



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

Agenda

JOINT MEETING OF THE BOARD OF DIRECTORS

for the

Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

May 14, 2009

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 - April 23, 2009 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.
4. MTS: Election of Chair Pro Tem Appoint
Action would elect a Chair Pro Tem for 2009 to replace Board member Fred McLean.

Please turn off cell phones and pagers
during the meeting



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.

CONSENT ITEMS

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| 6. | <u>MTS: Increased Authorization for Legal Services</u>
Action would authorize the CEO to enter into MTS Doc. No. G1111.8-07 with Wheatley Bingham & Baker for legal services and ratify prior amendments entered into under the CEO's authority. | Approve/Ratify |
| 7. | <u>MTS: Increased Authorization for Legal Services</u>
Action would authorize the CEO to enter into MTS Doc. No. G1078.3-07 with Ryan, Mercaldo & Worthington, LLP for legal services and ratify prior amendments entered into under the CEO's authority. | Approve/Ratify |
| 8. | <u>MTS: San Diego and Arizona Eastern (SD&AE) Railway Company Quarterly Reports and Ratification of Actions Taken by the SD&AE Board of Directors at its April 21, 2009, Meeting</u>
Action would: (1) receive the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association (Museum), and Carrizo Gorge Railway, Inc. (Carrizo) quarterly reports; and (2) ratify actions taken by the San Diego and Arizona Eastern (SD&AE) Railway Company Board of Directors at its meeting on April 21, 2009. | Receive/Ratify |
| 9. | <u>MTS: Approve Resolution No. 09-17 and Authorize the Chief Executive Officer to Take Title to Up to Ten Buses for the Buses on Shoulder System (BOSS) Project</u>
Action would approve Resolution No. 09-17 and authorize the CEO to take title to up to ten buses for the Buses On Shoulder System (BOSS) Project using federal funds transferred from the San Diego Association of Governments (SANDAG). | Approve |
| 10. | <u>MTS: Resolution No. 09-16 Authorizing the Chief Executive Officer to Accept a Grant Deed for the South Bay Bus Maintenance Facility</u>
Action would approve Resolution No. 09-16 and authorize the CEO to accept a grant deed from SANDAG for the South Bay Maintenance Facility. | Approve |
| 11. | <u>MTS: Audit Report - Security Process</u>
Action would receive an internal audit report on MTS's security process. | Receive |
| 12. | <u>SDTC: Audit Report - Revenue Collection Process</u>
Action would receive a report on SDTC's revenue collection process. | Receive |
| 13. | <u>MTS: Investment Report - March 2009</u>
Action would receive a report for information. | Receive |

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| 14. | <u>MTS: An Ordinance Amending Ordinance No. 4, An Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule and an Ordinance Amending Ordinance No. 13, an Ordinance Regarding Prohibited Conduct Onboard Transit Vehicles and Prohibited Actions on or About a Transit Facility, Trolley Station, or Bus Stop</u>
Action would: (1) read the title of Ordinance No. 4, An Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule and Ordinance No. 13, an Ordinance Regarding Prohibited Conduct Onboard Transit Vehicles and Prohibited Actions on or About a Transit Facility, Trolley Station, or Bus Stop; (2) waive further readings of the ordinance; (3) introduce the ordinances for further consideration at the next Board meeting on May 28, 2009; and (4) direct publication of an ordinance summary. | Approve |
| 15. | <u>MTS: Semiannual Uniform Report of DBE Awards or Commitments and Payments</u>
Action would receive the Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments. | Receive |
| 16. | <u>MTS: Acceptance of Donated PCC Car</u>
Action would authorize the CEO to accept a donation of former Southeastern Pennsylvania Transportation Authority (SEPTA) PCC Streetcar No. 2186 from the Museum of Transportation in Saint Louis, Missouri. | Approve |

CLOSED SESSION

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| 24. | a. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a): <u>Balfour Beatty/Ortiz v. Metropolitan Transit System</u> (Superior Court Case No. GIC 868963) | Possible Action |
| | b. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to California Government Code section 54956.9(a): <u>California Air Resources Board v. MTS</u> | Possible Action |

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

30. None.

REPORT ITEMS

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| 45. | <u>MTS: Update on San Diego Vintage Trolley, Inc. (SDVTI) Activities</u>
Action would receive a report from the Chairman of the SDVTI Board on actions taken to date by SDVTI. | Receive |
| 46. | <u>MTS: Zero-Emission Bus Rule</u>
Action would receive a report on the California Air Resources Board Zero-Emission (ZEB) Bus Requirements. | Receive |
| 47. | <u>MTS: Compass Card Implementation</u>
Action would receive a status report on development and implementation of the Compass Card fare system. | Receive |
| 48. | <u>MTS: Service Performance Monitoring Report for January through March 2009</u>
Action would receive a report for information. | Receive |
| 60. | <u>Chairman's Report</u> | Information |
| 61. | <u>Audit Oversight Committee Chairman's Report</u> | Information |
| 62. | <u>Chief Executive Officer's Report</u> | Information |
| 63. | <u>Board Member Communications</u> | |
| 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 | |
| 65. | <u>Next Meeting Date:</u> May 28, 2009 | |
| 66. | <u>Adjournment</u> | |