

JOINT MEETING OF THE BOARD OF DIRECTORS FOR THE METROPOLITAN TRANSIT
DEVELOPMENT BOARD, SAN DIEGO TRANSIT CORPORATION, AND SAN DIEGO
TROLLEY, INC.

June 10, 2004

BOARD OF DIRECTORS MEETING ROOM, 10TH FLOOR
1255 IMPERIAL AVENUE, SAN DIEGO

MINUTES

1. Roll Call

Chairman Williams called the meeting to order at 9:06 a.m. A roll call sheet is attached listing Board member attendance.

2. Approval of Minutes

Mr. Emery moved to approve the minutes of the May 27, 2004, Board of Directors meeting. Ms. Atkins seconded the motion and the vote was 13-0 in favor.

3. Public Comment

Clive Richard – Mr. Richard made comments about the separation of operations and operation planning in the new organizational structure with SANDAG. He also made statements in support of a Comprehensive Operational Analysis.

4. Presentation of Employee Awards

The following MTDB employees were presented with years of service awards: For 15 years of service: Irma Carrillo. For 5 years of service: Denis Desmond

The following SDTC employees were also presented with years of service awards: For 30 years of service: Eugene Reed, Oscar Miller and Jerry Kleiboeker. For 25 years of service: Mike Domich, Mark Thomas, Diane Melvin, and Dave Mason. For 20 years of service: Juan Hernandez

5. Closed Session Items (ADM 122)

The Board convened to Closed Session at 9:21 a.m. for SDTC: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Pursuant to Subdivision (b) of Section 54956.9: One Potential Case

The Board reconvened to Open Session at 9:35 a.m.

Oral Report of Final Actions Taken in Closed Session

Ms. Lorenzen reported the following: The Board received a report from outside counsel.

CONSENT ITEMS

6. MTDB: Insurance Consultant/Broker Services (LEG 491, ADM 121, PC 30100)

That the Board of Directors authorize the Chief Executive Officer (CEO) to enter into an insurance consultant/broker services contract amendment for \$106,150 with John Burnham Insurance Services, bringing the total contract to \$470,150 and extending the contract to June 30, 2005.

7. MTDB: Finalized Audit Report on the SDTI Procurement Process (LEG 492, PC 30100)

That the Board of Directors receive the San Diego Trolley (SDTI) Procurement Audit Report.

8. MTDB: FY 05 Monthly Passes: Exercise of Contract Option (FIN 330.3, PC 40060)

That the Board of Directors authorize the CEO to exercise the final four options with Mercury Graphics, in substantially the same form as Attachment A of the agenda item, to produce and deliver a total of 1,776,000 monthly passes, for a total cost not to exceed \$118,388.16 (including tax and shipping), based on a \$66.66 unit price per 1,000.

9. MTDB: Transportation Development Act Claim Amendment (FIN 340.3, PC 20201)

That the Board of Directors adopt Resolution No. 04-4, Attachment A of the agenda item, amending FY 03 Transportation Development Act (TDA) Article 4.0, Claim No. 253, for the City of El Cajon.

10. MTDB: Mission Valley East Light Rail Transit Project: Contract Change Orders and Budget Transfers (CIP 10426.7)

That the Board of Directors authorize the Chief Executive Officer to: **(1)** execute Contract Change Order (CCO) No. 104, Supplement No. 2, with Orion/Balboa, Joint Venture (Orion), in substantially the form attached (Attachment A of the agenda item), for various items of work on the San Diego State University (SDSU) campus due to delays and requests of SDSU staff, in an amount not to exceed \$175,770.44; **(2)** execute CCO No. 237 with The Clark Construction Group, Inc. (Clark), in substantially the form attached (Attachment B of the agenda item), for improvements required to be made to the battery room at the SDSU Underground Station, in an amount not to exceed \$300,000; **(3)** transfer \$100,000 from the Project Contingency line item (WBS 10426-3800) into the Construction Management line item (WBS 10426-0700) to fund pending amendments to the Construction Management contract with Washington Infrastructure Services, Inc. (WIS), on the Mission Valley East (MVE) Light Rail Transit (LRT) Project, as shown in Attachment C of the agenda item; and **(4)** transfer \$300,000 from the Project Contingency line item (WBS 10426-3800) into the Contaminated Soils line item (WBS 10426-4000) to fund expenses for contaminated soils and hazardous materials

consulting and contract work on the MVE LRT Project, as shown in Attachment C of the agenda item.

11. MTDB: Increased Authorization for Legal Services (LEG 490, PC 30100)

That the Board of Directors authorize the Chief Executive Officer to enter into contract amendments with Roger Bingham of the law firm Butz, Dunn, DeSantis, Bingham, APC (MTDB Doc. No. G0723.9-02, Attachment A of the agenda item) for general liability services, and Mark Barber of the law firm Wismar & Barber (MTDB Doc. No. G0750.4-02, Attachment B of the agenda item) for workers' compensation legal services in substantially the same form as attached, and ratify prior amendments entered into under the CEO's authority.

Motion on Recommended Consent Items

Mr. Emery moved to approve Consent Agenda Item Nos. 6, 7, 8, 9, 10, and 11. Mr. Charles Lewis seconded the motion and the vote was 12 to 0 in favor.

NOTICED PUBLIC HEARINGS

There were no public hearing items.

DISCUSSION ITEMS

30. SDTI: Preliminary Petco Park/Padres Service Report (OPS 970.12, PC 30102)

Mr. Wayne Terry and Mr. Tom Doogan of SDTI presented the Board with a service report on trolley service to PETCO Park. Mr. Doogan reviewed changes that were implemented before the first Padres game as a result of information gained from serving the Aztec Invitational, which was held at PETCO Park. Staff explained how portable barriers and turnstiles are being used to positively manage crowds and how fencing is being used to direct crowds at 12th & Imperial. Staff reported that trolley ridership is averaging 27 percent of the gate, and April 2004 ridership represents an increase of 36 percent when compared to April 2003. Staff called the Board's attention to Attachment B of the agenda item and pointed out that total expenses for the Padres vs. Mets home stand were \$98,528.32 and revenues were \$101,665.00, which is a farebox recovery of 103 percent. Staff added that some of the expense levels included in this attachment have been reduced, in some cases, by 90 percent. Staff explained that the data in this report was prepared for presentation to the Board on May 27 and has not since been updated. Staff added that the Board will be provided with an update mid season and again at the end of the season. In response to a question from Mr. Monroe, Mr. Doogan reported that the statistics presented in the agenda item were for a series of games rather than the entire season in order to eliminate the anomalies that occurred with the provision of service for the first few games. Mr. Monroe expressed an interest in seeing the data on a game-by-game basis.

Mr. Monroe asked for clarification on two points within staff's report. In response to a question from Mr. Monroe, Mr. Doogan reviewed how game fans can utilize both the Coaster and the Trolley purchasing one ticket and the method that is used to calculate MTDB's share of that revenue. Also in response to a question from Mr. Monroe, Mr.

Doogan reported that, on game days, the Trolley does add staff incrementally above normal operating levels. Mr. Monroe stated that he is concerned about using public money to provide this service. He also encouraged staff to include the revenues from the MTDB parking facility in its report.

Mr. Zucchet complimented staff on a job well done and for their flexibility in adapting service to the circumstances. He also stated that many of the people using the Trolley to get to PETCO Park are first-time users, and it is beneficial to the system to have their first experience be a positive one. He stated that he also appreciated the financial information.

Action Taken

Mr. Zucchet moved to receive this report for information. Mr. Rindone seconded the motion and the vote was 13 to 0 in favor.

31. MTDB: Kearny Mesa Division Underground Tank Improvements Project Budget Transfer (CIP 10958)

Mr. John Haggerty of MTDB reported that this item is a simple budget transfer of funds from the Bus Simulator Project and from the Regional Miscellaneous Operations Capital San Diego Transit Corporation Project. He added that these transfers will be used to fund work related to underground tanks that are out of compliance with secondary containment standards.

Action Taken

Mr. Monroe moved to request that the San Diego Association of Governments (SANDAG) approve the transfer of \$398,000 from the Bus Simulator Project (CIP 11025) and \$90,000 from the Regional Miscellaneous Operations Capital San Diego Transit Corporation (SDTC) Project (CIP 11071) into the Kearny Mesa Division (KMD) Underground Tank Improvement Project (CIP 10958), as shown on Attachment A of the agenda item, to fund additional tank repairs not anticipated in the original project budget. Mr. Emery seconded the motion and the vote was 13 to 0 in favor.

44. Chairman's Report (ADM 121.7, PC 30100)

There was no Chairman's Report.

45. Chief Executive Officer's Report (ADM 121.7, PC 30100)

There were no comments on or additions to the Chief Executive Officer's Report.

46. Board Member Communications

Suzuki Rock 'n' Roll Marathon: Mr. Emery passed around pictures of the Napa crossing that were taken during the marathon and pointed out the chaotic situation that occurs at that location. He stated that he felt the Board's action relative to the marathon was an appropriate one.

47. Additional Public Comments on Items Not on the Agenda

There were no additional public comments.

50. Next Meeting Date

The next regularly scheduled Board meeting is Thursday, June 24, 2004, at 9:00 a.m. in the same location.

60. Adjournment

Chairman Williams adjourned the meeting at 9:57 a.m.

Chairman
San Diego Metropolitan Transit
Development Board

Filed by:

Approved as to form:

Office of the Clerk of the Board
San Diego Metropolitan Transit
Development Board

Office of the General Counsel
San Diego Metropolitan Transit
Development Board

GWilliams

Attachments: A. Roll Call Sheet