons	13	0
			Employees	1	0
			Others	0	0
Motor vehicle theft	1	1			
			Patrons	0	0
			Employees	0	0
			Others	0	1
Arson	0	0			
			Patrons	0	0
Part II Offenses (Arrests)					
Other assaults	Inc Inv	Arrests			
Other assaults	37	8			
Vandalism	69	17			
Sex offenses	10	0			
Drug abuse violations	8	7			
Driving under the influence	2	2			
Drunkenness	65	22			
Disorderly conduct	322	56			
Trespassing	3	2			
Fare evasion	72	45			
Curfew & loitering laws	69	59			
Total Transit Property Damage			\$ 7,422.90		
<h1 style="margin: 0;">Internal Use Only</h1>					
Report Run Date		Report Run Time		Reporting Period	
04/07/2014		02:43:43PM		01/01/2012 To 12/31/2012	

2013 Year-End Security Report

Presented by
William Burke, Chief of Police
Transit System Security

April 17, 2014



1



Introduction

Code Compliance and Contract Security

Serve under the direction of the MTS Chief of Police



Code Compliance Inspector (Non-sworn and Unarmed)

- 35 Personnel
- Public Officers with Powers of Arrest – 836.5 P.C.



Contract Security (Armed and Unarmed)

- 170 Personnel
- Private person arrests authorized – 837 P.C.

Contract Security

- Ambassadors – Part Time – Seasonal/as needed
 - Crowd control and general passenger information



2



Training

Transit Systems Security

- BSIS (Bureau of Security and Investigative Services)
- B-PAD (Behavioral Personnel Assessment Device)
- MMPI (Minnesota Multiphasic Personality Inventory)
- 16PF (Sixteen Personality Factor) Questionnaire
- Firearms Qualification Card (armed officers only)
- 170 Hours of Basic Training
- 832 P.C. Peace Officer Standards and Training (some officers)
- Defensive Tactics Course (DTAC)



3



Training

Code Compliance Inspectors

- 832 P.C. Peace Officer Standards and Training (all officers)
- Right-of-Way Safety Protection Plan
- CLETS (California Law Enforcement Telecommunication System)
- Fire and Life Safety Drills
- Anti-Terrorist Intelligence Awareness
- Security Awareness
- TLO (Terrorism Liaison Officer)



4



Training

Code Compliance Inspectors

- International Association of Bomb Technicians (K9)
- Federal Emergency Management Agency (K9)
- Anti-Defamation League Training (K9)
- Accident Investigation (Train the Trainer)
- Blood Borne Pathogens
- Emergency Response Training (LRV Familiarization)
- Defensive Tactics



5



Part I Incidents – Rail

	2010	2011	2012	2013
Ridership	30,514,609	32,748,836	31,207,081	34,449,069
Homicide	0	0	0	0
Rape	0	0	2	0
Robbery	23	45	18	28
Agg. Assault	20	22	15	18
Burglary	1	0	1	1
Theft	78	79	92	114
MV Theft	25	13	21	23
Arson	1	0	0	0
Part I Incidents	148	159	149	184
Per 100,000	.49	.48	.48	.53

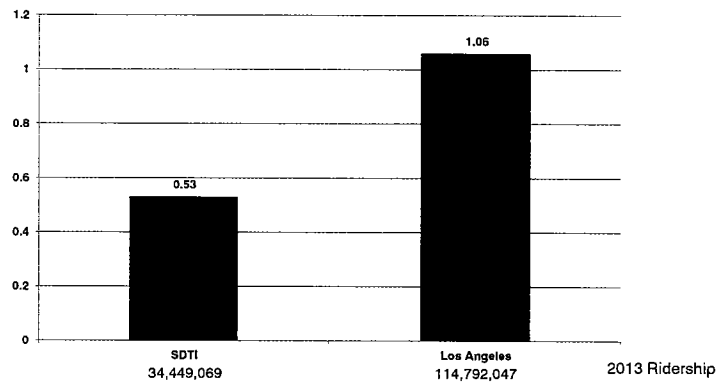


6



Part I Incidents – Rail

Comparison Per 100,000 Passengers
2013



7



Part II Arrests – Rail

Ridership	2010 30,514,609	2011 32,748,836	2012 31,207,081	2013 34,449,069
Other Assaults	67	70	58	83
Vandalism	90	169	116	114
Sex Offenses	12	9	1	3
Drug Abuse	358	198	187	284
DUI	5	3	11	11
Drunkenness	270	238	132	72
Disorderly Conduct	915	1022	908	979
Trespassing	369	355	308	421
Curfew/Loitering	250	197	196	91
Total*	2,336	2,261	1,917	2,058
Arrests per 100,000 passengers	7.66	6.90	6.14	5.97

* Does not include citations for fare evasion.



8



Part I Incidents – SDTC Bus

	2010	2011	2012	2013
Ridership	26,549,413	28,306,452	29,095,808	28,556,582
Homicide	0	1	0	0
Rape	0	0	0	0
Robbery	8	7	6	1
Agg. Assault	9	1	6	6
Burglary	0	0	0	0
Theft	13	15	19	10
MV Theft	0	0	1	0
Arson	0	0	0	0
Total	30	24	32	17
Per 100,000	.11	.08	.11	.06



9



Part II Arrests – SDTC Bus

	2010	2011	2012	2013
Ridership	26,549,413	28,306,452	29,095,808	28,556,552
Other Assaults	11	4	8	10
Vandalism	6	25	17	6
Sex Offenses	4	0	0	0
Drug Abuse	31	15	7	11
DUI	3	2	2	1
Drunkenness	59	49	22	6
Disorderly Conduct	56	94	56	47
Trespassing	1	2	2	3
Curfew/Loitering	53	78	59	131
Total*	224	269	173	215

* Does not include citations for fare evasion.



10



Part I Incidents – Rail

January through December 2013

Cell Phone and Electronics Thefts and Robberies (includes attempts)

- 40 Cell phones and electronic devices
- Account for 28% of all thefts and robberies

January-March
2013 vs. 2014

Measurable success in reduction of robbery and theft incidents

Robberies	Thefts
2013/2014	2013/2014
09/04	30/14
-56%	-53%



11



Part I Incidents

Metal Thefts

- MTS officers have been addressing wire and metal thefts
- In October 2013, San Diego police asked for our assistance with metal thefts from a San Diego & Imperial Valley (SD&IV) railroad yard on MTS property
- Losses of approximately \$30,000 dollars were reported to have been incurred by a contractor and SD&IV
- Some parts were removed from a locomotive at the location
- MTS plainclothes officers worked the area and the suspect was subsequently arrested in the act of trying to steal more metal parts.

MTS Solutions:

- Members of the San Diego County Metal Theft Task Force
 - Includes regulatory and law enforcement agencies
 - Joint details with law enforcement officers – visit recycling centers
 - Target all recyclable metals
 - Shut down unscrupulous recycling centers
- Deployment of Crime Suppression Unit
- Late night patrol conducted on Rights-of-Way and Homeless Camps
- Patrols conducted in uniform and plainclothes



12



Part I Incident Comparison - Rail

MTS and Los Angeles

January through December 2013

	MTS	LA Metro
Ridership	34,449,069	114,792,047
Incidents per 100,000	.53	1.06
<u>Against Persons</u>		
Homicide	0	0
Rape	0	1
Robbery	28	302
Agg. Assault	18	151
Subtotal	46	454
<u>Against Property</u>		
Burglary	1	4
Theft	114	668
MV Theft	23	90
Arson	0	4
Subtotal	138	766
Total Part I Incidents	184	1220



13



Part I Incident Comparison - Bus

MTS and Los Angeles

January through December 2013

	MTS	LA Metro
Ridership	28,556,582	348,108,123
Incidents per 100,000	.06	.15
<u>Against Persons</u>		
Homicide	0	0
Rape	0	1
Robbery	1	97
Agg. Assault	6	120
Subtotal	7	218
<u>Against Property</u>		
Burglary	0	9
Theft	10	290
MV Theft	0	17
Arson	0	1
Subtotal	10	317
Total Part I Incidents	17	535



14



Electronic Citations

- In 2013, MTS purchased handheld citation writing devices as a component of the eForce software program currently in development. These handheld devices also allow for collection of an electronic fingerprint.
- Citations will be printed and given to the defendant instead of a handwritten copy
- eForce will advance recordkeeping abilities and data processes.
- eForce is expected to go live in July 2014.



15



Officer Body Cameras

- In 2013, MTS acquired Body Camera Recorders (BCRs) to be worn by Code Compliance Inspectors
- Other agencies are equipping their officers with cameras such as these. Those agencies are finding that, in some cases, complaints against officers have dropped by 80 percent*
- These cameras will be instrumental for litigation
- MTS is working on a video storage strategy
- Expected date of operation is July 2014



* Source – voiceofsandiego.org



16



If You See Something Say Something

A passenger sent a text to the "See Something Say Something" text number to report a man creating a disturbance on an Orange Line train. The passenger texted the location and asked that officers hurry because he was scary. Officers met the train and removed the unruly passenger.

After this incident, the passenger posted the comment shown below on the MTS Facebook page.

I would like to thank trolley security for their prompt action. There was a man screaming & yelling profanity on the Orange Line. He decided to sit right next to me & continued ranting. It was pretty scary. I texted trolley security and they removed him at the next stop. Thanks for keeping commuters safe.

Like · Comment · 17 Hours ago via mobile



17



K9 Activities



From U-T Story

K9 Activity Highlights:

- There were eleven responses for suspicious devices
- MTS K9 officers were dispatched to two South Bay schools in response to bomb threats
- The K9 unit participated in a Holiday bike give-away program at Encanto Elementary school
- The Union Tribune participated in a ride-along program with the K9 unit in December, resulting in positive media coverage
- MTS K9 officers continue training to keep certifications up-to-date



18



Comic-Con 2013

Suspicious Device Response

- Officers received a report of a person placing a suspicious box on the promenade adjacent to the event.
- Together, with the Department of Homeland Security, MTS officers investigated and confirmed there was no danger to the public



19



Comic-Con 2013



MTS Officers performing crowd control

MTS officers also conducted random inspections of replica weapons, carried by attendees to the event.



20



San Diego State Training Drill

Earthquake Drill/Response Exercise

- MTS participated in a multi-agency earthquake drill
- Simulated earthquake at the San Diego State University station
- Fire Departments and local law enforcement personnel joined in training
- Preparation for first responders for an actual emergency.
- Positive media coverage for MTS



21



Special Enforcement Unit (SEU)

Zero Tolerance Fare Inspection - Rail
January – December 2013



31 SEUs conducted at random stations

124,205 Patrons Inspected

3,319 Citations Issued

46 Written Warnings Issued

2.7% Evasion Rate*

*Compared to 5% National Average for
Turnstile (Barrier) Transit Systems



22

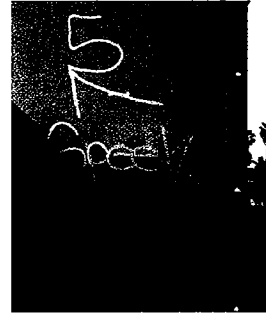


Graffiti Tracker

Incidents Submitted by MTS
January through December 2013

Officers made arrests that resulted in other prosecution related to Graffiti Tracker cases. The highlights are:

- 1) "RIGOR" from the GSR crew is now being prosecuted for numerous cases in Graffiti Tracker.
- 2) "STUDDERS/ KRE8" was arrested by our officers. SDPD was provided with his identification and he is now being prosecuted for numerous incidents in Graffiti Tracker.



23



Graffiti Tracker

Surveillance and Arrest



24



Transient Camps



Camps continue to proliferate on MTS property. Officers contact those in the camps to offer outreach services and move them along.

Officers continue to encounter a variety of weapons in those camps, such as the Airsoft pistol shown.

Over 85% of occupants are dealers or users of methamphetamine and heroin.

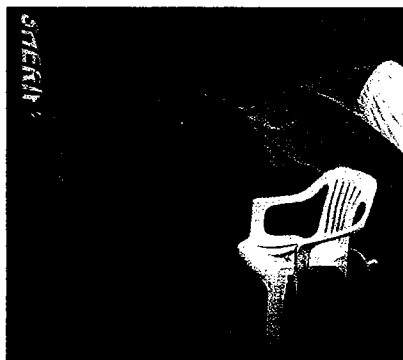


25



Transient Camps

Joint Details



Over thirty camp details were performed on or about MTS property. Some of these details were performed jointly with law enforcement agencies. In the latter part of the year, these camps have become smaller, but more numerous.



26



End



27





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

ADM 121.7

April 17, 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 April 10, 2014.



EXPENSE CONTRACTS				
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
B0607.0-14	SAN DIEGO GAS & ELECTRIC	UNDERGROUND ELECTRIC TO CNG EL CAJON	\$21,926.00	3/11/2014
L0856.2-09	CANON BUSINESS SOLUTIONS	EXTEND LEASE BY 3 MONTHS	\$13,186.00	3/19/2014
G1709.0-14	GOODWILL INDUSTRIES	COMPASS CARD	\$2,500.00	4/9/2014

REVENUE CONTRACTS				
Doc #	Organization	Subject	Amount	Day
L1189.0-14	UNDERGROUND SOLUTIONS, INC.	DURABLE ROE - POTHOLE SERVICE	(\$3,000.00)	2/14/2014
L4625.0-14	ENTERPRENEURS 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
G1693.0-14	PM REALTY GROUP	HAZARD CENTER PARKING STRUCTURE USE	(\$10,600.00)	3/10/2014
PWL150.1-14	GLOBAL POWER GROUP, INC.	BUILDING C BACK UP GENERATOR	(\$17,020.00)	3/18/2014
L5761.0-14	DOWNSTREAM SERVICES, INC.	JROE - DURABLE PERMIT SEWER MAIN MAINTEN	(\$750.00)	3/24/2014
M6710.0-14	CAMPUS CENTER APARTMENTS	ROE - TEMP STORAGE	(\$1,800.00)	3/24/2014
G1697.0-14	SDG&E	VINTAGE TROLLEY	(\$50,000.00)	4/1/2014
L1133.1-13	NASLAND ENGINEERING, INC.	DURABLE ROE - TIME EXTENSION	(\$3,000.00)	4/2/2014
L1200.0-14	JNR CIVIL ENGINEERS, INC.	ROE - LAND SURVEYING MASS TROLLEY STATIO	(\$750.00)	4/4/2014
L0580.2-02	AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA	AMEN. TO 5 YR. LEASE - RED. IN PARKING SPACES	\$55,600.00	4/7/2014
L1195.0-14	GRAN FONDO CYCLING TOURS	ROE - CROSS HAWTHORN TRACKS	(\$750.00)	4/7/2014

PURCHASE ORDERS			
DATE	Organization	Subject	AMOUNT
2/14/2014	STAPLES CONTRACT & COMMERCIAL	WALL UNIT 72 INCH MAYLI VLC	\$981.25
2/14/2014	URBAN CORPS OF SD	PALOMAR ST AND BAY BLVD CLEAN UP	\$2,104.50
2/18/2014	PIXEL IMAGING MEDIA	SDSU STUDENT UNION WRAP	\$10,484.00
2/19/2014	AT&T	CP 8945 PHONES	\$1,488.56
2/20/2014	SOLARWINDS, INC.	SERVER AND APP MONITOR	\$1,899.00
2/20/2014	CDW GOVERNMENT, INC.	ADOBE CREATIVE SUITE LICENCE	\$1,459.00
2/20/2014	CRUZ STRELLA'S CADD & DRAFTING	DRAFTING FOR 26 STATIONS CCTV	\$6,838.65
2/24/2014	TECHNOLOGY	TEMPORARY STAFFING	\$6,600.00
2/24/2014	WMBE PAYROLLING	TEMPORARY STAFFING SERVICES	\$59,280.00
2/24/2014	CDW GOVERNMENT INC	PLANTRONICS HEADSET	\$1,058.40
2/24/2014	RIDOUT PLASTICS	FACT SHEET HOLDER	\$397.42
2/24/2014	STUDIO ELEVEN	ADA SIGNAGE, ARTWORK & SET-UP	\$5,463.38
2/24/2014	MBN SERVICES, INC.	EXECUTIVE RECRUITMENT FEE	\$17,500.00
2/26/2014	CDW GOVERNMENT INC	MULTIPLE ITEMS	\$10,466.00
2/26/2014	PROFESSIONAL STAFFING	TEMP ADMIN ASSISTANT	\$14,620.00
2/27/2014	HELIX MECHANICAL	THERMOSTATES FOR BLDG C LRV	\$1,745.13
3/4/2014	QUILL CORP	STACKING VINYL CHAIRS	\$1,432.06
3/4/2014	NATIONAL BUSINESS FURNITURE	SDTC CONFERENCE ROOM TABLES	\$2,821.88
3/4/2014	CDWG	SYMANTEC PROTECTION SUITE LICENSE	\$5,400.00
3/4/2014	CDWG	MISC. COMPUTER PARTS	\$1,535.76
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

PURCHASE ORDERS			
DATE	Organization	Subject	AMOUNT
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
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
3/19/2014	AO REED	INSTALLATION OF AC COIL GUARD	\$1,755.00
3/20/2014	CDWG	MAXELL LTO ULTIUM	\$1,555.20
3/20/2014	DELL	LATITUDE E7440	\$4,649.27
3/20/2014	URBAN CORPS OF SD	TREE PLANTING FIRST AND BROADWAY	\$497.64
3/21/2014	VERDUGO TESTING CO	TANK PAD AND BOLLARD INSTALLATION	\$14,712.25
3/26/2014	MADDEN CONSTRUCTION	CONCRETE REPAIRS TRANSIT STORE	\$3,448.31
3/28/2014	CDWG	CISCO CATALYST	\$17,667.72
4/2/2014	GSG LLC	SD TROLLEY POCKET GUIDES	\$4,200.12
4/3/2014	CBT SUPPLY DBA SMARTDESKS	HR KIOSKS - CARRELS	\$4,176.86
4/3/2014	VERDUGO TESTING CO	IAD LOT DEMO AND RESURFACING	\$18,595.20
4/4/2014	ELECTRO SPECIALTY SYSTEMS	CCTV EQUIPMENT RELOCATION	\$9,600.00
4/9/2014	CITY ELECTRIC WORKS	ELECTRIC WORK AT TAXI INSPECTION	\$490.00

WORK ORDERS					
Doc #	Organization	Subject	Amount	Day	
PWL132.0-11.08.1	SOUTHLAND ELECTRIC	FASHION VALLEY ELEVATOR HYDRAULIC	(\$5,619.97)	2/19/2014	
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	
G1386.0-11.02.02	PGH WONG ENGINEERING	SDAE RIGHT OF WAY	\$50,000.00	4/3/2014	
G1493.0-13.05	KIMLEY HORN & ASSOCIATES	GEEN LINE COMM UPGRADE PHASE1	\$60,000.00	4/4/2014	



AGENDA ITEM NO.

64

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	4/19/14	
Name	Valerie Fichtelweh	
Address	4758 Imperial Ave #4	
Telephone	619 264-0697	
Organization Represented		
Subject of Your Remarks	Safety concern with the trolley Bench for Division 9 Highland	
Regarding Agenda Item No.		
Your Comments Present a Position of:	<input type="checkbox"/>	<input type="checkbox"/>
	SUPPORT	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.

NOTE: Subjects of previous hearings or agenda items may not again be addressed under General Public Comments.