

JOINT MEETING OF THE BOARD OF DIRECTORS FOR THE
METROPOLITAN TRANSIT SYSTEM (MTS),
SAN DIEGO TRANSIT CORPORATION (SDTC), AND
SAN DIEGO TROLLEY, INC. (SDTI)

November 8, 2007

MTS
1255 Imperial Avenue, Suite 1000, San Diego

MINUTES

1. Roll Call

Chairman Mathis called the meeting to order at 9:01 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Mr. Lewis moved to approve the minutes of the October 18, 2007, Board of Directors meeting. Mr. Emery seconded the motion, and the vote was 12 to 0 in favor.

3. Public Comment

Clive Richard: Mr. Richard stated that, when asking about the cost to run the MTS system during the October 18, 2007, Board meeting, he meant he would like to know what it would cost to expand and create a world-class transit system. He described such a system as one that didn't have to struggle to obtain funding for the replacement of aging trolley cars and buses, with improved frequencies, longer spans of service, improved reliability, and that would be held up as a great system that is competitive with the car.

4. MTS: Appointment of Ad Hoc Nominating Committee for Recommending Appointments to MTS Committees for 2008 (LEG 410)

Chairman Mathis introduced this item explaining that Policy No. 22 specifies that each year the Board is to appoint an Ad Hoc Nominating Committee to make nominations to MTS/Board committees for the following year. Mr. Mathis stated that there are also issues related to Executive Committee voting authorities that need to be addressed; specifically, that the MTS Board member who serves as MTS's representative on the SANDAG Transportation and therefore attends Executive Committee meetings, does not currently have a vote. He also stated that if the Vice Chair, serving in the Chair's place as the alternate, is not a current Executive Committee member, (s)he would also not have a vote. He pointed out that these individuals would also not be allowed in Closed Sessions according to the policy.

Chairman Mathis requested nominations from the floor for the appointment of members for the Ad Hoc Nominating Committee.

Action Taken

Mr. Rindone moved to appoint Ernie Ewin, Tom Clabby, and Bob Emery as members of the Ad Hoc Nominating Committee.

No other Board members expressed an interest in serving on the Committee. Mr. Monroe pointed out that the alternate for the current South Bay member of the Executive Committee, Jerry Rindone, is listed as vacant. He stated that only primary Board members should serve as alternates to Executive Committee positions because they are more involved in the Board's usual business and therefore more knowledgeable about MTS issues. Mr. Rindone added that the Board member who serves as an alternate for an Executive Committee member should be from the same geographic area as that member.

Chairman Mathis suggested that the motion be amended to include direction to staff to study and make recommendations regarding voting authorities and alternate members for the Executive Committee.

Action Taken

Mr. Rindone moved to appoint Ernie Ewin, Tom Clabby, and Bob Emery as members of the Ad Hoc Nominating Committee and direct staff to come back to the Board with recommendations related to Executive Committee voting and alternate member issues. Mr. Monroe seconded the motion, and the vote was 12 to 0 in favor.

CONSENT ITEMS

6. MTS: An Ordinance Amending Ordinance No. 4, an Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule (ADM 110.3)

Recommend that the Board of Directors adopt the attached proposed changes (Attachment A of the agenda item) to the ordinance entitled: "Ordinance 4: An Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule" and direct publication of an ordinance summary. The ordinance would take effect on January 1, 2008.

7. MTS: Increase Authorization for Legal Services (LEG 491)

Recommend that the Board of Directors authorize the CEO to enter into contract amendments with the law firm Best Best & Krieger, LLP (MTS Doc. No. G1071.1-07) for legal services (in substantially the same form as Attachment A of the agenda item) and ratify prior amendments entered into under the CEO's authority.

8. MTS: MCS Medium/Small DART Fixed-Route Buses – Contract Award (CIP 11419)

Recommend that the Board of Directors authorize the CEO to (1) execute MTS Doc. No. B0478.0-08 (in substantially the same format as Attachment A of the agenda item) with Creative Bus Sales for the provision of up to 20 minibuses utilizing the public agency/state contract with Creative Bus Sales (Specification No. 54309 of State of California Contract No. 1-05-23-16); and (2) transfer the remaining funds of \$341,773 from CIP 11418 to CIP 11419.

9. MTS: Liability Claims Analysis Report (LEG 491)

Recommend that the Board of Directors receive the Liability Claims Analysis Report (Attachment A of the agenda item) for MTS, SDTC, and SDTI.

10. MTS: Taxicab Administration Update (TAXI 502, 590.10)

Recommend that the Board of Directors receive an update regarding the Taxicab Administration and approve the continued jitney moratorium.

11. MTS: Capital Improvement Program-Funded Revenue Budget Transfers (CIP 11147, 11213, 11240)

Recommend that the Board of Directors authorize the CEO to (1) transfer federal funds in Grant No. 5307 CA-90-Y176 totaling \$637,800 from Capital Improvement Program (CIP) 11417 (MCS Midsize CNG Buses) in the fiscal year 2009 CIP to fund preventative maintenance; (2) transfer nonfederal funds from CIPs 11213 (SDTC KMD Building Rehabilitation) totaling \$500,000 and CIP 11240 (SDTC Support Equipment) totaling \$137,800 to CIP 11417; and (3) fund CIP Nos. 11213 and 11240 within the FY 2009 CIP by the amounts transferred.

12. MTS: Federal Legislative Representation (LEG 490)

Recommend that the Board of Directors authorize the CEO to (1) execute Task Order No. 3 (Attachment A of the agenda item) of the triagency contract with Blank Rome Government Relations, LLP (MTS Doc. No. G0980.00-06) effective upon completion of the signed agreement; and (2) ratify prior amendments entered into under the CEO's authority.

13. MTS: Investment Report (FIN 300)

Recommend that the Board of Directors receive a report for information.

14. MTS: Fareboxes for Contract Services Buses (CIP 11457)

Recommend that the Board of Directors approve \$4.5 million in TransNet funding for CIP 1145700 (Fare Technology).

Action on Recommended Consent Items

Mr. Emery moved to approve Consent Agenda Item No. 6. Mr. Clabby seconded that motion, and the vote was 9 to 3 in favor, with Ms. Atkins, Mr. Faulconer, and Mr. Young casting the dissenting votes.

Mr. Emery moved to approve Consent Agenda Items No. 7, 8, 9, 10, 11, 12, 13, and 14. Ms. Atkins seconded the motion, and the vote was 12 to 0 in favor.

CLOSED SESSION:

24. Closed Session Items (ADM 122)

Public Comment

Ivar Leetma, Marina Gateway Development Company: Mr. Leetma reported that the development they are working on in National City involves a parcel of land owned by the SD&AE Railroad. He stated that National City is willing to purchase this property for an exciting new development that includes retail space, a hotel, and a restaurant. He stated that the Closed Session deals with the sale of this property.

The Board convened to Closed Session at 9:22 a.m.

- a. MTS: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8
Property: Assessor Parcel No. 559-117-14, Bay Marina Drive, City of National City, California
Agency Negotiators: Tiffany Lorenzen and Tim Allison
Negotiating Parties: City of National City's Community Development Commission and MW Group, Inc.
Under Negotiation: Price and Terms of Payment

The Board reconvened to Open Session at 9:56 a.m.

Oral Report of Final Actions Taken in Closed Session

Ms. Tiffany Lorenzen, MTS General Counsel, reported the following:

- a. The Board received a report and gave direction to agency negotiators.

NOTICED PUBLIC HEARINGS

There were no noticed public hearings.

DISCUSSION ITEMS

30. MTS: Proposed Changes to Route No. 28 (SRTP 830)

Mr. Brandon Farley, MTS Sr. Transportation Planner, provided the Board with a history of the recent Board discussions and staff meetings with the Navy and SPAWAR personnel regarding the recommended service changes for Route No. 28. He stated that, per the Board's direction during its October 18, 2007, meeting, staff has again met with the Navy and SPAWAR personnel and a verbal concurrence has been reached. Mr. Farley reviewed the proposed schedule for this route and stated that the key change consists of having two trips that arrive prior to 7 a.m. as opposed to only one, as originally proposed.

Mr. Faulconer thanked the Board for allowing the extra time for reconsideration of the originally proposed service changes and thanked Mr. Conan Cheung, MTS Director of Planning and

Scheduling, and Mr. Farley for all their help with the issue. He stated that the Navy remains concerned about the recent reductions in service to their complex but understands MTS's difficult financial situation. He added that, as mentioned in a previous meeting, they are still expecting an influx of personnel that may increase their need for transit services.

In response to a question from Mr. Monroe, Mr. Farley stated that no more than 20 to 22 passengers have been counted on the buses in question, and that the 28-passenger vans that will be used to provide the service have sufficient passenger capacity to handle that level of ridership. He added that staff has a contingency plan to reintroduce larger buses if needed. Chairman Mathis stated that this issue can be revisited if the Navy's transit needs are sufficiently increased by their expected influx in personnel at the base. In response to a question from Mr. Clabby, Mr. Cheung reported that the subsidy for this service has not yet been calculated, but that it should go down because only two hours of service are being lost and a savings of \$122,000 is projected.

Action Taken

Mr. Faulconer moved to approve the proposed service changes to Route No. 28 for implementation in January 2008. Mr. Young seconded the motion, and the vote was 12 to 0 in favor.

REPORT ITEMS

45. SDTI: FY 07 Year-End Rail Operations Report (OPS 970.2)

Mr. Wayne Terry, SDTI Vice President of Operations, provided the Board with an overview of the results for FY 07 trolley operations. He reviewed statistics on ridership, operating efficiency, accidents, operating rule infractions, customer complaints, schedule adherence, special event service, car miles between service failures, LRV body restoration and painting, door failures, ridership surveys completed, and hours dispersed by car type. He also briefly discussed improvements that have been made to Maintenance Facility C and discussed rail-related maintenance activities that were undertaken during the year. He also reported on fare vending machines and smart card devices that were installed in FY 07. Mr. Terry then reported on new closed-circuit television installations and briefly discussed the City College/Smart Corner project as well as improvements made to Park Boulevard, the Broadway Wye, and Old Town Transit Center.

In response to a question from Chairman Mathis, Mr. Peter Tereschuck, SDTI General Manager, reported that most employees who leave San Diego Trolley are train operators, controllers, or wayside workers who are leaving because they are relocating or are being promoted.

Mr. Monroe stated that there is a sign at Old Town that is not working and he was told it cannot be fixed. He stated that sign should be taken down because it makes a bad impression. Mr. Tereschuck stated that the sign could be "blanked out."

In response to a question from Mr. Lewis, staff reported that MTS is exploring its options for getting fire-related reimbursements from the Federal Emergency Management Agency (FEMA).

Action Taken

Mr. Emery moved to receive this report for information. Mr. McLean seconded the motion, and the vote was 10 to 0 in favor.

46. MTS: Padres Baseball 2007 Year-End Summary (FIN 310)

Mr. Tom Doogan, SDTI Special Events Coordinator, provided the Board with an overview of special-event service to Padres games for calendar year 2007. He reviewed attendance and ridership statistics, significant milestones, service history, gate percentage by month and day, and an example of cost recovery. He stated that for the particular sample series used in the example, SDTI experienced net operating revenue of \$4,231 per game. He reported that 2,900 passengers per game is SDTI's break-even point and added that SDTI carries a season average of 43,000 passengers on this service.

Action Taken

Mr. Emery moved to receive this report for information. Mr. Rindone seconded the motion, and the vote was 10 to 0 in favor.

60. Chairman's Report

Chairman Mathis called attention to items placed at each Board member's place prior to the start of the meeting including a letter regarding Washington Mutual's promotion, a Conference Interest Survey, and an article by the Automobile Club of Southern California regarding the shifting of state funding from transportation projects. He also reminded Board members of the partnership between MTS and the San Diego Symphony Pops and invited Board members to introduce performances, which is an opportunity provided as part of the partnership. He stated that he is introducing the performance on November 9, and Mr. Rindone is introducing the performance on November 10.

61. Audit Oversight Committee Chairman's Report

Mr. Ewin stated that Board members had been provided with copies of the approved minutes for the September 20, 2007, Audit Oversight Committee meeting, and draft minutes for the November 1, 2007 meeting. He reported that the Committee is holding a special meeting on November 29 to review the final audit so that it can be presented, on schedule, to the Board on December 13.

62. Chief Executive Officer's Report

Fire Report: Mr. Jablonski, MTS CEO, provided the Board with an overview on how MTS provided assistance during the recent wildfires. He stated that a bound report had been placed at each Board member's place providing more detail on MTS's activities during this event. He reported that MTS curtailed some bus service up the I-15 corridor and in the eastern rural areas during this period. He stated that MTS requested voluntary emergency travel only on paratransit service, and people were very cooperative in complying with this request. He stated that MTS transported some firefighters and helped transport evacuees from a retirement home and a convalescent home. He added that MTS experienced a 35 to 50 percent ridership

decline during the fires, but ridership is back to normal levels this week. He also reported that no MTS employees lost their homes although one employee lost all his possessions when the house he was renting burned down. Mr. Jablonski reported that trolley service was not directly impacted by the fires, but consist sizes were reduced in response to lower ridership. He added that one of MTS's radio sites, San Miguel, was burned down, but MTS was able to divert communications through its sight at Pt. Loma. He stated that MTS will try to get reimbursement for construction costs for San Miguel from FEMA.

Mr. Roberts stated that Mr. Jablonski was one of the first people he called the day the fires started and that he was very pleased when he was told that buses were available and on stand-by to assist and that operators were available to drive the buses. He stated that, in New Orleans during Hurricane Katrina, the bus operators left and there was no one to drive buses. He stated that things worked out better in San Diego because everyone was doing their job and had a great attitude. He stated that he was very appreciative. He thanked Mr. Jablonski and Ms. Claire Spielberg, Chief Operating Officer – Transit Services, and everyone else who made the system work. Mr. Young stated that Mr. Roberts did a great job.

Award: Mr. Jablonski displayed the award that MTS recently received from ARC in recognition of the special program developed by SDTC and ARC under which ARC personnel provide deep-cleaning services for buses.

63. Board Member Communications

Airport Authority: Mr. Young suggested that the Board consider forming an ad hoc committee to work with the regional airport authority to discuss policy issues associated with the development of the airport's master transportation plan. He requested that staff report back on how this could be done and regarding Brown Act implications. Chairman Mathis pointed out that he is a member on one of the airport advisory committees and will be participating in upcoming forums to discuss this matter.

APTA Annual Meeting: Mr. Monroe stated that MTS staff did a wonderful job in Charlotte of promoting the APTA Annual Meeting & Expo, which will be held in San Diego in 2008. He also briefly talked about discussions during the conference regarding climate change and carbon imprints and pointed out that Portland recently approved a payroll tax to be used for transit.

64. Additional Public Comments on Items Not on the Agenda

There were no additional public comments made.

65. Next Meeting Date

The next regularly scheduled Board meeting is Thursday, December 13, 2007, at 9:00 a.m. in the same location.

66. Adjournment

Chairman Mathis adjourned the meeting at 10:49 a.m.

Chairperson
San Diego Metropolitan Transit System
Filed by:

Approved as to form:

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

Office of the General Counsel
San Diego Metropolitan Transit System

Attachment: A. Roll Call Sheet

[gail.williams/minutes](#)