

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

May 26, 2005

BOARD OF DIRECTORS MEETING ROOM, 10<sup>TH</sup> FLOOR  
1255 IMPERIAL AVENUE, SAN DIEGO

MINUTES

1. Roll Call

Vice Chairman Rindone called the meeting to order at 9:06 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 May 12, 2005, Board of Directors meeting. Mr. Clabby seconded the motion, and the vote was 9 to 0 in favor.

3. Public Comments

*Chuck Lungerhausen:* Mr. Lungerhausen expressed concern that MTS is abandoning bus riders along Friar's Road with the service efficiencies being implemented for Route Nos. 27 and 81. He stated that these routes serve businesses, condominiums, apartments, and Sea World. He suggested that Board members set a good example by riding transit themselves in order to encourage the public to ride transit.

4. Presentation of Employee Awards

San Diego Trolley, Inc. employees were presented with service awards as follows: For 10 years of service: Tom Doogan (Special Events Coordinator) and Bill Weidman (Assignment Supervisor).

5. Closed Session Items (ADM 122)

The Board convened to Closed Session at 9:13 a.m. for CONFERENCE WITH LABOR NEGOTIATORS Agency Designated Representative – Jeff Stumbo; Employee Organization – International Brotherhood of Electrical Workers (IBEW) 465

The Board reconvened to Open Session at 9:51 a.m.

Oral Report of Final Actions Taken in Closed Session

Ms. Tiffany Lorenzen, MTS General Counsel, reported the following action taken in Closed Session: The Board received a report from the chief labor negotiator, Mr. Jeff Stumbo, and gave direction to Mr. Stumbo.

## CONSENT ITEMS

6. SDTI: Quarterly MTS Security Report (January – March) (OPS 960.11, PC 30102)

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

7. SDTI: Light Rail Vehicle Resistor Banks Procurement (OPS 970.6, PC 30102)

Recommend that the Board of Directors authorize the President/General Manager to execute a Standard Procurement Agreement, in substantially the same form as Attachment A of the agenda item, with Siemens Transportation Systems, Inc. to supply ten light rail vehicle brake resistor banks contingent upon receipt of a Buy America waiver from the Federal Transit Administration.

8. MTS: Rural Bus Insurance Renewal (OPS 920.5, PC 30207)

Recommend that the Board of Directors authorize the Chief Executive Officer (CEO) to renew the vehicle and general liability insurance coverage for MTS Rural Bus with the California Transit Insurance Pool for FY 04-05 and FY 05-06.

### Recommended Consent Items

Mr. Lewis moved to approve Consent Agenda Item Nos. 6, 7, and 8. Ms. Atkins seconded the motion, and the vote was 11 to 0 in favor.

## NOTICED PUBLIC HEARINGS

There were no Noticed Public Hearings.

## DISCUSSION ITEMS

30. MTS: An Ordinance Amending Ordinance No. 13, An Ordinance to Repeal and Adopt Document No. 164, Codified Rules and Regulations, as Ordinance No. 13 (ADM 122.2, PC 30100)

Ms. Lorenzen read the title of Ordinance No. 13. She reported that the primary change being recommended relates to the consumption of beverages that are contained in covered, spill-proof containers. She reviewed staff's reasons for recommending this change at this point in time. She pointed out that staff is not recommending a similar rule change for bus passengers.

SDTI President-General Manager Peter Tereschuck explained that there has been much interest in such a change of rules. He also pointed out that MTS has food vendors at transit stations that sell beverages, and there are soda vending machines at many locations. He stated that making this change in conjunction with the opening of MVE will allow staff to incorporate this change into the re-signing efforts currently underway. He stated that many other systems have changed this rule and provided specific examples. SDTC Chief Operating Officer Claire Spielberg stated that allowing this activity on buses would present special problems and recommended against it. She pointed out that trolley cars provide a fairly stable ride compared to buses. She added that, even though this activity is prohibited on buses, that rule is sometimes ignored and beverages are

spilled on buses. She stated that this already poses a maintenance problem and a vermin problem as well.

In response to a comment by Mr. Ewin, Mr. Tereschuck stated that there are no refuse containers onboard trolley cars, and staff feels the number of containers at stations is adequate to meet the need that will be created by this rule change. He stated that staff will monitor the stations to ensure that there are adequate trash receptacles after the rule change. Mr. Jablonski pointed out that the ordinance prohibits the consumption of beverages and food on board, but passengers may carry these items on the bus.

In response to a question from Mr. Jones about passengers transferring from trolley to bus with a beverage container, Ms. Spielberg stated that passengers sometimes board buses with beverage containers and are not challenged by the bus operator. MTS Director of Multimodal Operations Susan Hafner stated that passengers are also handled in that manner by contract services bus operators. Ms. Spielberg stated that, if problems arise, this subject may need to be revisited. Mr. Jones stated that new signage should indicate that the rule has changed and point out that it has not changed for bus riders. Mr. Lewis suggested that MTS provide recycle bins for disposal of beverage containers.

Ms. Spielberg confirmed that most bus operators across the country have the same rules as San Diego regarding food and beverages.

#### Action Taken

Mr. Emery moved to read the title of Ordinance No. 13, "An Ordinance to Repeal and Adopt Document No. 164, codified Rules and Regulations, as Ordinance No. 13," waive further readings of the ordinance, introduce the ordinance for further consideration at the next Board meeting, and direct publication of an ordinance summary. Mr. Ewin seconded the motion, and the vote was 12 to 0 in favor.

#### 31. MTS: Proposed Changes to MTS Enabling Legislation (LEG 410, PC 30100)

Ms. Lorenzen reviewed the recommended resolution and its purpose. She stated that the resolution requests that the California State Senate and Assembly pass Senate Bill (SB) 959 and grant MTS a mandate waiver. She stated that SB 959 would revise MTS's enabling legislation to incorporate changes and modifications to MTS's powers and responsibilities consistent with the intent of SB 1703. In response to a question from Mr. Morrison, Ms. Lorenzen stated that North County Transit District supports this effort, and SANDAG is taking a similar action. In response to a question from Ms. Rose, Ms. Lorenzen explained that there will be an opportunity to discuss other types of changes when Mr. Mark Watts, MTS's lobbyist, makes a full presentation about the bill to the Board on June 23, 2005.

#### Action Taken

Mr. Emery moved to approve Resolution No. 05-5 requesting passage of Senate Bill 959 and request that the state issue a mandate waiver. Mr. Clabby seconded the motion, and the vote was 12 to 0 in favor.

## REPORT ITEMS

45. MTS: March Monthly Performance Indicators (OPS 920.1, 960.5, 970.5, PC 30101, 102, 103)

Ms. Anika deSilva, MTS Associate Transportation Planner, reviewed monthly performance indicators for March 2005. She reviewed the operating environment, system ridership, on-time performance, mean distance between failures, customer complaints, and collision accidents.

In response to a question from Mr. Monroe regarding the decrease in mean distance between failure, Ms. deSilva pointed out that both SDTC and contract bus services are included in the "bus" category in staff's report. Mr. Jablonski pointed out that mean distance between failures will have a natural fluctuation up and down from month to month. Mr. Lewis stated that special attention should be paid to the on-time performance of Laidlaw in the rural portion of the service they provide. He stated that he has received complaints regarding this issue. In response to a question from Ms. Kaltenborn, Ms. Hafner stated that the majority of ADA complaints relate to policy rather than service issues. Mr. Jablonski pointed out that MTS carries approximately 2,000 riders per day on its paratransit service.

### Action Taken

Ms. Rose moved to receive this report for information. Mr. Clabby seconded the motion, and the vote was 12 to 0 in favor.

46. MTS: Operations Budget Status Report for March FY 05 (FIN 310.1, PC 30100)

Mr. Larry Marinesi, MTS Budget Manager, reviewed the financial highlights for MTS operations. He also reviewed operating revenues, costs, and net operating subsidy compared to amended budget and reviewed the net operating subsidy variance summary.

Mr. Monroe stated that he was disappointed with the decrease in rail revenues. Mr. Tereschuck reported that there have been six fewer games to date in the 2006 Padres season, and trolley is carrying about 18.2 percent of the gate. He added that attendance at the ballgames has decreased, although it resurged during the last home stand. He added that SDTI carried about 18.5 percent to the most recent Padres day game.

### Action Taken

Mr. Emery moved to receive the MTS Operations Budget Status Report for March FY 05. Ms. Rose seconded the motion, and the vote was 12 to 0 in favor.

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

There was no Chairman's Report.

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

*Reauthorization of Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21):* Mr. Jablonski reported that the 7<sup>th</sup> 30-day extension to the current TEA-21 bill has been given to allow time for the passage of the reauthorization bill.

*FY 06 Budget Presentation to SANDAG:* Mr. Jablonski stated that MTS's presentation of its FY 06 budget to the SANDAG Transportation Committee was favorably received and no changes were made.

62. Board Member Communications

*News Clips:* Ms. Judy Leitner, Interim Director of Marketing and Community Relations, showed the Board two news clips in which a television reporter used public transit to get to his news station from Escondido and from his home. She also showed the Board a news clip of SDSU graduates who were given the opportunity to take a special ride on the Green Line.

*School Safety/Security:* Mr. Young thanked staff for its successful efforts in keeping students informed and aware of safety/security issues. He suggested that these efforts be repeated and requested that staff be extra vigilant about this matter. He stated that students are being intimidated by gang members. He added that this is a quality-of-life issue and was not included in the security report that appeared on the Board's Consent Agenda today.

*Padres South Bay Community Night:* Ms. Rose advised the Board that the four South Bay mayors will be throwing out first pitches at this event.

*Interim Director of Marketing and Community Relations:* Mr. Ewin expressed his support of the appointment of Ms. Judy Leitner to this position. He stated that, since this appointment, communication has greatly improved with La Mesa regarding the MVE opening. He also commended Trolley Officer Rios for his professionalism during a recent event. He reported that Mr. Rios, not knowing Mr. Ewin, offered to assist him. He also discussed the responsibilities of his position with Mr. Ewin.

Mr. Rindone also endorsed the appointment of Ms. Leitner and added that he was looking forward to the exciting opening of MVE.

*Start Time of Board Meetings:* Mr. Ewin also stated that anything that could be done to make sure Board meetings start on time would be appreciated. He stated that Board and staff members who arrive on time are required to wait until a quorum of Board members is present.

63. Additional Public Comments on Items Not on the Agenda

There were no additional public comments.

64. Next Meeting Date

The next regularly scheduled Board meeting is Thursday, June 9, 2005, at 9:00 a.m. in the same location.

65. Adjournment

Vice Chairman Rindone adjourned the meeting at 10:38 a.m.

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Chairman  
San Diego Metropolitan Transit  
Development Board

Filed by:

Approved as to form:

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

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Office of the General Counsel  
San Diego Metropolitan Transit  
Development Board

Attachment: A. Roll Call Sheet

gail.williams/minutes