



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.

September 14, 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 - August 10, 2006
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.

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.

CONSENT ITEMS

6. MTS: State Transit Assistance Claims Amendment Approve
Action would adopt Resolution No. 06-12 amending Fiscal Year 2007 State Transit Assistance (STA) claims.
7. MTS: Election to Fill Vacant Positions of San Diego and Arizona Eastern (SD&AE) Railway Company Board Members Approve
Action would: (1) receive the San Diego and Imperial Valley Railroad, Pacific Southwest Railway Museum Association, and Carrizo Gorge Railway, Inc. quarterly reports; (2) ratify actions taken by the San Diego and Arizona (SD&AE) Railway Company Board of Directors at its meeting on July 25, 2006; and (3) ratify and appoint Ray Stephens as Chairman and Secretary replacing Thomas Schlosser, Bob Jones as Mr. Stephens' alternate, and Alejandro De La Torre as Treasurer to replace James Bertram, as recommended by the SD&AE Board of Directors.
8. MTS: Increased Authorization for Legal Services Approve
Action would authorize the CEO to enter into contracts and amendments with Roger Bingham of the law firm Butz, Dunn, DeSantis, Bingham, APC; James B. James of the law firm Gray & Prouty, APC; and David Skyer of the Law Offices of David C. Skyer, APC for legal services and ratify prior amendments entered into under the CEO's and/or previous General Manager's authority(ies).
9. MTS: Mission Valley East - Budget Transfer and Construction Management Contract Amendment Approve
Action would authorize the CEO to: (1) transfer funds into the Construction Management (CM) line item from the SDSU Mitigation line item to fund Contract Amendment No. 42 with Washington Group International (WGI) to extend CM services on the Mission Valley East (MVE) Light Rail Transit (LRT) Project; and (2) execute Contract Amendment No. 42 with WGI for CM services on the MVE LRT Project, including extension of CM services through December 31, 2006.
10. MTS: Capital Improvement Program Budget Transfers Approve
Action would forward a recommendation to the SANDAG Transportation Committee to approve transferring funds in various SANDAG Capital Improvement Programs (CIPs) to MTS CIPs.
11. MTS: Onboard Video Surveillance Systems - Contract Award Approve
Action would authorize the CEO to execute a contract with Integrion, Inc. to install onboard video surveillance systems on buses and trolleys. The contract would be completed in three phases and would also include three option years for additional onboard video surveillance system requirements dependent upon available funding.
12. MTS: Service Trucks Contract Award Approve
Action would authorize the CEO to execute a contract with Villa Ford, Inc. for four service trucks and a contract with Raceway Ford for two sign trucks.

13. MTS: Mincom, Inc. Annual Support Maintenance - Contract Amendment
Action would authorize the CEO to enter into a contract amendment with Mincom, Inc. for annual software support maintenance for the Ellipse financial system package.

Approve

CLOSED SESSION

24. a. SDTI: CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to California Government Code section 54957.6
Agency Designated Representative - Jeff Stumbo
Employee Organization - International Brotherhood of Electrical Workers (IBEW) Local 465
- b. MTS: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to California Government Code section 54945.8
Property: 522 West 8th Street, National City, California
Agency Negotiators: Tiffany Lorenzen, Paul Jablonski, Sharon Cooney, and Tim Allison
Negotiating Parties: City of National City
Under Negotiation: Price and Terms of Payment
- c. MTS: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation California Government Code section 54956.9(b) (One Potential Case)
- d. MTS: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to California Government Code section 54956.9(a): MTS, MTDB, SDTC v. Louis Pellegrin, Rosemary Pellegrin Superior Court Case Number GIC857180
- e. MTS: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a) Stella Reed v. MTS et al., Claim No. Unassigned
- f. MTS: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to California Government Code section 54956.9(a) California Regional Water Quality Control Board v. MTS Complaint No. R9-2005-0062
- g. MTS: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to California Government Code Section 54956.8
Property: Right-of-Way Adjacent to Grossmont Center Station Parking Lot at the Intersection of Grossmont Center Drive and Fletcher Parkway
Agency Negotiators: R. Martin Bohl, Paul Jablonski, Tim Allison, and Tiffany Lorenzen
Negotiating Parties: City of La Mesa
Under Negotiation: Instruction to Negotiators Will Include Price and Terms of Payment

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 |
| 31. | <u>MTS: Proposed Plan for Use of State Infrastructure Bond-Initiative Funding</u>
Action would provide comments and direction to the CEO regarding the proposed list of transit projects that could be funded with any proceeds from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006. | Possible Action |
| 32. | <u>MTS: Comprehensive Annual Financial Report (CAFR) for FY 2005</u>
Action would receive the MTS FY 2005 Comprehensive Annual Financial Report (CAFR). | Possible Action |
| 33. | <u>MTS: FY 2005 Final Budget Comparison</u>
Action would approve applying the FY 2005 positive variance to the MTS Contingency Reserve. | Possible Action |
| 34. | <u>MTS: Operations Budget Preliminary June 2006 Report</u>
Action would receive a report for information. | Possible Action |
| 35. | <u>MTS: Grossmont Trolley Station Joint Development Project Update</u>
Action would receive an update from General Counsel regarding the status of the Grossmont Trolley Station Joint Development Project. | Receive |

REPORT ITEMS

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| 45. | <u>SDTI: SD-100/S70 Vehicle Compatibility Status Report</u>
Action would receive a report for information. | Receive |
| 46. | <u>MTS: 2007 Regional Transportation Plan - Revised Transit Services Evaluation Criteria and Regional Transit Capital Replacement and Rehabilitation Criteria</u>
Action would: (1) receive an updated report from San Diego Association of Governments (SANDAG) staff regarding the revised transit services evaluation criteria and regional transit capital replacement and rehabilitation criteria used to prioritize projects for the Regional Transportation Plan (RTP); and (2) forward comments on the revised criteria to the SANDAG Transportation Committee. | Receive |
| 47. | <u>MTS: Comprehensive Operational Analysis: Implementation Update</u>
Action would receive a report on the early results of the Comprehensive Operational Analysis (COA) implementation for June and September as well as the six-month review of rural bus service changes. | 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>
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 28, 2006 | |
| 65. | <u>Adjournment</u> | |