



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.

October 19, 2006

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 - September 28, 2006 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. Successful First Year of the Green Line - Senator Christine Kehoe Receive



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. MTS: Appointment of Ad Hoc Nominating Committee for Recommending Appointments to the MTS Committees for 2007 Approve
Action would appoint less than a quorum of members to an Ad Hoc Nominating Committee (pursuant to MTS Board Policy No. 22) to make recommendations to the Board with respect to the appointment of members of the Board to serve on MTS and non-MTS committees for 2007.

CONSENT ITEMS

6. MTS: Adoption of the 2007 MTS Executive Committee and Board of Directors Meeting Schedule Approve
Action would adopt the 2007 Executive Committee and Board of Directors Meeting Schedule.
7. MTS: Liability Claims Analysis Report Receive
Action would receive the Liability Claims Analysis Report for MTS, San Diego Transit Corporation, and San Diego Trolley, Inc.
8. MTS: Investment Report Receive
Action would receive a report for information.
9. MTS: Increased Authorization for Legal Services Approve
Action would authorize the CEO to enter into a contract amendment (MTS Doc. No. G0960.3-05) with Robert Howard of the law firm Latham & Watkins, LLP, for legal services and ratify prior amendments entered into under the CEO's and/or previous General Manager's authority(ies).
10. MTS: SDTI Revenue Process Audit Report Receive
Action would receive a report for information.
11. MTS: FY 2007 Capital Improvement Program Amendment Approve
Action would approve a shift in the available projects that funded the FY 07 Capital Improvement Program (CIP).

CLOSED SESSION

24. a. MTS: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation Pursuant to Government Code Section 54956.9 (b) (One Potential Case)

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

- | | | |
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| 30. | <u>MTS: Federal Railroad Administration Horn Rule – Quiet Zones</u>
Action would receive this report for information and direct the CEO to:
(1) continue to work with the City of San Diego, Centre City Development Corporation (CCDC), and other public agencies impacted to support the “Quiet Zone” concept at public grade crossings between Old Town Transit Center and Fifth Avenue, and other locations that may be considered; and (2) negotiate a Maintenance and Operations Agreement for Quiet Zones with CCDC, the City of San Diego, or North County Transit District (NCTD) as appropriate. This agreement shall include, as a minimum: (a) essential indemnification and/or standard insurance language to cover MTS operations, its Board, and appropriate other entities; (b) provide that MTS shall not incur any costs associated with studies or risk analysis documentation, construction, equipment procurement or contractor expenses; (c) provide that MTS light rail transit (LRT) operations not be adversely impacted by the construction, including maintaining the status quo of operations as it pertains to gate bell activation and nearside gate hold-off features; (d) require that specialized track-detection loops be maintained by the City of San Diego or its contractor; and (e) require the City of San Diego to authorize spare-parts inventory for special equipment necessary for the Quiet Zone. | Possible Action |
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REPORT ITEMS

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| 45. | <u>SDTI: FY 06 Year-End Rail Operations Report</u>
Action would receive a report for information. | Receive |
| 46. | <u>MTS: Year-to-Date Operations Budget Status Report Through August</u>
Action would receive the MTS Year-to-Date Operations Budget Status Report through August 2006. | Receive |
| 60. | <u>Chairman's Report</u> | Possible Action |
| 61. | <u>Chief Executive Officer's Report</u> | Information |
| 62. | <u>Board Member Communications</u> | |

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| 63. | <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 Comments. | Possible Action |
| 64. | <u>Next Meeting Date:</u> November 9, 2006 | |
| 65. | <u>Adjournment</u> | |

JGarde

AGENDAS EC (CANCELLED) 10-5-06 BD 10-19-06

10/13/2006