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Agenda

Joint Meeting of the Board of Directors for
Metropolitan Transit Development Board,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

June 10, 2004

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 five working days prior to the meeting to ensure availability. Assistive Listening Devices (ADLs) 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 - May 27, 2004 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 furnish a copy to the Clerk of the Board.
4. Presentation of Employee Awards Receive



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 Santee, and the County of San Diego.

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| 5. | <u>Closed Session Items</u> | Possible Action |
| a. | SDTC: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Pursuant to Subdivision (b) of Section 54956.9:
<u>One Potential Case</u> | |

Oral Report of Final Actions Taken in Closed Session

CONSENT ITEMS - RECOMMENDED BY THE CHIEF EXECUTIVE OFFICER (indicated by *)

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| * 6. | <u>MTDB: Insurance Consultant/Broker Services</u>
Action would authorize the CEO to enter into an insurance consultant broker services contract amendment with John Burnham Insurance Services and extend the contract to June 30, 2005. | Approve |
| * 7. | <u>MTDB: Finalized Audit Report on the SDTI Procurement Process</u>
Action would receive the San Diego Trolley, Inc. (SDTI), Procurement Audit Report. | Receive |
| * 8. | <u>MTDB: FY 05 Monthly Passes: Exercise of Contract Option</u>
Action would authorize the CEO to exercise the final of four options with Mercury Graphics to produce and deliver a total of 1,776,000 monthly passes. | Approve |
| * 9. | <u>MTDB: Transportation Development Act Claim Amendment</u>
Action would adopt Resolution No. 04-4, amending FY 03 Transportation Development Act (TDA) Article 4.0, Claim No. 253, for the City of El Cajon. | Approve |
| * 10. | <u>MTDB: Mission Valley East Light Rail Transit Project: Contract Change Orders and Budget Transfers</u> | Approve |

Action would authorize the CEO to:

1. execute Contract Change Order (CCO) No. 104, Supplement No. 2, with Orion/Balboa, Joint Venture, for various items of work on the San Diego State University campus due to delays and requests of SDSU staff;
2. execute CCO No. 237 with The Clark Construction Group, Inc. (Clark), for improvements required to be made to the battery room at the SDSU Underground Station;
3. transfer \$100,000 from the Project Contingency line item into the Construction Management line item to fund pending amendments to the Construction Management contract with Washington Infrastructure Services, Inc., on the Mission Valley East Light Rail Transit Project; and

4. transfer \$300,000 from the Project Contingency line item into the Contaminated Soils line item to fund expenses for contaminated soils and hazardous materials consulting and contract work on the MVE LRT Project.

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| * 11. | <u>MTDB: Increased Authorization for Legal Services</u>
Action would authorize the CEO to enter into contract amendments with Roger Bingham of the law firm Butz, Dunn, DeSantis, Bingham, APC for general liability services, and Mark Barber of the law firm Wismar & Barber for workers' compensation legal services and ratify prior amendments entered into under the CEO's authority. | Approve |
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NOTICED PUBLIC HEARINGS

25. None.

NOTE: A FIVE-MINUTE RECESS WILL BE TAKEN AT APPROXIMATELY 10:30 A.M.

DISCUSSION ITEMS

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| 30. | <u>SDTI: Preliminary PETCO Park/Padres Service Report</u>
Action would receive this report for information. | Receive |
| 31. | <u>MTDB: Kearny Mesa Division Underground Tank Improvements Project Budget Transfer</u>
Action would request that the San Diego Association of Governments (SANDAG) approve the transfer of \$398,000 from the Bus Simulator Project and \$90,000 from the Regional Miscellaneous Operations Capital San Diego Transit Corporation (SDTC) into the Kearny Mesa Division (KMD) Underground Tank Improvement Project to fund additional tank repairs not anticipated in the original project budget. | Approve |
| 44. | <u>Chairman's Report</u> | Possible Action |
| 45. | <u>Chief Executive Officer's Report</u> | Information |
| 46. | <u>Board Member Communications</u> | |
| 47. | <u>Additional Public Comments Not on the Agenda</u>
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. | Possible Action |
| 50. | <u>Next Meeting Date:</u> June 24, 2004 | |
| 60. | <u>Adjournment</u> | |