

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

September 28, 2006

MTS  
1255 Imperial Avenue, Suite 1000, San Diego

MINUTES

1. Roll Call

Chairman Harry Mathis called the meeting to order at 9:07 a.m. A roll call sheet listing Board member attendance is attached.

4. SDTI: Presentation of Distinguished Service Awards *(Taken Out of Order)*

Mr. Wayne Terry, SDTI Vice President of Operations, presented Distinguished Service Awards to SDTI employees Master Young and Jennifer Little. Mr. Young, while conducting fare inspections, observed a juvenile who was trying to avoid arrest. This individual crawled under a trolley car being operated by Ms. Little. They worked together to assist the police and to prevent the juvenile from being injured by the trolley while he was being apprehended.

2. Approval of Minutes

Mr. Rindone moved to approve the minutes of the September 14, 2006, Board of Directors meeting. Mr. Emery seconded the motion, and the vote was 11 to 0 in favor with Ms. Zarate abstaining.

3. Public Comment

*Virginia Conway:* Ms. Conway stated that Route No. 120 no longer stops on Beech and that she doesn't feel safe at the Cedar stop. She stated that the former routing served a church and a senior center. She stated that Route No. 20 no longer travels downtown to First from Fashion Valley, which is an inconvenience for her. She also stated that the bus shelter at Rio Vista needs to be painted. She reported that photographs were being taken on the 8:00 a.m. San Ysidro trolley going south on Thursday, which could have caused problems. She also reported that when someone boards the trolley in the traditional way, someone in a wheelchair must wait until the door closes before they can get the door to reopen to deploy the wheelchair lift. She said that, many times, the trolley pulls out of the station before the wheelchair boarding can be initiated. Ms. Conway suggested that someone contact the Parks Department to request that they erect signs identifying the parks along trolley and bus routes. Chairman Mathis asked Mr. Terry to discuss the boarding problem with Ms. Conway.

*Donna Erickson:* Ms. Erickson distributed and read a story about her first ride on the Route 25 Shuttle.

*Don Stillwell:* Mr. Stillwell discussed what he saw as inefficiencies in the Route No. 14 schedule. He also pointed out that trash cans are always full at Orcutt.

*Kit Gardner:* Mr. Gardner objected to changes made during the Comprehensive Operational Analysis (COA) to Route Nos. 707 and 709a. He stated that residents on MacKenzie Creek Road are upset that 40-foot buses are running on their street 38 times a day and are not picking up any passengers. He stated that there are 40 houses along this street with setbacks of only 20 feet. He stated that they were not given an opportunity to make public comment and alleged a violation of the Brown Act. He stated that the buses used to travel on Proctor Valley Road, where there are a number of bus cutouts that are now unused. He stated that these routes now serve Rolling Hills Garden residents who could walk the short distance to Proctor Valley Road. He added that these residents also have cars and their own shuttle bus. He stated that he is in the process of getting a petition signed, which he will e-mail to MTS, and that he is also looking into legal options. He requested that the Board add this issue to its agenda and that the Chula Vista City Council be involved in discussions of this matter. Chairman Mathis stated that MTS will look into this matter.

*Clive Richard:* Mr. Richard stated that the service changes made as a result of the COA have benefited him and detailed some of those circumstances. He stated that he is particularly excited about the new Route No. 15 limited-stop service. He stated that he has never been a fan of out-of-direction travel and stated that it wouldn't be efficient to have Route No. 14 use 70<sup>th</sup> Street. He stated that the COA is a good first step and he was looking forward to the service changes that will be made in January 2007. He stated that he was also looking forward to a report on how the COA has benefited MTS. He felt the COA was a significant change that positively affects people's ability to use San Diego's transit service.

## CONSENT ITEMS

6. MTS: Lease with the San Diego Padres for 300 Parking Spaces in the James R. Mills Building Parking Structure (AG 240.1)

Recommend that the Board of Directors authorize the Chief Executive Officer (CEO) to execute a lease (in substantially the same form as Attachment A of the agenda item) with the San Diego Padres for 300 parking spaces in the James R. Mills Building Parking Structure and any related documents that may be requested by the Padre's mortgagors(s) in the future; and (2) if it applies, find that the proposed lease is categorically exempt from an environmental assessment as it involves the continuation of an existing use in accordance with Article 19, Section 15301 of the California Environmental Quality Act Guidelines.

7. MTS: Transportation Development Act Claim Amendment (FIN 340.3, PC 50601)

Recommend that the Board of Directors adopt Resolution No. 06-13 (Attachment A of the Agenda Item) amending the FY 2006 Transportation Development Act, Article 4.0, Claim No. 253, for the City of El Cajon.

8. MTS: Janitorial Services and Light Rail Vehicle Cleaning – Contract Award (CIP 53114, 53640)

Recommend that the Board of Directors authorize the CEO to execute contracts with: (1) Aztec Janitorial Services, Inc. for Groups 1 (Janitorial Services at MTS Bus Operations), II (Janitorial

Services at MTS Rail Operations), and III (Transit Center Maintenance) for a three-year base term with two 1-year options exercisable at MTS's discretion. The total cost of the three-year base contract, including California sales tax, shall not exceed \$1,129,786.44. The total cost of two 1-year options, including California sales tax, shall not exceed \$781,558.02; and (2) NMS Management, Inc. for Group IV (Light Rail Vehicle Cleaning) for a three-year base term and two 1-year options exercisable at MTS's discretion. The total cost of the three-year base contract, including California sales tax, shall not exceed \$2,692,725.96. The total cost of two 1-year options, including California sales tax, shall not exceed \$1,822,077.90.

9. MTS: Policy No. 53 – Ethics Training (ADM 110.2, PC 50101)

Recommend that the Board of Directors approve enacting Policy No. 53 (Ethics Training).

Recommended Consent Items

Mr. Emery requested a brief explanation of Agenda Item No. 6, Lease with the San Diego Padres for 300 Parking Spaces in the James R. Mills Building Parking Structure. Ms. Tiffany Lorenzen, MTS General Counsel, reported that, under this agreement, the sale of the first 300 spaces would be guaranteed to ticket season holders for every game and other baseball-related functions held at PETCO Park. She added that the San Diego Regional Building Authority, the County of San Diego, and MTS would all be lessors for this lease since the term of the lease extends beyond the expiration date (2019) of the 30-year certificates of participation for indebtedness encumbering the Mills Building and the parking structure. Mr. Emery asked if County and MTS employees would be inconvenienced on game days and stated that it will be important for parking practices to be monitored to ensure that control is maintained on those days. Mr. Cyril Flavin, County of San Diego, stated that Pinnacle Management contracts with Ace Parking for the actual operation of the parking structure. He stated that, if difficulties arise, Pinnacle can work with Ace Parking to resolve those issues. Mr. Emery also stated that Board members, when coming to MTS for meeting, have had trouble locating parking spaces when there have been day games. Mr. Jablonski stated that parking spaces could be set aside on those occasions. Chairman Mathis stated that a review will be conducted to ensure that employees and Board members are not inconvenienced by this agreement.

Mr. Emery moved to approve Consent Agenda Items No. 6, 7, 8 and 9. Mr. Monroe seconded the motion, and the vote was 12 to 0 in favor.

CLOSED SESSION:

24. Closed Session Items (ADM 122)

The Board convened to Closed Session at 9:35 a.m.

- a. 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
- b. MTS: Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code section 54956.9(a) Harrison v. SDTC Workers' Compensation Appeals board Case Nos. SD0251700; SD0251701; SD0251702

The Board reconvened to Open Session at 9:45 a.m.

Oral Report of Final Actions Taken in Closed Session

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

- a. This item was not heard.
- b. The Board received a report and gave direction to outside counsel.

NOTICED PUBLIC HEARINGS

25. There were no Noticed Public Hearings.

DISCUSSION ITEMS

30. MTS: Federal Railroad Administration Horn Rule – Quiet Zones (AG 210.3, PC 50111)

Mr. Mathis stated that there are some technical issues that have just been identified related to this item and, therefore, this item will be carried over to the Board's October 17 agenda. Mr. Faulconer stated that he had no objection to this action. He also stated that this project is moving in the right direction and thanked everyone for their efforts on the project's behalf.

Action Taken

This item was deferred.

31. MTS: Proposed Plan for Use of State Infrastructure Bond Initiative Funding (FIN 340.2, PC 50111)

Ms. Sharon Cooney, MTS Director of Government Affairs and Community Relations, provided the Board with an overview of this item. She reviewed the particulars of the legislation including the items that relate specifically to transit. Ms. Cooney also provided specific details on the amount of funding that MTS may receive based on the assumption that the funds are allocated according to the Federal Transit Administration (FTA) formula currently being used. She explained that MTS created the list of projects at the request of the San Diego Association of Governments (SANDAG), where a regional list is being created, and because the California Transportation Commission is seeking input on likely projects for funding. Ms. Cooney reviewed the assumptions that were made during the development of the proposed plan and the types of projects that are included in the plan.

Ms. Cooney advised the Board that, if this bond measure is approved by the voters, then the legislature will have to write legislation to implement and allocate the funds generated by the bond. She stated that this process has already begun, and she has been passing information to and sharing MTS's experiences with the legislators to help provide information for them to use in this process. Mr. Young stated that it is important that San Diego be involved in the determination of the application process for these funds to ensure that it is objective.

Ms. Cooney also discussed MTS's recent success in competing for Transit Security Grant funds. She also pointed out that if MTS receives the funding at levels consistent with her estimations, there would still be \$83.9 million in unmet capital needs.

Mr. Rindone pointed out that providing as much low-floor trolley service as possible should be a high priority when decisions are made on the use of capital funding. He reminded the Board that its decision to purchase low-floor trolley cars was premised on making a commitment to provide system-wide low-floor service. He added that he approved of the proposed plan as presented by staff and added that it is critical that the proposed plan be conveyed to SANDAG in order to gain Transportation Committee support. Mr. Lewis pointed out that he didn't see anything in the proposed plan for the Green Line and El Cajon.

In response to a comment from Mr. Monroe, Ms. Cooney explained how the funding from the bond would integrate with the TransNet II Early Action Program making if possible for some Early Action funding to be used for other projects. Mr. Jablonski pointed out that TransNet II only provides one-half of the funding for the projects and that, if the bond is approved by the voters, the bond could provide the matching funds immediately. He stated that this makes it possible for the Early Action Program and allocation of capital funding to be more flexible. In response to a question from Mr. Young, Ms. Cooney reported that closed-circuit television surveillance systems can be paid for using these types of funds, and that staff has a priority list of stations for such systems.

#### Public Comment

*Clive Richard:* Mr. Richard pointed out that much of the transit system's rolling stock is getting older and needs rehabilitation or replacement. He expressed his support of the bond issue and suggested that the Board, either as a group or individually, also support this measure. He stated that San Diego could benefit from a local funding source specifically to cover the costs of maintaining MTS's capital investment.

#### Action Taken

Mr. Emery moved to provide comments and direction to the CEO regarding the proposed list of transit projects (Attachment A of the agenda item) that could be funded with proceeds from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Mr. Rindone seconded the motion, and the vote was 12 to 0 in favor.

#### 32. MTS: California Public Utilities Commission (CPUC) State Route 52 Application for New Grade Crossing at Cuyamaca Street (AG 220.5)

Mr. Dan Martin, SANDAG State Route 52 Project Manager for Caltrans, reviewed the particulars of the grade crossing recommendations for the State Route 52 grade crossings at Cuyamaca Street. He provided the Board with visuals of the new freeway segment, where the Green Line operates, and the location of State Route 67. He also presented the criteria that were used to make decisions about the interchange.

Action Taken

Mr. Jones moved to support the California Department of Transportation's California Public Utilities Commission application for one new at-grade crossing and two new grade-separated crossings across San Diego Trolley, Inc.'s track at the proposed State Route 52 Cuyamaca Street interchange in the City of Santee. Mr. Emery seconded the motion, and the vote was 11 to 0 in favor.

33. SDTC: Sole-Source Contract Award to the ARC of San Diego for Interior Deep Cleaning of SDTC Buses (OPS 960.6)

Ms. Claire Spielberg, Chief Operating Officer – Transit Services, provided an overview of the recommendation to approve this contract. She reported that the contract award being proposed increases the number of buses that will be cleaned each day. She reminded the Board that the IBEW, Local 465, agreed to allow ARC workers to be honorary union members. She added that the Union is not willing to make this same arrangement with a typical contractor. She added that ARC has done a very good job. Mr. Matt Mower, Director of Business Development for ARC, provided a brief explanation of the type of individuals who are helped by ARC. He stated that ARC looked forward to continuing this mutually beneficial arrangement. Mr. Monroe stated that he supported the approval of this contract and that ARC is a terrific organization. Mr. Lewis applauded the cooperative agreement that was reached between ARC and the IBEW.

Action Taken

Mr. Monroe moved to authorize the CEO to execute a sole-source contract for two years (in substantially the same form as Attachment A of the agenda item) with The ARC of San Diego to deep clean the interiors of SDTC's buses for an amount not to exceed \$400,000. Mr. Lewis seconded the motion, and the vote was 12 to 0 in favor.

REPORT ITEMS

45. SDTI: SD-100/S70 Vehicle Compatibility Status Report (OPS 970.6)

Mr. Wayne Terry, Vice President of Operations for SDTI, provided the Board with an update on staff's efforts to improve the compatibility of SD-100 and S70 low-floor trolley vehicles. He reported that the two major operational issues, which involved acceleration and braking, have been resolved, and SDTI will start operating two-car consists comprised of one each of the two car types. Mr. Terry then reported that the Accessible Services Advisory Committee (ASAC) is maintaining that it is important for both cars in a mixed consist to be accessible so the lead car is always accessible because ADA passengers are accustomed to boarding the lead car in any consist. He added that in a two-car mixed consist, the S70 will be the lead car when the consist is traveling in one direction, and the SD-100 will be the lead car when the consist reverses direction; therefore, both cars will need to be accessible. Mr. Terry stated that taking this approach will result in some minor inefficiencies, but ASAC maintains that consistency is a high priority for them. Mr. Terry displayed a diagram of a two-car consist and advised the Committee that SDTI will ensure that both cars are accessible as requested by ASAC.

Mr. Terry reported that, at the direction of the Executive Committee, a brochure will be developed for the disabled community describing the benefits of being positioned to board the

S70 car, and the ASAC will be involved in the review process for that brochure. He stated that, after operating two-car consists for six months, staff will meet with the ASAC to discuss this issue again. Chairman Mathis stated that, as ADA passengers become more comfortable with the new configuration and the S70 low-floor car, the need for the requested consistency may decrease and the ASAC may reconsider its position.

In response to a question from Mr. Emery, Mr. Terry reported that the new two-car consists have been tested for many hours and all problems have been overcome. He added that, with sustained use, more problems may arise.

#### Public Comment

*Clive Richard:* Mr. Richard declined to speak.

#### Action Taken

Mr. Clabby moved to receive this report for information. Mr. Emery seconded the motion, and the vote was 11 to 0 in favor.

#### 46. SDTI: Semiannual MTS Security Report (January Through June 2006) (OPS 970.11)

Bill Burke, SDTI Transit Security Administrator, provided the Board with a Semiannual Security Report for January to June 2006. He reviewed passenger inspections and activities of the Special Enforcement Unit. He described the new SWARM Program that has been implemented and provided an update on the National Explosives Detection Canine Team Program. He also reviewed grant funds that have been received for specific security-related programs. He provided updates on the installation of security cameras in Chula Vista and the San Ysidro border station and explained what type of technology is being used. He also reviewed statistics regarding crimes against persons and against property per 100,000 riders. He then provided an overview of a Safe Watch Hotline Program, which is currently being developed.

In response to a comment by Mr. Rindone, Mr. Burke stated that vendors are not supposed to be selling items on the trolley and are removed by enforcement officers when observed doing so. He stated that he would instruct enforcement officers to exert more effort in this regard during peak hours. Mr. Rindone reported that he observed this happening between 3:00 p.m. and 4:30 p.m. on the Blue Line going south.

At Mr. Rindone's request, Mr. Burke reported on the status of the surveillance systems at Chula Vista transit stations. Mr. Rindone requested that he be notified when the installations are complete. He suggested getting media coverage and stated that it is critical that people be made aware of the existence of these systems. Mr. Monroe reported that there are three lights in a row that are burned out at the Morena Linda Vista Station. Mr. Burke stated that he would have personnel check this out.

In response to questions from Mr. Allan, Mr. Burke reported that 9 out of 47 stations are currently equipped with surveillance systems and the installation of another 4 will be completed soon. Mr. Jablonski stated that the installation of these systems is prioritized by location. Mr. Allan stated that public safety should be given the highest consideration when the priorities are being assigned. In response to another question from Mr. Allan, Mr. Burke stated that the cost

of a typical system is approximately \$150,000 to \$200,000. The Board briefly discussed the partnership that the City of Chula Vista and MTS entered into that made it possible to install the systems at Chula Vista stations and how other cities could pursue similar partnerships with MTS.

Mr. Rindone paid compliments to MTS staff members who were instrumental in the effective and safe handling of the huge number of SDSU Aztec fans who used the trolley to leave the game after the KGB light show. Mr. Lewis suggested that the electronic signs at Gillespie Station face south and north rather than east and west. He said that the messages on the screens are not visible when the sun is shining on them.

Mr. Young stated that surveillance systems can be a great deterrent if the public is aware of their existence. He encouraged MTS to erect signage advising the public of the existence of the cameras. Mr. Young thanked Mr. Burke for the comparative information on crimes against persons and property but added that he would like to see additional comparative information that would make this information more meaningful. He stated that this information did not have to be presented to the entire Board. At Mr. Young's request, Mr. Burke explained that MTS enforcement officers interact and work together on a regular basis with the San Diego Police Department, and the relationship between the two agencies is good.

Mr. Young made the observation that there was little information in the report about bus security. Chairman Mathis stated that this is a different type of situation since the bus operator is in a position to monitor activity on the bus. Ms. Spielberg added that two buses are now equipped with surveillance cameras as part of a larger project that is being undertaken. She added that the operator can call Communication Supervisors via their on-board radios and have other covert methods for notifying base personnel that there is a problem. Mr. Burke stated that, as needed, plainclothes enforcement officers are used on the bus system.

In response to a question from Ms. Zarate, Mr. Burke stated that additional grants for security will be forthcoming but notification has not yet been received. Ms. Zarate stated that she would like to see the priority list for the installation of surveillance systems at transit stations. Mr. Burke added that he would provide Ms. Zarate with an estimate for surveillance systems for National City stations.

In response to questions from Mr. Clabby, Mr. Burke stated that the Safe Watch Hotline Program will be implemented at stations and on trolleys and buses. He stated that development of the program is still in the formative stages and more information will be available at a later date.

#### Action Taken

Mr. Monroe moved to receive this report for information. Mr. Rindone seconded the motion, and the vote was 11 to 0 in favor.

#### 47. SDTC: FY 06 Accomplishments (OPS 960.2)

Ms. Spielberg and Mr. Jim Byrne, SDTC Director of Transportation, provided an overview of SDTC's accomplishments for FY 2006. They provided comparative information (2005 compared to 2006) for ridership; revenue miles and hours; fuel cost per revenue mile and hour;



annual operating cost, revenue and operating subsidy; and farebox recovery ratio. They also reviewed other statistics, including cost and passengers per revenue hour.

Ms. Spielberg reported that, in early 2007, SDTC will have installed state-of-the-art software that will allow SDTC to study the actual running time between timepoints based on GPS readings from each bus on an assigned route. She stated that SDTC will work with MTS Planning staff to adjust running times on routes as needed to accommodate the increased demand for lift deployments and to enhance on-time performance and the reliability of published schedules. She stated that SDTC's current on-time performance is based on an avalanche of information generated by a GPS system that measures every single time point, including when a bus arrives early at its destination. She stated that some analysis has already been completed on route segments with particular on-time performance issues, adjustments have been made to schedules, and improvements have already been seen as a result. Mr. Conan Cheung, Director of Planning and Performance Monitoring, advised the Board that the changes implemented through this process have reduced a 26 percent late record to 15 percent. Ms. Spielberg pointed out that SDTC is experiencing 20,000 wheelchair boardings per month.

Ms. Spielberg also reviewed SDTC's success at reducing the number of complaints per passenger and the improvement of safety statistics, which she stated are the result of concentrated operator retraining. She then reported on the significant improvements to SDTC's workers' compensation payouts from FY 2002 to FY 2006 and attributed the improvement to their newly implemented return-to-work program and closer scrutiny by SDTC's Risk Department. Ms. Spielberg then reported on the success of SDTC's maintenance program.

Ms. Spielberg also discussed challenges ahead for SDTC and the critical need for them to modernize their fleet of buses. She also reported that SDTC is working on bringing a CNG Hybrid Bus to San Diego. She stated that an existing CNG bus has been provided to ISE in Poway, where they will convert it to a vehicle that uses CNG to generate electricity. She added that the propulsion units for the bus will be entirely electric motive power.

Mr. Clabby, who is the Chairman of ASAC, reported that, in spite of the increase in the number of wheelchair boardings, there have been very few complaints during ASAC meetings about service. He applauded and thanked staff for their efforts. Mr. Monroe pointed out that the highest priority for passengers is reliability of service.

#### Action Taken

Mr. Rindone moved to receive this report for information. Mr. Monroe seconded the motion, and the vote was 9 to 0 in favor.

#### 60. Chairman's Report

Chairman Mathis had nothing to report.

#### 61. Chief Executive Officer's Report

Mr. Jablonski referred to Consent Agenda Item No., Janitorial Services and Light Rail Vehicle Cleaning, and stated that because the procurement process is now a joint process instead of

performed by each individual agency, MTS was able to save approximately \$400,000 on this contract award. He stated that staff budgeted a savings of \$200,000.

62. Board Member Communications

*ID Card:* Mr. Lewis thanked staff to getting his I.D. card renewed so quickly.

*Green Line at SDSU:* Mr. Rindone stated that he had an opportunity to observe Green Line operations at SDSU and stated that the system is working really well. He complimented Mr. Jablonski and staff.

63. Additional Public Comments on Items Not on the Agenda

*Donna Erickson:* Ms. Erickson advised the Board that she recently requested copies of tape recordings for the March 2, 2006, public hearing on the COA. She stated that there had been problems with the tape recordings being erased. She stated that, in particular, she was interested in Side B of the tape because it contained the Route 25 testimony on the Linda Vista and Serra Mesa service. Ms. Lorenzen explained that these tapes were copied by someone who was inexperienced with the equipment and were accidentally erased. Chairman Mathis clarified that Ms. Erickson had received one set of the tape recordings that was complete. He asked her to bring those tapes in so staff could make a replacement master copy for MTS and an extra copy for Ms. Erickson as well. She agreed.

*Theresa Wood:* Ms. Wood was no longer at the meeting when her name was called.

64. Next Meeting Date

The next regularly scheduled Board meeting is Thursday, October 19, 2006, at 9:00 a.m. in the same location.

65. Adjournment

Chairman Mathis adjourned the meeting at 11:56 a.m.

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Chairperson  
San Diego Metropolitan Transit System  
Filed by:

Approved as to form:

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

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Office of the General Counsel  
San Diego Metropolitan Transit System

Attachment: A. Roll Call Sheet

gail.williams/minutes