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# Agenda

## MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

September 15, 2016

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 - July 28, 2016 Approve
- 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.

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. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). 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. Adoption of Amended 2016 Conflict of Interest Code Adopt  
Action would: (1) adopt Resolution No. 16-19 amending the MTS Conflict of Interest Code pursuant to the Political Reform Act (PRA) of 1974; (2) adopt the amended 2016 MTS Conflict of Interest Code; and (3) forward the amended 2016 MTS Conflict of Interest Code to the County of San Diego (the designated code-reviewing body).
7. New Board Policy: Inventory Controls and Signature Authority Policy Adopt  
Action would adopt new Board Policy No. 64 "Inventory Controls and Signature Authority Policy".
8. Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments Information
9. Federal Transit Administration Section 5310 Grant Application Approve  
Action would: (1) Adopt Resolution No. 16-20 agreeing to comply with all terms and conditions of the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities program as set forth by the FTA and the San Diego Association of Governments (SANDAG); (2) Authorize the Chief Executive Officer (CEO) to submit the following applications and execute any grant agreements awarded by SANDAG: a. \$432,000 in federal fiscal year 2015 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement; b. \$432,000 in federal fiscal year 2016 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement; and (3) Authorize the commitment of up to \$466,476 in local matching funds to full fund the purchase of 12 paratransit vehicles.
10. Investment Report - June 2016 Information
11. Investment Report - July 2016 Information
12. San Diego Metropolitan Transit System Orange Line Track Improvements - Contract Award Approve  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL211.0-16, with Herzog Contracting Corporation for the provision of services and materials for Orange Line Track Improvements.
13. Proposed Revisions to MTS Policy No. 42, "Transit Service Evaluation and Adjustment" Approve  
Action would approve the proposed revisions to MTS Policy No. 42, "Transit Service Evaluation and Adjustment".
14. Helix Water District Utility Relocation Reimbursement Agreement for Hill Street Slope Repair Approve  
Action would authorize the Chief Executive Officer (CEO) to execute an Memorandum of Understanding (MOU) with the Helix Water District for cost reimbursement to relocate water mains and fire hydrants required for slope reconstruction by MTS in the vicinity of Hill Street in El Cajon.

15. Janitorial Services - Sole Source Contract Extension Approve  
 Action would: (1) Ratify Amendment 4 and Amendment 5 to MTS's contract with NMS Management, Inc. (NMS) (MTS Doc. No. G1387.0-11) for \$95,134.38, which were previously issued under the Chief Executive Officer's (CEO) authority, for janitorial services at MTS Buildings and on Light Rail Vehicles; and (2) Authorize the CEO to execute Amendment 6, with NMS, for a three (3) month sole source extension of janitorial services at MTS Buildings and on Light Rail Vehicles.
16. Diesel Vehicle Wet-Hose Fueling Services - Contract Award Approve  
 Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0658.0-17 with Dion & Sons, Inc. for the provision of Diesel Vehicle Wet-Hose Fueling Services for MTS's Rapid Express Commuter and Rural buses located at the East County Division, for a nine month term.
17. San Diego Metropolitan Transit System (MTS) Sole Source Award for Regional Transit Management System (RTMS) Hardware Maintenance Services to Xerox Transportation Solutions Approve  
 Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1941.0-16 with Xerox Transportation Solutions, Inc. (Xerox) for the provision of RTMS software and vehicle hardware maintenance services for a five year period with two (2) one year options, exercisable at the CEO's discretion.
18. Regional Transit Management System (RTMS) Radio Maintenance Services - Contract Award Approve  
 Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1887.0-16 with Motorola Solutions, Inc. (Motorola) for the provision of RTMS radio system maintenance services for a three year period.
19. Storm Water Monitoring, Sampling, Analysis and Reporting Services - Contract Award Approve  
 Action would: (1) Ratify previous contract authority of \$75,800.00 with Whitson Contracting & Management Inc. (Whitson); and (2) Authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0636.1-16 with Whitson increasing the total contract amount to \$126,442.20.

CLOSED SESSION

24. a. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS Possible  
 Pursuant to California Government Code Section 54957.6 Action  
Agencies: 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 SDTC Mechanics and Servicers)  
Employee Organization: International Brotherhood of Electrical Workers, Local 465 (Representing SDTI Flagpersons)  
Employee Organization: International Brotherhood of Electrical Workers, Local 465 and/or Public Transit Employees Association (Representing SDTI Train Operators, Electromechanics, Servicers and Clerical)

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| b. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(d)(1) Jones and Leon vs. San Diego Metropolitan Transit System, et al. (United States District Court, Southern District, Case No. 14-CV-1778-LAB-KSC)             | Possible Action |
| c. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(d)(1) San Diego Metropolitan Transit System v. Grand Central West LLC and related cross-complaints (San Diego Superior Court Case No. 37-2014-00044014-CU-OR-CTL) | Possible Action |
| d. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Pursuant to California Government Code Section 54956.9(d)(2) (One potential case: Gary Sweetwood, Scott Tallman and East County Dirt Works, Inc. proposed Third Amended Cross-Complaint / Government Claim)           | Possible Action |

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

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| 30. <u>Transit Optimization Plan (TOP) Agreement - Contract Award (Denis Desmond)</u><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1922.0-16 with Transportation Management & Design, Inc. (TMD), for the provision of TOP Services from October 2016 to June 30, 2017. | Approve |
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REPORT ITEMS

- |   |             |
|---|-------------|
| 45. None.   |             |
| 60. <u>Chairman's Report</u>  | Information |
| 61. <u>Chief Executive Officer's Report</u>   | Information |
| 62. <u>Board Member Communications</u>  |             |
| 63. <u>Additional Public Comments Not on the Agenda</u><br>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. |             |
| 64. <u>Next Meeting Date:</u> October 13, 2016  |             |
| 65. <u>Adjournment</u>  |             |