



1255 Imperial Avenue, #1000
San Diego, CA 92101-7490
619.231.1466 FAX 619.234.3407

Agenda

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

April 9, 2015

04-03-15P01:42 RCVD

Executive Conference Room
9:00 a.m.

ACTION RECOMMENDED

- A. ROLL CALL
- B. APPROVAL OF MINUTES - March 5, 2015 Approve
- C. COMMITTEE DISCUSSION ITEMS
1. California Public Employees' Pension Reform Act of 2013 (PEPRA) (Paul Jablonski) Possible Action
Action would receive a report and provide comments.
 2. California Bus Axle Weight (Sharon Cooney) Possible Action
Action would receive a report and provide comments.
 3. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(d)(1) Possible Action
San Diego Transportation Association, et al. vs. San Diego Metropolitan Transit System, et al. (SDSC Case No. 37-2015-00008725-CU-TT-CTL)
- D. REVIEW OF DRAFT April 16, 2015 BOARD AGENDA
- E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA Possible Action
Review of SANDAG Transportation Committee Agenda and discussion regarding any items pertaining to MTS, San Diego Transit Corporation, or San Diego Trolley, Inc. Relevant excerpts will be provided during the meeting.
- F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS
- G. PUBLIC COMMENTS
- H. NEXT MEETING DATE: May 7, 2015
- I. ADJOURNMENT



MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
EXECUTIVE COMMITTEE
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

March 5, 2015

MINUTES

A. ROLL CALL

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

B. APPROVAL OF MINUTES

Mr. Cunningham moved for approval of the minutes of the February 5, 2015, MTS Executive Committee meeting. Ms. Bragg seconded the motion, and the vote was 4 to 0 in favor with Mr. Roberts absent.

C. COMMITTEE DISCUSSION ITEMS

1. Mid-Coast Corridor Transit Project Station Design (John Haggerty of SANDAG)

John Haggerty, with SANDAG, provided a brief background regarding the Mid-Coast Corridor Transit Project Station Design and introduced Jeff Howard of Parsons Brinkerhoff. Mr. Haggerty briefly discussed the nine Stations associated with the Mid-Coast Corridor Transit Project which extend from Old Town to UTC. Chairman Mathis inquired how the shared parking facilities at some stations will be kept separate from other businesses and non-MTS riders. Mr. Haggerty replied that they are working with MTS staff to ensure that there are restrictions to only allow MTS riders to park in the parking facilities.

Jeff Howard continued the presentation and reviewed prior Executive Committee items including the possible reduction of canopies/shelters, reviewing fall protection height, simplifying the design of the LOSSAN separation wall, reducing paving options for platforms, reviewing stair design for aerial stations, and discussing the connection to Gilman Drive Bridge – VA Medical Center. Mr. Howard discussed the at-grade stations for the Tecolote Road Station, Clairemont Drive Station, Balboa Avenue Station, LOSSAN Separation Wall, VA Medical Center Station, platform elements, paving and station landscape concepts. Mr. Howard also reviewed the aerial stations including the Nobel Drive Station, Pepper Canyon Station, Voigt Drive Station, Executive Drive Station, and the UTC Transit Center Station.

Mr. Haggerty discussed the next steps which include addressing the Executive Committee comments, making community presentations, continuing to advance design, and presenting the Executive Committee with design updates.

Mr. Gloria requested that more detailed picture simulations be presented in future meetings for the UTC Transit Center. He asked about the style of columns that will be used at the Genesee Avenue aerial station. Mr. Haggerty stated that they are still working with the Construction Manager/General Contractor (CMGC) on a solution to

create the desired style of the columns and will keep the Committee updated with new information. Mr. Gloria inquired about the materials that will be used on the LOSSAN Separation Wall. Mr. Howard replied and presented sample pictures of the materials that will be used on the LOSSAN Separation Wall.

Ms. Bragg requested for the Americans with Disabilities Act (ADA) aspects of the presentation be presented at the next Accessible Services Advisory Committee (ASAC) meeting on June 11, 2015.

Mr. Roberts commented on the aerial stations and stated that there has been a lot of work to ensure that the stations are as discrete as possible. He also commented on the options for the at-grade station landscape concepts.

Action Taken

Informational item only. No action taken.

2. Courthouse Trolley Station (Wayne Terry)

Wayne Terry, Chief Operating Officer – Rail Division, provided a presentation on the proposed Orange Line Courthouse Trolley Station. He reviewed the benefits of the new Trolley Station including that it will be a cost-effective alternative to Santa Fe Depot; improvements; provide direct access between public transit and the Courthouse; provide terminal track space for Orange Line trains in the downtown area; provides Orange Line passengers traveling north of downtown to have a timed transfer to the Green Line; and will not negatively impact access to any established private business on C Street. Mr. Terry also reviewed the cost for the Courthouse Station, stating that the estimated total cost would be \$3,052,000. He also noted that Option "A" for this project would include a west switch connection to enhance the station from a sub track to a full siding and would cost an additional \$1,400,000.

Mr. Jablonski commented that this plan has been the result of the ongoing issue at Santa Fe Depot with adding a third track due to congestion. He commented on a recommended long-term solution of having an inter-modal center at the Airport where Amtrak would terminate at that point and MTS Trolleys would continue down to Santa Fe Depot.

Ms. Bragg inquired about adding a fourth car to the Blue Line due to over crowdedness. Mr. Jablonski stated that they have done research on adding a fourth car and there are some issues with block lengths in the downtown area. He reviewed some potential solutions regarding the crowded Blue Line Trolleys including higher frequency of trains or splitting four car trains to avoid the issue of the block lengths once in the downtown area.

Mr. Gloria asked what the next steps are for this project. Mr. Jablonski replied that MTS staff is currently working with all applicable parties and is putting in a request for funding through Cap and Trade. He noted that if this funding does not come from Cap and Trade, it could be funded through a future Capital Improvement Program (CIP) Project.

Action Taken

Informational item only. No action taken.

D. REVIEW OF DRAFT March 12, 2015 BOARD AGENDA

Recommended Consent Items

6. Property Insurance Renewal

Action would authorize the Chief Executive Officer (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, 2015, through March 31, 2016, 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).

7. Federal Legislative Representation - Contract Extension

Action would authorize the Chief Executive Officer (CEO) to execute the Partial Assignment No. 1 of the San Diego Association of Governments (SANDAG) two (2) year contract extension with Peyser Associates, LLC effective May 1, 2015.

8. Fiscal Year 2014-2015 Low Carbon Transit Operations Program (LCTOP) Funding

Action would: (1) adopt Resolution No. 15-4 which agrees to comply with all conditions and requirements set forth in the Certification and Assurances Document, and applicable statutes, regulations, and guidelines for all LCTOP funded transit projects; (2) authorize the Chief Executive Officer (CEO), or designated representative, to execute all required documents of the LCTOP and any amendments thereto with the California Department of Transportation; and (3) authorize the use of, and application for, \$1,204,141 in Fiscal Year 2014-2015 LCTOP funding for capital projects which reduce greenhouse gas emissions and approve mobility with a priority on serving disadvantaged communities.

9. Flushing Units for Light Rail Vehicle Braking Systems - Sole Source Purchase Order

Action would authorize the Chief Executive Officer (CEO) to issue a purchase order to Knorr Brake Company LLC (Knorr), for the procurement of three (3) Knorr brake flushing systems on a sole source basis.

10. Master Information Switching Technology (IST)/Switch Software License Agreement - Fidelity Information Services

Action would authorize the Chief Executive Officer (CEO) to: (1) execute MTS Doc. No. G1808.0-15 with Fidelity Information Services, LLC (FIS), for the assignment of the FIS Master Information Switching Technology (IST)/Switch Software License Agreement from SANDAG to MTS beginning in fiscal year (FY) 2015; and (2) issue a Purchase Order to Fidelity Information Services, LLC (FIS), on a sole source basis, for the upgrade of the IST/Switch Software from version 7.4 to version 7.7 in support of the MTS Compass Card Program.

11. Environmental Health and Safety Specialist Position
Action would authorize the Chief Executive Officer (CEO) to add one (1) Environmental Health and Safety Specialist to the fiscal year 2015 budget, increasing total Full Time Equivalent (FTE) positions from 0 to 1.
12. Closed-Circuit Television (CCTV) System Upgrade - Purchase of Cisco Network Equipment
Action would authorize the Chief Executive Officer (CEO) to issue a purchase order to AT&T Datacomm, Inc. (AT&T), for the purchase of Cisco network equipment under the County of Merced's Fast Open Contracts Utilization Services (FOCUS) Contract No. 2009177.
13. Investment Report - January 2015
14. Number Not Used
15. Amendment to Chief Executive Officer Employment Agreement
Action would approve an amendment to the Executive Employment Agreement between MTS and Paul C. Jablonski to provide additional compensation and fringe benefits.
16. Class B Paratransit Buses - Creative Bus Sales Contract
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0623.0-15 with Creative Bus Sales (CBS) for the purchase of two (2) Class B paratransit vehicles under an existing California Association of Coordinated Transportation (CalACT) contract.
17. Canon Multi-Function Devices: Purchase, Maintenance and Repair - Contract Award
Action would authorize the Chief Executive Officer (CEO) to: (1) execute MTS Doc. No. G1703.0-14 with Signa Digital Solutions for purchase, maintenance and repair of Canon Multi-Function Devices for a two year base period with three, one-year option terms (for a total of five years); and (2) exercise each option year at the CEO's discretion.
18. Interagency Mid-Coast Agreement
Action would authorize the Chief Executive Officer (CEO) to enter into an agreement with the San Diego Association of Governments (SANDAG), the University of California San Diego (UC San Diego), and the California Department of Transportation (Caltrans) regarding the Mid-Coast Corridor Transit Project in substantially the same format as Attachment A.
19. 2015 Transit and Intercity Rail Capital Program (TIRCP) Grant Application
Action would approve Resolution No. 15-5 authorizing the Chief Executive Officer (CEO) to submit an application for up to \$41,181,000 in 2015 TIRCP funding to fund the Trolley Capacity Improvements project.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

Ms. Cooney stated that there is a consent item regarding FasTrak revenue, which is coming in higher than originally anticipated. She said that she is waiting on a response from SANDAG on how that will impact MTS's revenue. Ms. Cooney commented on the Cap and Trade report item regarding Affordable Housing and Sustainable Communities Program. She stated that this

Executive Committee Meeting – MINUTES

March 5, 2015

Page 5 of 5

report item will be discussing the criteria that will be used to assess these projects. Ms. Cooney also reviewed the Regional Transit Oriented Development Strategy agenda item.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

Mr. Jablonski commented that there will be a press conference today at 11:00am outside of the MTS building for the Joint Agency Task Force grant.

G. PUBLIC COMMENTS

There were no public comments.

H. NEXT MEETING DATE

The next Executive Committee meeting is scheduled for April 9, 2015, at 9:00 a.m. in the Executive Committee Conference Room.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 10:48 a.m.

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

Chairman

Attachment: A. Roll Call Sheet

EXECUTIVE COMMITTEE
SAN DIEGO METROPOLITAN TRANSIT SYSTEM

ROLL CALL

MEETING OF (DATE) March 5, 2015

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

RECESS _____

RECONVENE _____

CLOSED SESSION _____

RECONVENE _____


ADJOURN 10:48 a.m.

BOARD MEMBER (Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
BRAGG <input checked="" type="checkbox"/> (Rios) <input type="checkbox"/>	9:00 a.m.	10:48 a.m.
CUNNINGHAM <input checked="" type="checkbox"/> (McClellan) <input type="checkbox"/>	9:00 a.m.	10:48 a.m.
GLORIA <input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>	9:00 a.m.	10:48 a.m.
MATHIS <input checked="" type="checkbox"/>	9:00 a.m.	10:48 a.m.
ROBERTS <input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:04 a.m.	10:48 a.m.
Transportation Committee Rep Slot (Mathis)		

SIGNED BY THE CLERK OF THE BOARD:



CONFIRMED BY THE GENERAL COUNSEL:





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Agenda Item No. C1

MEETING OF SAN DIEGO THE METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

April 9, 2015

SUBJECT:

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

RECOMMENDATION:

That the Executive Committee receive a report and provide comments.

Budget Impact

None with this action.

DISCUSSION:

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

After PEPRA became effective in January 2013, the United States Department of Labor (DOL) considered decertification of transit grants throughout the state on the basis of challenges by transit labor unions associated with PEPRA. At the time, MTS had several grants awaiting DOL certification, and MTS funding for its operations was in jeopardy. An agreement was reached between the Governor's office and DOL to seek a Federal District Court decision to determine the fate of PEPRA, while at the same time a temporary exemption from PEPRA was approved for transit operators. In December 2014, the Court held in favor of the State, and transit operators are currently not exempt



from PEPR. DOL has not indicated how it will proceed under the Court's order, and in the meantime have not certified California transit agency grants. Staff will provide a report and seek Executive Committee feedback on next steps.

Handwritten signature of Sharon Cooney in black ink, written over a horizontal line.

Paul C. Jablonski
Chief Executive Officer

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

Metropolitan Transit System PEPRA Update

MTS Board of Directors
Executive Committee
April 9, 2015



1



PEPRA Update

- \$85M in total federal funding in FY16
 - Section 5307: \$45M
 - Section 5337: \$22M
 - Ladders of Opportunity: \$18M (East County Buses)
- If federal funding is delayed
 - \$52M of federal funds in operations
 - Cash flow negative beginning in November 2015 (Fiscal Emergency)
 - Including depletion of Contingency Reserves
- Options
 - Deplete FY16 Capital Improvement Program
 - \$102M in total, \$62M in Bus Procurements
 - Service cuts



2





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Agenda Item No. C2

MEETING OF SAN DIEGO THE METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

April 9, 2015

SUBJECT:

CALIFORNIA BUS AXLE WEIGHT (SHARON COONEY)

RECOMMENDATION:

That the Executive Committee receive a report and provide comments.

Budget Impact

None with this action.

DISCUSSION:

California state law limits single bus-axle weights to 20,500 pounds on roads other than interstate highways. California state law in regards to bus axle weight limits was set in 1975. Since the 1970s, the weight of transit buses has increased by several thousand pounds—primarily due to implementation of government regulations—which add weight to the bus, such as the extra equipment needed to meet the Americans with Disabilities Act (ADA) accessibility requirements and the use of alternative fuels like CNG. Therefore, most California transit buses exceed the state limit when carrying passengers.

The California Transit Association, in conjunction with MTS, sought a legislative remedy that would better reflect the weight of buses today. Assembly Bill 1706 (Eng, 2013) provided an exemption from the state's axle weight limit for all existing transit fleets and all bus procurements completed before the end of 2012. Since then stakeholders have been working together to find a more permanent legislative fix. A placeholder bill, Assembly Bill 1250 (Bloom), has been introduced. Staff will provide a report on advocacy efforts to date and seek Executive Committee recommendations for next steps.

Sharon Cooney for

Paul C. Jablonski
Chief Executive Officer

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



BILL NUMBER: AB 1706 CHAPTERED
BILL TEXT

CHAPTER 771
FILED WITH SECRETARY OF STATE SEPTEMBER 29, 2012

APPROVED BY GOVERNOR SEPTEMBER 29, 2012
PASSED THE SENATE AUGUST 23, 2012
PASSED THE ASSEMBLY AUGUST 28, 2012
AMENDED IN SENATE AUGUST 21, 2012
AMENDED IN SENATE AUGUST 6, 2012
AMENDED IN SENATE JUNE 26, 2012
AMENDED IN ASSEMBLY MAY 25, 2012
AMENDED IN ASSEMBLY APRIL 30, 2012
AMENDED IN ASSEMBLY APRIL 17, 2012

INTRODUCED BY Assembly Member Eng

FEBRUARY 15, 2012

An act to add Section 11343.3 to the Government Code, and to amend, repeal, and add Section 35554 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1706, Eng. Vehicles: transit bus weight.

(1) Under existing law, the gross weight imposed upon the highway by the wheels on any one axle of a vehicle is prohibited from exceeding 18,000 pounds, except the gross weight on any one axle of a bus is prohibited from exceeding 20,500 pounds. A violation of these requirements is a crime.

This bill would provide that these prohibitions do not apply to a transit bus, except as specified. The bill would, until January 1, 2015, prohibit a publicly owned or operated transit system or an operator of a transit system under contract with a publicly owned or operated transit system from procuring through a solicitation process pursuant to which a solicitation is issued on or after January 1, 2013, a transit bus whose weight on any axle exceeds 20,500 pounds,

with specified exceptions. The bill would impose a state-mandated local program by imposing new requirements upon transit buses.

Existing law requires state agencies to comply with specified procedures when promulgating and adopting administrative regulations.

The bill would require state regulatory agencies that are required to promulgate administrative regulations to take into account vehicle weight impacts and the ability of vehicle manufacturers and vehicle operators to comply with laws limiting the weight of vehicles.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Fully funded, efficient, and effective public transit systems operating in a balanced transportation network do all of the following:

(1) Support California's growing economy by moving people to their jobs and to educational sites, by providing well-paying and stable jobs, and by enhancing the value of surrounding real estate.

(2) Bolster the state's energy security by decreasing dependence on imported oil.

(3) Contribute to California's greenhouse gas reduction and air quality improvement goals.

(4) Save travelers time by mitigating traffic congestion as the state's population grows.

(5) Afford the safest means of motorized travel.

(6) Promote equitable access to affordable, reliable, and safe transportation for all Californians.

(b) The state should therefore support the continued building, maintenance, and operation of effective local and regional public transportation networks for, including, but not limited to, the following additional reasons:

analysis of, and recommendations concerning, all of the following:

(A) The means to be considered to encourage the development and manufacture of lightweight buses.

(B) An analysis of, and recommendations concerning, whether Congress should require that each rulemaking by an agency of the federal government that affects the design or manufacture of motor vehicles consider the weight that would be added to the vehicle by implementation of the proposed rule.

(C) The effect that the added weight would have on pavement wear.

(D) The resulting cost to the federal government and state and local governments.

(3) In 2005, federal law was amended to temporarily provide an exemption from the federal vehicle weight limitations for transit vehicles on the Dwight D. Eisenhower National System of Interstate and Defense Highways (the Interstate System), and to prohibit specified states, including California, or any political subdivision of those states, from enforcing a transit vehicle weight limit of less than 24,000 pounds on the Interstate System. That exemption and prohibition are in place until June 30, 2012.

(d) The Vehicle Code currently places a restriction on the gross weight imposed upon the highway by the wheels of any one axle of a bus, which cannot exceed 20,500 pounds. However, that restriction was

created in 1976 and is only 500 pounds heavier than the restriction generally placed on any other type of vehicle operating on the highways. In the case of vehicle axle weights, the term "highway" is interpreted to include city streets and county roads.

(e) The federal study specified in paragraph (1) of subdivision (c) referenced several reasons why public transit buses have become heavier over the years, particularly in the more than three decades since California first imposed a specific axle weight limitation on buses, as follows:

(1) Requirements placed on bus manufacturers, as well as on providers of local public transit service, to comply with new federal and state laws and regulations.

(2) Heavier fuel tanks to safely contain alternative fuels such as natural gas that are necessary to meet air quality standards and engine emissions standards imposed on buses.

(3) Wheelchair lifts and other safety equipment necessary to transport disabled passengers pursuant to the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), as amended.

(f) Some local law enforcement agencies have begun to cite some operators of public transportation services for operating transit

vehicles in excess of the California axle weight limitations for buses, thus threatening disruption of efficient and effective public transit service that otherwise complies with all applicable federal and state laws and regulations, including those laws and regulations that have compelled operation of heavier transit buses.

(g) Therefore, it is vital the state act immediately to clarify that the public transit vehicles currently operating in California are permitted to continue in transit service without disruption due to the state's outdated transit bus weight limitation.

(h) It is the intent of the Legislature that bus manufacturers move toward producing lighter buses that would comply with state and federal law in order to prevent the damage that overweight buses cause to California's system of local streets and roads, which themselves are deteriorating due to maintenance and rehabilitating funding shortfalls.

SEC. 2. Section 11343.3 is added to the Government Code, to read: 11343.3. Notwithstanding any other law, a state agency that is required to promulgate administrative regulations, including, but not limited to, the State Air Resources Board, the California Environmental Protection Agency, the State Energy Resources Conservation and Development Commission, and the Department of Motor

Vehicles, shall take into account vehicle weight impacts and the ability of vehicle manufacturers or vehicle operators to comply with laws limiting the weight of vehicles.

SEC. 3. Section 35554 of the Vehicle Code is amended to read: 35554. (a) (1) Notwithstanding Section 35550, the gross weight on any one axle of a bus shall not exceed 20,500 pounds.

(2) A transit bus procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2013, or through a solicitation process pursuant to subdivision (d) is not subject to this subdivision.

(b) A transit bus is not subject to Section 35550.

(c) A transit bus shall not operate on the Dwight D. Eisenhower System of Interstate and Defense Highways in excess of the weight limitation for transit buses specified in federal law.

(d) (1) A publicly owned or operated transit system or an operator of a transit system under contract with a publicly owned or operated transit system shall not procure, through a solicitation process pursuant to which a solicitation is issued on or after January 1, 2013, a transit bus whose weight on any single axle exceeds 20,500 pounds except as follows:

(A) It may procure and operate a new bus exceeding 20,500 pounds



California
LEGISLATIVE INFORMATION

AB-1250 Vehicles: buses: gross axle weight. (2015-2016)

AMENDED IN ASSEMBLY MARCH 19, 2015

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

ASSEMBLY BILL

No. 1250

Introduced by Assembly Member Bloom

February 27, 2015

An act to amend Section 35554 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1250, as amended, Bloom. Vehicles: buses: gross axle weight.

Existing law, operative January 1, 2016, ~~and subject to exception for certain transit buses~~, provides that the gross weight on any one axle of a bus shall not exceed 20,500 pounds. *Existing law exempts from this limitation a transit bus procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2013. A violation of this provision is a crime.*

~~This bill would make technical, nonsubstantive changes to these provisions.~~

This bill would exempt from the weight limitation transit buses procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2016.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 35554 of the Vehicle Code, as amended by Section 2 of Chapter 263 of the Statutes of 2014, is amended to read:

35554. (a) (1) Notwithstanding Section 35550, the maximum gross weight on any one axle of a bus shall not exceed 20,500 pounds.

(2) This subdivision does not apply to a transit bus procured through a solicitation process pursuant to which a solicitation was issued before January 1, ~~2013~~, 2016.

(b) A transit bus is not subject to Section 35550.



AGENDA ITEM NO.

C2

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	2015-04-09		
Name	S Clive Richard		
Address	5153 L2 Donna St, S.D.		
Telephone	619.867.7049		
Organization Represented			
Subject of Your Remarks			
Regarding Agenda Item No.			
Your Comments Present a Position of:	<input type="checkbox"/>	<input checked="" type="checkbox"/> SUPPORT	<input type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

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

3. DISCUSSION OF AGENDA ITEMS

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

4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

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

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



AGENDA ITEM NO.

C3

REQUEST TO SPEAK FORM

ORDER REQUEST RECEIVED

1

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TO THE CLERK OF THE BOARD PRIOR TO DISCUSSION OF YOUR ITEM**

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(PLEASE PRINT)

DATE	2015-04-09				
Name	Clive Richard				
Address	5153 La Borna St, San Diego, CA				
Telephone	619.867.7049				
Organization Represented					
Subject of Your Remarks					
Regarding Agenda Item No.					
Your Comments Present a Position of:	<input type="checkbox"/>	<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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San Diego, CA 92101-7490
619.231.1466 FAX 619.234.3407

DRAFT

Agenda

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 16, 2015

9:00 a.m.

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

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please call the Clerk of the Board at least two working days prior to the meeting to ensure availability. Assistive Listening Devices (ALDs) are available from the Clerk of the Board/Assistant Clerk of the Board prior to the meeting and are to be returned at the end of the meeting.

ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - March 12, 2015
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

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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.



CONSENT ITEMS

6. Revisions to Board Policy No. 34 (For-Hire Vehicle Services) Approve
Action would approve and adopt the proposed revisions to Policy No. 34 (For-Hire Vehicle Services).
7. Taxicab Maximum Allowable City and Airport Rates of Fare - Implementation of Uniform Rates for 2015 Approve
Action would approve Resolution No. 15-6 applying a uniform rate to the 2015 maximum allowable City of San Diego and Airport rates of fare for the year 2015.
8. Bus Tire Lease and Services - Contract Award Approve
Action would authorize the Chief Executive Officer (CEO) to: (1) execute MTS Doc. No. B0619.0-15 with Michelin North America, Inc. (Michelin) for bus tire lease and services for a five (5) year based period and five (5) one-year options; and (2) exercise each option term at the CEO's discretion.
9. California Department of Transportation Program of Projects for Federal Transit Administration Section 5311 Funding, Federal Fiscal Year 2015 Approve
Action would approve Resolution No. 15-7 authorizing the use of and application for \$360,654 of Federal Transit Administration (FTA) Section 5311 funds for operating assistance.
10. California Governor's Office of Emergency Services and California Transit Security Grant Program Funding, Fiscal Year 2014-2015 Approve
Action would approve Resolution No. 15-8 authorizing the use of and application for \$2,779,445 of California Transit Security Grant Program (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. Investment Report - February 2015 Information

CLOSED SESSION

24. a. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS Pursuant To California Government Code Section 54957.6
Agency: San Diego Transit Corporation (SDTC) and San Diego Trolley, Inc. (SDTI)
Agency-Designated Representative: Jeff Stumbo
Employee Organization: International Brotherhood of Electrical Workers, Local 465 (Representing SDTI Train Operators, Electromechanics, Servicers and Clerical)
Employee Organization: Amalgamated Transit Union, Local 1309 (Representing Bus Operators and Clerical Employees at SDTC)
 - b. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(d)(1) San Diego Transportation Association, et al. vs. San Diego Metropolitan Transit System, et al. (SDSC Case No. 37-2015-00008725-CU-TT-CTL)
- Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. None.

REPORT ITEMS

45.

46.

60.	<u>Chairman's Report</u>	Information
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61.	<u>Audit Oversight Committee Chairman's Report</u>	Information
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62.	<u>Chief Executive Officer's Report</u>	Information
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63.	<u>Board Member Communications</u>	
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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.	
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65.	<u>Next Meeting Date:</u> May 14, 2015	
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66.	<u>Adjournment</u>	
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Agenda Item No. 6

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 16, 2015

**Draft for
Executive Committee
Review Date: 4/9/2015**

SUBJECT:

REVISIONS TO BOARD POLICY NO. 34 (FOR-HIRE VEHICLE SERVICES)

RECOMMENDATION:

That the Board of Directors approve and adopt the proposed revisions to Policy No. 34 (For-Hire Vehicle Services) (Attachment A).

Budget Impact

None.

DISCUSSION:

Board Policy No. 34 sets forth the procedures to establish a policy with guidelines and procedures for the implementation of MTS Ordinance No. 11. At its meeting on February 12, 2015, the Board approved changes to Ordinance No. 11 to coincide with changes made by the City of San Diego to City Council Policy 500-02. Those changes are required to also be reflected in Board Policy No. 34.


Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Proposed Board Policy No. 34





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 San Diego, CA 92101-7490
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 FAX 619/234-3407

Policies and Procedures

No. 34

SUBJECT:

Board Approval: 04/16/15 04/19/12

FOR-HIRE VEHICLE SERVICES

PURPOSE:

To establish a policy with guidelines and procedures for the implementation of MTS Ordinance No. 11.

BACKGROUND:

Regulation of for-hire vehicle service is in the interest of providing the citizens and visitors to the MTS region and particularly the Cities of El Cajon, Imperial Beach, La Mesa, Lemon Grove, Poway, San Diego, and Santee, with a good quality local transportation service. Toward this end, MTS finds it desirable to regulate the issuance of taxicab permits, to establish maximum rates of fare, and to provide for annual review of cost-recovery regulatory fees.

POLICY:

34.1 City of San Diego Entry Policy

~~34.1.1 MTS will periodically establish the maximum number of taxicab permits to be issued for the City of San Diego.~~

~~34.1.21~~ — New City of San Diego taxicab permits will be issued in accordance with amended San Diego City Council Policy No. 500-02, "Taxicab Permits," adopted on August 6, 2001.

34.2 City of San Diego Entry Policy Implementation

~~The following guidelines should be observed with respect to the issuance of taxicab permits when the formula yields an increase of at least 40 permits.~~



Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the taxicab administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company. MTS 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 Santee, and the County of San Diego.

~~34.2.1 The percentage of growth in population divided by 2 plus the percentage of growth in hotel room nights occupied times the current number of permits. All changes are to be calculated on a two-year rolling average.~~

~~34.2.2 The process through which permits are issued will limit the concentration of permits. No permit will be issued or transferred to any person, partnership, corporation, association, or other entity if such issuance or transfer would result in any permit holder having an interest in more than 40 percent of the existing permits. New permits shall not be transferred for a period of five years after issuance.~~

~~34.2.3 No single permit will be issued or transferred to any person, company, business, corporation, or other entity if such issuance or transfer would result in single permit holders in aggregate having interest in more than 40 percent of the existing permits.~~

34.32 City of San Diego Entry Policy Exclusions

~~This policy is not intended to govern the issuance of limited permits as authorized by Section 1.7 of MTS Ordinance No. 11.~~

34.432 Maximum Fare Policy

Pursuant to MTS Ordinance No. 11, Section 2.2(a) and after a duly noticed and open public hearing, MTS determined that the maximum rate of fare for exclusive ride and group ride hire of taxicabs shall be that fare that does not exceed twenty percent (20%) more than the weighted average of fares as established in accordance with this policy.

34.432.1 Maximum Fare Determination

The weighted average of fares shall be computed by the Chief Executive Officer and duly promulgated in writing upon the passage of this policy and thereafter each year by averaging each segment of the fare structure of all MTS taxicab permit holders. The fare structure shall consist of the dollar amounts charged by said permit holders for the flag drop, the per-mile charge, waiting-time charge, first zone, and each additional zone charge. The weighted average of these charges shall be arrived at by adding each segment of each respective charge and dividing it by the total number of taxicabs holding effective permits.

34.432.2 The Chief Executive Officer will use his discretion when the maximum rates of fare and the uniform rates of fare for trips from Lindbergh Field airport are incompatible. The Chief Executive Officer may adjust the maximum rates of fare so that the uniform rates of fare, based on the change in the Annual All Urban Western Transportation Consumer Price Index, do not exceed the maximum rates allowed in accordance with Section 34.24.1.

34.543 Airport Taxicab Fare Policy

Rates of fare for trips from Lindbergh Field Airport shall be uniform.

In the event an owner chooses a different rate for nonairport trips for taxicabs authorized to service the airport, two meters or a multirate meter shall be installed and identified. The meter(s) shall be activated according to the proper rate for the trip's origin, and it shall be clearly visible to the passenger which rate is being charged.

34.543.1 The uniform rates of fare for taxicab trips from Lindbergh Field Airport are initially established at \$1.40 flag drop, \$1.50 per mile, and \$12.00 per hour, effective June 1, 1990.

The airport rates shall be reviewed annually, beginning in January 2009, by the Chief Executive Officer. Airport rates shall be adjusted based on the 1990 amounts, in accordance with the change in the Annual All Urban Western Transportation Consumer Price Index/ San Diego. Adjustments shall be rounded up or down, as appropriate, to the nearest even \$0.10 increment.

In addition to the airport uniform rate of fare, a taxicab operator may charge an "extra" equal to the Airport Trip Fee assessed against the individual taxicab operator by the San Diego County Regional Airport Authority. The extra may not be charged on any trip that does not originate at the airport or on any trip where the taxicab operator does not pay the fee to the San Diego County Regional Airport Authority. The extra charge may only be charged to the customer by utilizing the extra button on the taxicab meter. A driver may not verbally request payment.

34.654 Regulatory Fee Review

The following procedures will be utilized for the establishment of for-hire vehicle regulatory fees.

34.654.1 In accordance with State of California Public Utilities Code Section 120266, MTS shall fully recover the cost of regulating the taxicab and other for-hire vehicle industry. Pursuant to MTS Ordinance No. 11, Sections 1.3(b), ~~1.4(1.4(ba))~~, and 1.4(d), and 1.5(d), the Chief Executive Officer establishes a fee schedule to effect full-cost recovery and notify affected permit holders of changes in the fee schedule.

34.654.2 The procedure for establishing a regulatory fee schedule will include an annual review of the audited expenses and revenue of the previous fiscal year associated with MTS for-hire vehicle activities. The revised fee schedule will be available for review by interested parties in November each year and is subject to appeal as provided for in Ordinance No. 11, Section 1.5(d).

34.654.3 A fee schedule based on previous year expenses and revenue
amounts will be put into effect each January.

POLICY.34.FOR-HIRE VEHICLE SERVICES

This policy was originally adopted on 12/8/88.

This policy was amended on 7/26/90.

This policy was amended on 5/9/91.

This policy was amended on 6/13/91.

This policy was amended on 1/28/93.

This policy was amended on 5/11/95.

This policy was amended on 10/31/02.

This policy was amended on 4/24/03.

This policy revised on 3/25/04.

This policy was amended on 4/26/07.

This policy was amended on 7/17/08.

This policy was amended on 4/19/12.

This policy was amended on 4/16/15_____.



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Agenda Item No. 7

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 16, 2015

**Draft for
Executive Committee
Review Date: 4/9/2015**

SUBJECT:

TAXICAB MAXIMUM ALLOWABLE CITY AND AIRPORT RATES OF FARE -
IMPLEMENTATION OF UNIFORM RATES FOR 2015

RECOMMENDATION:

That the Board of Directors approve Resolution No. 15-6 (Attachment A) applying a uniform rate to the 2015 maximum allowable City of San Diego and Airport rates of fare for the year 2015.

Budget Impact

None.

DISCUSSION:

As part of the MTS Taxicab Advisory Committee meeting on March 26, 2015, a public hearing was held regarding taxicab rates of fare for the airport and the maximum allowable City rates of fare.

MTS Ordinance No. 11, Section 2.2 (b) states, "*Taxicab trips from San Diego County Regional Airport (SDCRA) shall be at a uniform rate of fare.*" MTS Policies and Procedures No. 34, Section 34.5.1 (Attachment B), provides that "*Airport rates shall be adjusted ... in accordance with the change in the Annual All Urban Western Transportation Consumer San Diego Price Index*" (Attachment C).

For rates of fare for taxicab trips that do not originate at the San Diego International Airport, MTS Ordinance No. 11, Section 2.2, and Policies and Procedures No. 34, Section 34.4 (Attachment B), provides that all MTS taxicab permit holders file rates of fare that do not exceed 20 percent above the average rates on file for all taxicab vehicles, except for trips originating at the airport, and provided that they are consistent with the rates of their radio service.



Both airport and non-airport rates of fare are calculated annually. The previous time airport rates of fare were calculated was in 2014. Therefore, staff is required to recalculate rates this year.

Current rates, as well as results of staff's calculations of the rates of fare for 2015 for the airport are as follows:

<u>Current Airport Rates</u>	<u>Proposed 2015 Airport Rates</u>
\$ 2.80 flag drop 1/10 of a mile	\$ 2.80 flag drop 1/10 of a mile
\$ 3.00 per mile	\$ 3.00 per mile
\$ 24.00 per-hour waiting time	\$ 24.00 per-hour waiting time

Maximum allowable City rates of fare are as follows:

<u>Current Maximum City Rates</u>	<u>Recalculated Maximum City Rates</u>
\$ 3.10 flag drop 1/11 of a mile	\$ 3.40 flag drop 1/12 of a mile
\$ 3.30 per mile	\$ 3.60 per mile
\$ 27.00 per-hour waiting time	\$ 29.00 per-hour waiting time

Based on staff calculations, taxicab rates for the airport would not increase in 2015, but would increase \$0.30/mile for the maximum allowable City rate. The flag drop for the City rate would increase \$0.30 and the waiting time for the City rate would increase \$2.00/hour, thus creating a wider gap between airport rates and the City rate, possibly causing customer concern. In addition, the Committee membership is concerned that taxicabs would charge more when operating in the City and this would require many operators to use dual rates of fare. Additionally, Transportation Network Carrier (TNC) drivers are charging significantly less than taxicab rates of fare, and the airport is considering allowing TNC vehicles to operate at the airport.

The Taxicab Advisory Committee membership has requested that for 2015, MTS implement uniform (same) rates for both the airport rates of fare and maximum allowable City rates of fare at the current airport rates. Staff sees the benefits of the Committee request by avoiding passengers paying more for trips traveling to the airport than for trips originating at the airport, and eliminating many companies adopting dual rates.

Staff is requesting that the MTS Board of Directors pass a resolution to apply a uniform rate for the maximum allowable City and airport rates of fare for 2015:

\$2.80 flag drop 1/10 of a mile
\$3.00 per mile
\$24.00 per-hour waiting time


Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Resolution No. 15-6
B. MTS Policy 34.4
C. Consumer Price Index
D. Resolution 13-17

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 15-6

A Resolution Approving Uniform Rates of Fare for the San Diego International Airport
and the Maximum Allowable Rates of Fare for the City of San Diego
at the Amounts Presently in Effect Until Approximately March 2016

WHEREAS, current policy, process, and general taxicab rates of fare are regulated by the MTS Board of Directors in accordance with MTS Ordinance No. 11 and Policy No 34; and

WHEREAS, the 2015 calculation of rates of fare for the San Diego International Airport (airport) have determined that taxicab rates for the airport will not increase; and

WHEREAS, the 2015 calculation of rates of fare for the City of San Diego (City) have determined that taxicab rates for the City will increase; and

WHEREAS, the MTS Taxicab Advisory Committee has requested that MTS unify the rates of fare for taxicabs operating at the airport and the maximum allowable City rates of fare at the current airport rate of fare; NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the MTS Board of Directors does hereby apply uniform taxicab rates of fare for the airport and the maximum allowable rates of fare for the City at the amounts currently in effect for airport originated trips until approximately March 2016 or whenever the Board takes action to change rates.

PASSED AND ADOPTED, by the MTS Board of Directors this 16th day of April 2015, by the following votes:

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

34.4 Maximum Fare Policy

Pursuant to MTS Ordinance No. 11, Section 2.2(a) and after a duly noticed and open public hearing, MTS determined that the maximum rate of fare for exclusive ride and group ride hire of taxicabs shall be that fare that does not exceed twenty percent (20%) more than the weighted average of fares as established in accordance with this policy.

34.4.1 Maximum Fare Determination

The weighted average of fares shall be computed by the Chief Executive Officer and duly promulgated in writing upon the passage of this policy and thereafter each year by averaging each segment of the fare structure of all MTS taxicab permit holders. The fare structure shall consist of the dollar amounts charged by said permit holders for the flag drop, the per-mile charge, waiting-time charge, first zone, and each additional zone charge. The weighted average of these charges shall be arrived at by adding each segment of each respective charge and dividing it by the total number of taxicabs holding effective permits.

34.4.2 The Chief Executive Officer will use his discretion when the maximum rates of fare and the uniform rates of fare for trips from Lindbergh Field airport are incompatible. The Chief Executive Officer may adjust the maximum rates of fare so that the uniform rates of fare, based on the change in the Annual All Urban Western Transportation Consumer Price Index, do not exceed the maximum rates allowed in accordance with Section 34.4.1.

34.5 Airport Taxicab Fare Policy

Rates of fare for trips from Lindbergh Field Airport shall be uniform.

In the event an owner chooses a different rate for nonairport trips for taxicabs authorized to service the airport, two meters or a multirate meter shall be installed and identified. The meter(s) shall be activated according to the proper rate for the trip's origin, and it shall be clearly visible to the passenger which rate is being charged.

34.5.1 The uniform rates of fare for taxicab trips from Lindbergh Field Airport are initially established at \$1.40 flag drop, \$1.50 per mile, and \$12.00 per hour, effective June 1, 1990.

The airport rates shall be reviewed annually, beginning in January 2009, by the Chief Executive Officer. Airport rates shall be adjusted based on the 1990 amounts, in accordance with the change in the Annual All Urban Western Transportation Consumer Price Index/ San Diego. Adjustments shall be rounded up or down, as appropriate, to the nearest even \$0.10 increment.

In addition to the airport uniform rate of fare, a taxicab operator may charge an "extra" equal to the Airport Trip Fee assessed against the

individual taxicab operator by the San Diego County Regional Airport Authority. The extra may not be charged on any trip that does not originate at the airport or on any trip where the taxicab operator does not pay the fee to the San Diego County Regional Airport Authority. The extra charge may only be charged to the customer by utilizing the extra button on the taxicab meter. A driver may not verbally request payment.

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Consumer Price Index - All Urban Consumers

Series Id: CUUSA424SAT
Not Seasonally Adjusted
Area: San Diego, CA
Item: Transportation
Base Period: 1982-84=100

Download:  .xlsx

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2004													175.6	174.0	177.2
2005													185.5	182.5	188.4
2006													190.4	189.4	191.5
2007													193.218	192.918	193.518
2008													200.721	205.196	196.246
2009													184.717	177.071	192.364
2010													200.398	198.572	202.224
2011													222.685	222.913	222.457
2012													227.691	229.775	225.608
2013													225.570	227.028	224.112
2014													223.308	228.254	218.362

2012

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SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 13-17

A Resolution Approving Stabilizing the Rates of Fare for the
San Diego International Airport and the Maximum Allowable Rates of Fare
for the City of San Diego at the Amounts Presently in Effect Until Approximately March 2014

WHEREAS, current policy, process, and general taxicab rates of fare are regulated by the MTS Board of Directors in accordance with MTS Ordinance No. 11 and Policy No 34; and

WHEREAS, the 2013 calculation of rates of fare for the San Diego International Airport (airport) have determined that taxicab rates for the airport will increase; and

WHEREAS, the 2013 calculation of rates of fare for the City of San Diego (City) have determined that taxicab rates for the City will increase; and

WHEREAS, the MTS Taxicab Advisory Committee has requested that MTS freeze the rates of fare for taxicabs operating at the airport and the maximum allowable City rates of fare;

NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that the MTS Board of Directors does hereby freeze the taxicab rates of fare for the airport and the maximum allowable rates of fare for the City at the amounts currently in effect until approximately March 2014.

PASSED AND ADOPTED by the Board of Directors this 20th day of June, 2013 by the following vote:

AYES: Bragg, Mullin, Ewin, Gastil, Gloria, Mathis, McClellan, Minto, Ovrom, Rios, Roberts, Salas, Zapf

NAYS:

ABSENT: Alvarez, Emerald

ABSTAINING:




Chairperson
San Diego Metropolitan Transit System

Filed by:



Clerk of the Board
San Diego Metropolitan Transit System

Approved as to form:



Office of the General Counsel
San Diego Metropolitan Transit System



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

Agenda Item No. 8

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 16, 2015

**Draft for
Executive Committee
Review Date: 4-9-15**

SUBJECT:

BUS TIRE LEASE AND SERVICES – CONTRACT AWARD

RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to:

- 1) execute MTS Doc. No. B0619.0-15 (in substantially the same format as Attachment A) with Michelin North America, Inc. (Michelin) for bus tire lease and services for a five (5) year based period and five (5) one-year options; and
- 2) exercise each option term at the CEO's discretion.

Budget Impact

The total estimated cost of this contract would not exceed \$13,369,042.51 (base period in the amount of \$5,438,865.68 plus the option periods in the amount of \$6,612,168.41 plus the run-out period in the amount of \$1,318,008.42) and will be funded through the San Diego Transit Corporation (SDTC) maintenance operating budget under 315-54410 as detailed in Attachment B.

DISCUSSION:

MTS currently operates 154 buses out of the Imperial Avenue Division (IAD) and 139 buses out of the Kearny Mesa Division (KMD) which operate seven days per week, 24 hours per day. MTS contracts with bus tire manufacturers to provide newly manufactured bus tires on a lease rate per mile basis at a predetermined fixed rate, as well as on-site tire servicing at a fixed monthly rate.

Due to the efficient and cost-effective services that bus tire manufacturers provide, it was determined that it is in the best interest of MTS to issue a Request for Proposal (RFP) to continue these services for MTS.



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

As MTS's current bus tire lease contract expires on June 30, 2015, MTS issued a RFP to potential bidders on December 19, 2014 to continue to receive these services. On February 12, 2015, MTS received proposals from three of the heavy-duty, transit bus tire manufacturers as follows:

1. Bridgestone Americas Tire Operations, LLC (Bridgestone)
2. Michelin North America, Inc. (Michelin)
3. The Goodyear Tire & Rubber Company (Goodyear)

A selection committee consisting of representatives from the MTS Finance, Quality Assurance, and Bus Maintenance departments met and rated the proposals. The ratings were based on the following criteria:

- | | | |
|----|---|------------|
| 1. | Qualifications, Related Experience, and References of Proposers | 30% |
| 2. | Work Plan | 30% |
| 3. | Proposed Staffing, Firm Organization, and Management Plan | 10% |
| 4. | Cost and Price | 30% |
| | | Total 100% |

All proposals were deemed responsive and responsible. After the evaluation, all three proposers were considered to be within the competitive range and advanced to the next step of the evaluation process which included interviews and negotiations.

Based on the evaluation panel's analysis of the technical proposal, discussions, negotiations, and analysis of the prices offered, it was determined that Michelin's proposal is fair and reasonable and represents the best overall value to MTS.

The following table represents the final scores and rankings:

PROPOSER NAME	TOTAL AVG. TECH. SCORE	COST SCORE	TOTAL SCORE (Tech + Cost) Total Possible Points: 100	RANKING
Bridgestone	52	29	81.00	3
Goodyear	65.33	25	90.33	2
Michelin	63.33	30	93.33	1

Therefore, staff recommends that the Board of Directors authorize the CEO to execute MTS Doc. No. B0619.0-15 with Michelin North America, Inc. for up to \$13,369,042.51 for bus tire lease and services.


Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Draft MTS Doc. No. B0619.0-14

STANDARD PROCUREMENT AGREEMENT

B0619.0-15
 CONTRACT NUMBER
 OPS920.2
 FILE NUMBER(S)

THIS AGREEMENT is entered into this _____ day of _____ 2015, 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: Michelin North America, Inc.

Address: One Parkway South, 3B
Greenville, SC 29615

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

Telephone: 1-855-637-8473

Authorized person to sign contracts: Maxine M. Osborne Director, Michelin Fleet Solutions
 Name Title

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

Provide transit bus tire leasing and related services as specified in the Scope of Work (attached as Exhibit A), Michelin's Best and Final Offer (BAFO) (attached as Exhibit B), Pricing (attached as Exhibit C), in accordance with the MTS Standard Procurement Agreement, including the Standard Conditions Procurement (attached as Exhibit D), and the MTS Safety SOP, SAF-016-03 (attached as Exhibit E).

The contract term shall begin on July 1, 2015 for five (5) base years with five (5) one-year option periods exercisable at the mutual agreement of both parties. A run-out period not to exceed three (3) years will take effect at the end of the base period or the last exercised option period. Tire lease rates of the final base or option year will apply to the entire run-out period.

The total contract amount for the base period shall not exceed \$5,438,865.68. If mutually agreed upon the five option year period shall not exceed \$6,612,168.41 without the express written approval by MTS. The run-out period shall not exceed \$1,318,008.42 without the express written approval by MTS for an estimated grand total not to exceed value of \$13,369,042.51.

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
\$5,438,865.68		FY16-FY20
TOTAL: \$5,438,865.68 (Base period)		

By: _____
 Chief Financial Officer
 (____ total pages, each bearing contract number)

<u>BASE PERIOD</u>	<u>Tire Lease</u>	<u>Service</u>	<u>Est. Taxes</u>	<u>Total</u>
Fiscal Year 2016	\$534,179.64	\$395,700.00	\$58,690.00	\$988,569.64
Fiscal Year 2017	554,904.00	415,500.00	62,464.00	1,032,868.00
Fiscal Year 2018	582,616.48	436,200.00	65,116.00	1,083,932.48
Fiscal Year 2019	611,800.84	458,100.00	67,882.00	1,137,782.84
Fiscal Year 2020	644,016.72	480,900.00	70,796.00	1,195,712.72
<i>Total Base Years</i>	<i>\$2,927,517.68</i>	<i>\$2,186,400.00</i>	<i>\$324,948.00</i>	<i>\$5,438,865.68</i>
<u>OPTION PERIOD</u>	<u>Tire Lease</u>	<u>Service</u>	<u>Est. Taxes</u>	<u>Total</u>
Fiscal Year 2021	\$663,337.22	\$495,327.12	\$73,821.00	\$1,232,485.34
Fiscal Year 2022	683,237.33	510,186.96	76,977.00	1,270,401.29
Fiscal Year 2023	719,768.77	525,492.48	81,159.00	1,326,420.25
Fiscal Year 2024	743,969.52	541,257.36	84,994.00	1,370,220.88
Fiscal Year 2025	766,288.61	557,495.04	88,857.00	1,412,640.65
<i>Total Option Years</i>	<i>\$3,576,601.45</i>	<i>\$2,629,758.96</i>	<i>\$405,808.00</i>	<i>\$6,612,168.41</i>
<u>RUN-OUT PERIOD</u>	<u>Tire Lease</u>	<u>Service</u>	<u>Est. Taxes</u>	<u>Total</u>
Fiscal Year 2026	\$620,584.30	N/A	N/A	\$620,584.30
Fiscal Year 2027	401,754.28	N/A	N/A	401,754.28
Fiscal Year 2028	295,669.84	N/A	N/A	295,669.84
<i>Total Run-Out Years</i>	<i>\$1,318,008.42</i>			<i>\$1,318,008.42</i>
Grand Total				<i>\$13,369,042.51</i>



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

Agenda Item No. 9

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 16, 2015

**Draft for
Executive Committee
Review Date: 04/09/15**

SUBJECT:

CALIFORNIA DEPARTMENT OF TRANSPORTATION PROGRAM OF PROJECTS
FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5311 FUNDING, FEDERAL
FISCAL YEAR 2015

RECOMMENDATION:

That the Board of Directors approve Resolution No. 15-7 (Attachment A) authorizing the use of and application for \$360,654 of Federal Transit Administration (FTA) Section 5311 funds for operating assistance.

Budget Impact


The apportionment of federal fiscal year (FY) 2015 Section 5311 funds is \$360,654. The San Diego Metropolitan Transit System (MTS) will be required to provide nonfederal matching funds in the amount of \$291,170.

DISCUSSION:

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



For federal FY 2015, FTA 5311 funding would provide \$360,654 in operating assistance for MTS rural bus service. The \$360,654 of 5311 funds will be matched with \$291,170 in local funds for operating assistance at the 44.76% non-federal match rate.



Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Resolution No. 15-7

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 15-7

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

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

WHEREAS, the California Department of Transportation (Caltrans) has been designated by the Governor of the State of California to administer Section 5311 grants for transportation projects for the general public for the rural transit and intercity bus; and

WHEREAS, The San Diego Metropolitan Transit System (MTS) desires to apply for said financial assistance to operate rural transit service and support capital improvements in San Diego County; and

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

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

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

PASSED AND ADOPTED, by the Board of Directors this 16th day of April 2015, 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



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

Agenda Item No. 10

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

April 16, 2015

**Draft for
Executive Committee
Review Date: 4-9-15**

SUBJECT:

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES AND CALIFORNIA
TRANSIT SECURITY GRANT PROGRAM FUNDING, FISCAL YEAR 2014-2015

RECOMMENDATION:

That the Board of Directors approve Resolution No. 15-8 (Attachment A) authorizing the use of and application for \$2,779,445 of California Transit Security Grant Program (CTSGP) for capital projects that provide increased protection against security and safety threats, and/or increases the capacity of transit operators to prepare for and provide disaster-response transportation systems.

Budget Impact

The apportionment of Fiscal Year (FY) 14-15 CTSGP funding is in the amount of \$2,779,445. There is no match requirement under the current grant guidance. The funds are restricted expenditures for capital projects that increase the security and safety of the transit operator's passengers, employees and staff, and physical assets. MTS's allocation of the funding will be used for the following projects: System-Wide CCTV System and Video Surveillance Systems for ADA / Paratransit and Minibuses.

DISCUSSION:

Resolution No. 15-8 would authorize the Chief Executive Officer (CEO), or named designate, to file applications with, and request reimbursements from, California Governor's Office of Emergency Services (Cal OES). Resolution No. 15-8 would satisfy requirements of the FY 14-15 CTSGP security funding to provide a Board of Directors resolution to obtain CTSGP funding. MTS's allocation of the funding, \$2,779,445, will be used for the following projects: System Wide CCTV System and Video Surveillance Systems for ADA/Paratransit and Minibuses.



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


Paul C. Jablonski
Chief Executive Officer

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

Attachment: A. Resolution No. 15-8

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 15-8

Resolution Approving the Submittal of Applications and Requests for Reimbursements
for Fiscal Year 2014-2015 Transit System Safety, Security, and Disaster Response Account under the
California Transit Security Grant Program

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

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

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

WHEREAS, MTS is eligible to receive CTSGP funds; and

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

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

PASSED AND ADOPTED, by the Board of Directors this 16th day of April 2015, 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



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

Agenda Item No. 11

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

APRIL 16, 2015

SUBJECT:

INVESTMENT REPORT – FEBRUARY 2015

**Draft for
Executive Committee
Review Date: 4-9-15**

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

Attachment A comprises a report of the San Diego Metropolitan Transit System (MTS) investments as of February 28, 2015. The combined total of all investments has decreased month to month from \$115.1 million to \$88.8 million. This \$26.3 million decrease is attributable to \$9.1 million liquidated to satisfy part of the debt obligation related to the 1995 lease and leaseback transactions described in the paragraph below, and expenditures of \$16.7 million for acquisition of capital assets, as well as normal timing differences in other payments and receipts.

During the month of February, MTS received \$36.7 million in Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funding from the State of California. The \$36.7 million in PTMISEA funding was forwarded to San Diego Association of Governments (SANDAG) to satisfy MTS's obligation for the LRV vehicle procurement project and Blue Line Rehabilitation project.

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. On February 19, 2015, \$9.1 million of these restricted funds were liquidated to satisfy part of the outstanding debt obligation. In total, \$88.7 million of debt has been liquidated and the remaining balance will be paid in full by the end of the calendar year 2015.



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 2015

**San Diego Metropolitan Transit System
Investment Report
February 28, 2015**

	Restricted	Unrestricted	Total	Average rate of return
Cash and Cash Equivalents				
JP Morgan Chase - concentration account	-	14,338,151	14,338,151	0.00%
Total Cash and Cash Equivalents	-	14,338,151	14,338,151	
Cash - Restricted for Capital Support				
US Bank - retention trust account	4,758,582	-	4,758,582	N/A *
San Diego County Investment Pool Proposition 1B TSGP grant funds	2,972,781	259,128	3,231,909	
Total Cash - Restricted for Capital Support	7,731,363	259,128	7,990,491	
Investments - Working Capital				
Local Agency Investment Fund (LAIF)	18,745,588	20,560,203	39,305,791	0.266%
Total Investments - Working Capital	18,745,588	20,560,203	39,305,791	
Investments - Restricted for Debt Service				
US Bank - Treasury Strips - market value (Par value \$27,165,000)	27,154,547	-	27,154,547	
Total Investments Restricted for Debt Service	27,154,547	-	27,154,547	
Total cash and investments	\$ 53,631,498	\$ 35,157,482	\$ 88,788,980	

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



AGENDA ITEM NO.

G

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	2015-09-09		
Name	S Clive Richard		
Address	5153 La Bona St, San Diego		
Telephone	619.867.7049		
Organization Represented			
Subject of Your Remarks			
Regarding Agenda Item No.			
Your Comments Present a Position of:	<input type="checkbox"/>	<input checked="" type="checkbox"/> SUPPORT	<input type="checkbox"/> OPPOSITION

2. TESTIMONY AT NOTICED PUBLIC HEARINGS

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

3. DISCUSSION OF AGENDA ITEMS

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

4. GENERAL PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

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

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