



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

## Agenda

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

December 8, 2005

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 - November 10, 2005 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. MTS: Nomination and Election of the New MTS Chairperson Possible Action  
Action would receive a recommendation from the Executive Committee for the nomination of the MTS Chairperson and elect a new Chairperson.



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.

- |    |   |                 |
|----|---|-----------------|
| 5. | <u>Closed Session Items</u>   | Possible Action |
| a. | SDTI: CONFERENCE WITH LABOR NEGOTIATORS<br>California Government Code Section 54957.6<br>Agency Designated Representative - Jeff Stumbo<br>Employee Organization - International Brotherhood of<br>Electrical Workers 465 |                 |
| b. | MTS: CONFERENCE WITH LEGAL COUNSEL - EXISTING<br>LITIGATION California Government Code Section 54956.9(a):<br><u>MTDB vs. Johnson (Sid's Auto Body)</u> , Case No. GIC 765960-01  |                 |
| c. | MTS: CONFERENCE WITH LEGAL COUNSEL - EXISTING<br>LITIGATION California Government Code Section 54956.9(a):<br><u>Balfour Beatty/Ortiz v. MTS</u> (Claim No. Unassigned)   |                 |

Oral Report of Final Actions Taken in Closed Session

CONSENT ITEMS

- |    |   |         |
|----|---|---------|
| 6. | <u>MTS: FY 06 Vendomat Tickets - Exercise Final Contract Option</u><br>Action would authorize the CEO to exercise the final of four contract options with Digital Printing Systems to produce and deliver a total of 7.3 million vendomat tickets.  | Approve |
| 7. | <u>MTS: An Ordinance Amending Ordinance No. 4, An Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule</u><br>Action would adopt the attached ordinance entitled "An Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule" and direct publication of an ordinance summary.  | Approve |
| 8. | <u>MTS: Increased Authorization for Legal Services</u><br>Action would authorize the CEO to enter into contract amendments with Roger Bingham of the law firm Butz Dunn DeSantis Bingham, APC; John Madsen of the law firm Liebman, Quigley, Sheppard & Souleman, APLC; and Mark Barber of the law firm Wismar & Barber for legal services and ratify prior amendments entered into under the CEO's and/or previous General Manager's authority(ies).   | Approve |
| 9. | <u>MTS: Anderson and Rancho Industrial Park, a Limited Partnership, Right-of-Entry Permit and Licenses</u><br>Action would authorize the CEO to execute an agreement and entitlement documents with Walter H. Anderson and Jessie L. Bernloehr-Anderson, trustees, and Rancho Industrial Park, a limited partnership, owners of Assessor Parcel Nos. 482-320-08 and 482-320-10, respectively, to cover proposed encroachments onto property owned by MTS and San Diego and Arizona Eastern Railway Company (SD&AE). | Approve |

- |     |   |         |
|-----|---|---------|
| 10. | <u>SDTI: Right-of-Way Vegetation Control Services - Contract Amendment and Extension</u><br>Action would authorize the President-General Manager to: (1) approve contract Amendment No. 3 (SDTI Doc. No. C.O. 008.3-04) with Allied Weed Control to add 16 additional acres of chemical application on the Mission Valley East track right-of-way; and (2) approve contract Amendment No. 4 (SDTI Doc. No. C.O.008.4-04) with Allied Weed Control to exercise a contract option to extend the right-of-way vegetation control services contract, including Amendment No. 3 (above), for one additional year.  | Approve |
| 11. | <u>SDTI: LRV Pantograph Parts Procurement - Contract Award</u><br>Action would authorize the President-General Manager to execute a Standard Procurement Agreement with Schunk Graphite Technologies to supply light rail vehicle pantographs and pantograph parts.   | Approve |
| 12. | <u>MTS: Creation of an Ad Hoc Policy Review Committee to Review Board Policy No. 22</u><br>Action would receive a recommendation from the Executive Committee and create an Ad Hoc Policy Review Committee consisting of Toni Atkins, Thomas Clabby, Bob Emery, Jerry Rindone, and Ron Roberts to review and revise MTS Board Policy No. 22 to allow for a clearly defined Chairperson appointment process, Committee member appointment process, and Executive Committee composition and rotation schedule. The Ad Hoc Policy Review Committee would meet in December and report to the Executive Committee on January 5, 2006. Proposed revisions would then be presented to the Board on January 12, 2006. | Approve |

NOTICED PUBLIC HEARINGS

25. None.

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

DISCUSSION ITEMS

- |     |  |                 |
|-----|--|-----------------|
| 30. | <u>MTS: Ten-Year Capital Financial Analysis</u><br>Action would receive this report and give direction to staff regarding additional information required, format for presentation, and discuss the next steps for achieving sufficient capital funding. | Possible Action |
|-----|--|-----------------|

31. MTS: Fiscal Year 2007 Capital Improvement Program Approve  
Action would: (1) approve the fiscal year 2007 Capital Improvement Program (CIP) with the estimated federal funding levels. As the federal appropriation figures are obtained and/or other project funding sources become available, allow the CEO to identify and adjust projects for the adjusted funding levels; (2) recommend that the SANDAG Board of Directors approve the submittal of federal Sections 5307 and 5309 applications for the MTS fiscal year 2007 CIP after the federal appropriations are finalized; (3) recommend that the SANDAG Board of Directors approve the transfer of funds from the indicated projects to the fiscal year 2007 CIP; and (4) recommend that the SANDAG Board of Directors approve the amendment of the Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2007 CIP recommendations.
32. Number not used
33. SDVTI: Update on Vintage Trolley Project Approve  
Action would: (1) receive a report for information; (2) authorize the Chairman and President of San Diego Vintage Trolley Inc. (SDVTI) to purchase one additional vintage PCC car to support future fleet operations; and (3) authorize staff to procure additional parts and/or initiate other actions necessary for the purchase and restoration of the PCC cars to further the Vintage Trolley operating concept utilizing SDVTI-collected funds only (non-MTS).
34. SDTI: Security Patrol Services Contract Approve  
Action would: (1) approve staff's selection of Transit Systems Security as the best qualified and responsive contractor; (2) authorize the President-General Manager or his designee to negotiate an agreement with Transit Systems Security at an amount not to exceed the budgeted level. If negotiations are not successful with Transit Systems Security, direct the President-General Manager to conduct negotiations with the second-best proposer until a successful agreement is reached; (3) authorize the President-General Manager to execute an agreement upon conclusion of successful negotiations; and (4) authorize an additional one-month extension of the current contract with Heritage Security through January 31, 2006, in order to complete negotiations.

## REPORT ITEMS

- |     |   |                 |
|-----|---|-----------------|
| 45. | <u>MTS: Comprehensive Operational Analysis - Public Outreach</u><br>Action would receive information on the public outreach effort for Phase 2 of the Comprehensive Operational Analysis (COA).   | Receive         |
| 46. | <u>MTS: Operators Budget Status Report for October 2005</u><br>Action would receive this report for information.  | Receive         |
| 47. | <u>MTS: October Monthly Performance Indicators</u><br>Action would receive this report for information.   | Receive         |
| 60. | <u>Chairman's Report</u>  | Possible Action |
| 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. | Possible Action |
| 64. | <u>Next Meeting Date:</u> January 12, 2006  |                 |
| 65. | <u>Adjournment</u>  |                 |

Agendas EC 12-1-05 BD 12-8-05