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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.

November 18, 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 - October 28, 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>
None. | Possible Action |
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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>SDTI: Right-of-Way Vegetation Control Services Contract - Contract Amendment and Extension</u>
Action would authorize the President/General Manager to approve Contract Amendment No. 1 for 34 additional acres of chemical application on track right-of-way and Contract Amendment No. 2 to extend right-of-way vegetation control services for one year with Allied Weed Control. | Approve |
| * 7. | <u>MTDB: Review of SD&IV, PSRMA, and CZRY Quarterly Reports, SD&AE Property Matters, and Appointment of SD&AE Corporate Officers</u>
Action would: (1) receive the SD&IV Railroad, PSRMA, and CZRY quarterly reports; (2) ratify actions taken by the SD&AE Railway Board at its meeting of October 20, 2004; and (3) appoint the following SD&AE officers as recommended by the SD&AE Board: Paul C. Jablonski as President (replacing Tom Schlosser), Tom Schlosser as Secretary (replacing | Approve |
| * 8. | <u>SDTI: Quarterly MTS Security Report</u>
Action would receive this report for information. | Receive |
| * 9. | <u>MTDB: FY 05 Revenue Anticipation Notes</u>
Action would adopt Resolution No. 04-15 authorizing borrowing funds in anticipation of receiving federal operating subsidies. | Approve |
| * 10. | <u>MTDB: Approval of FY 05 Federal Highway Administration Disadvantaged Business Enterprise Goals for Publication</u>
Action would approve the proposed Federal Highway Administration (FHWA) disadvantaged enterprise (DBE) goals for FY 05 and authorize staff to publish a notice of these proposed goals for public information and comments. | Approve |
| * 11. | <u>MTDB: An Ordinance Amending Ordinance No. 5 Relating to the Enforcement Authorities of Code Compliance Inspectors, Assistant Code Compliance Supervisors, the Code Compliance Inspection Supervisor, and Taxicab Inspectors I & II; and an Ordinance Amending Ordinance No. 13, an Ordinance to Repeal and Adopt Document No. 164, Codified Rules and Regulations, as Ordinance No. 13</u>
Action would read the title of Ordinance No. 5, "An Ordinance Relating to Enforcement Authorities of Code Compliance Inspectors, Assistant Code Compliance Supervisors, the Code Compliance Inspection Supervisor, and Taxicab Inspectors I & II" and read the title of Ordinance No. 13, "An Ordinance to Repeal and Adopt Document No. 164, Codified Rules and Regulations, as Ordinance No. 13," waive further readings of the ordinances, introduce the ordinances for further consideration at the next Board meeting, and direct publication of ordinance summaries. | Approve |

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>MTS: Operators Budget Status Report for August 2004</u>
Action would receive this report for information. | Receive |
| 31. | <u>MTDB: Bus Operating Plan for Mission Valley East</u>
Action would approve the Bus Operating Plan for Mission Valley East and refer all public comments and Board actions to the San Diego Association of Governments' (SANDAG's) public hearing scheduled for December 10, 2004. | Approve |
| 32. | <u>MTDB: Update on Morena/Linda Vista Station Joint Development Project</u>

Action would authorize the CEO to execute the amended ground lease and all documents necessary for the close of escrow contingent upon: (1) the completion of all tasks required by the Amended Disposition and Development Agreement (DDA) with CityLink Investment Corporation (CityLink) as outlined in Attachment C; (2) CityLink obtaining all "Required Land Use Approval" documents as identified in the DDA or a performance bond (or other security acceptable to the CEO) for that portion of the work for which a Required Land Use Approval document has not been obtained by the close of escrow; (3) the "participating loan" terms of CityLink's financing not affecting the overage rent payments due to MTDB and resolution of all of the issues outlined in the November 4, 2004, letter (Attachment D) to the satisfaction of the CEO; and (4) the CEO approving the lender's use of a "single purpose entity" limited liability company to make the participation loan, based on the experience of the managing member (UBS Realty Investors, LLC) provided that the lender establish the new LLC has sufficient net worth to fund the loan. | Approve |
| 33. | <u>MTDB: 25th & Commercial/Cesar E. Chavez Station Artwork Enhancement - Final Art Concepts</u>
Action would approve a recommendation from the Executive Committee to approve the artwork for the 25th and Commercial/Cesar E. Chavez Station. | Approve |
| 34. | <u>MTS: Operations Status Reports - September 2004</u>
Action would receive this report for information. | Receive |
| 35. | <u>MTS: FY 04 Performance Incentive Plan Results and Award</u>
Action would receive this report for information. | Receive |
| 36. | <u>MTS: Mission Valley East Final Marketing Plan</u>
Action would approve the Mission Valley East Marketing Plan. | Approve |

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| 37. | <u>MTDB: Pension Obligation Bonds - Final Status Update</u>
Action would receive a report and approve the final terms and conditions for the issuance and sale of pension obligation bonds. | Approve |
| 38. | <u>SDTI: Padres Baseball 2004 Year-End Summary</u>
Action would receive this report for information. | Receive |
| 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. | |
| 50. | <u>Next Meeting Date:</u> December 9, 2004 | |
| 60. | <u>Adjournment</u> | |

JGarde/ AGENDAS EC 11-4-04 BD 11-18-04
11/12/2004