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## Agenda

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

August 11, 2005

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 - July 14, 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. Presentation of Employee Awards 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.

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| 5. | <u>Closed Session Items</u>  | Possible Action |
|    | <p>a. MTS: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Government Code section 54956.9 <u>Save Our Heritage Organisation (SOHO) v. City of San Diego, et. al.</u> Superior Court Case No. GIC 837743</p> <p>b. MTS: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Government Code section 549456.9 <u>MTDB v. RV Communities</u>, California Supreme Court Case No. S133786</p> <p>c. MTS: CONFERENCE WITH REAL PROPERTY NEGOTIATORS<br/> <u>Property:</u> Grossmont Center Station Parking Lot - Assessor Parcel Nos. 490-200-39, 490-200-40, and 490-270-23<br/> <u>Agency Negotiators:</u> Tim Allison, R. Martin Bohl, Paul Marra, and Tiffany Lorenzen<br/> <u>Negotiating Parties:</u> Fairfield Residential, LLC<br/> <u>Under Negotiation:</u> Instructions to negotiators will include price and terms of payment</p> |                 |

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>MTS: Mission Valley West Light Rail Transit Project - Completion of Wetland Mitigation</u><br>Action would authorize the CEO to execute a purchase agreement with Wildlands, Inc. for the purchase of .86 wetland mitigation credits.                                      | Approve |
| * 7.  | <u>MTS: Audit Report - Security</u><br>Action would receive the internal audit report on the MTS security process.  | Receive |
| * 8.  | <u>SDTC: Uniform Service Contract Award</u><br>Action would authorize the MTS Chief Operating Officer-Bus to execute a five-year contract with Prudential Overall Supply for uniform services.  | Approve |
| * 9.  | <u>SDTI: Light Rail Vehicle Equipment Procurement - Contract Award</u><br>Action would authorize the President-General Manager to execute a Standard Procurement Agreement with Hi Tec Enterprises to supply five dynamic brake-resistor segments for U2 light rail vehicles. | Approve |
| * 10. | <u>MTS: Proposed 2005/2006 Internal Audit Plan</u><br>Action would approve the Proposed 2005/2006 Internal Audit Plan.  | Approve |
| * 11. | <u>MTS: Disadvantaged Business Enterprise Program Update</u><br>Action would approve the 2005 MTS Disadvantaged Business Enterprise (DBE) Program Update.   | Approve |

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| * 12. | <u>SDTC: Security Patrol Services - Contract Amendment</u><br>Action would (1) waive the provisions of MTS Policy No. 13.5.2(b), which requires formally bidding all service contracts over \$50,000; and (2) authorize the President-General Manager to execute a month-to-month contract amendment with Transit Systems Security beginning on July 1, 2005, (not to exceed five months) with no increase in hourly billable rates or other costs.  | Approve |
| * 13. | <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 and John Moorehead of the law firm Goldman, Magdalin & Krikes, LLP for general liability services and ratify prior amendments entered into under the CEO's and/or previous General Manager's authority(ies).  | Approve |
| * 14. | <u>MTS: Budget Transfers for Mission Valley East</u><br>Action would authorize the CEO to transfer funds from the Grantville Segment Construction line item into the Construction Contingency for the Grantville Segment, Approved Construction Contingency Changes, to fund pending and proposed change orders for the closeout of the Grantville Segment construction contract.  | Approve |
| * 15. | <u>SDTC: Ride-Monitoring Service - Sole Source Contract</u><br>Action would: (1) waive the competitive bid requirements of MTS Policy No. 13, Section 13.5.2(b), which requires contracts exceeding \$50,000 to be formally bid, and authorize the Chief Operating Officer-Bus to enter into a retroactive month-to-month contract, not to exceed one year, with the incumbent contractor, First Transit, Inc.; and (2) waive the competitive bid requirements of MTS Policy No. 13, Section 13.5.2(i) to allow for a negotiated procurement that would evaluate the cost as well as experience of each proposer, instead of evaluating cost from only the highest-ranked technical proposer, for the bidding of a new multiyear contract. | Approve |

#### NOTICED PUBLIC HEARINGS

25. None.

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

#### REPORT ITEMS

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| 45. | <u>SDTC: MTS Bus FY 05 Year-End Operations Report</u><br>Action would receive this report for information.             | Receive |
| 46. | <u>SDTI: Preliminary Green Line/Red Line Service Observations</u><br>Action would receive this report for information. | Receive |
| 47. | <u>MTS: June Monthly Performance Indicators</u><br>Action would receive this report for information.                   | Receive |

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| 48. | <u>MTS: Southern California Maglev Project</u><br>Action would receive this report for information.   | Receive         |
| 49. | <u>MTS: Coordination of MTS Comprehensive Operational Analysis and SANDAG Independent Transit Planning Review</u><br>Action would receive the report on the coordination of MTS's Comprehensive Operational Analysis (COA) and the San Diego Association of Governments' (SANDAG's) Independent Transit Planning Review (ITR) 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> September 8, 2005   |                 |
| 65. | <u>Adjournment</u>  |                 |

JGarde  
ECBDAGENDAS  
8/5/2005