

EXECUTIVE COMMITTEE MEETING FOR THE
METROPOLITAN TRANSIT SYSTEM (MTS),
SAN DIEGO TRANSIT CORPORATION (SDTC),
AND SAN DIEGO TROLLEY, INC. (SDTI)

January 11, 2007

MTS
1255 Imperial Avenue, Suite 1000, San Diego

MINUTES

A. ROLL CALL

Chairman Mathis called the meeting to order at 9:04 a.m. A roll call sheet listing Executive Committee member attendance is attached.

B. APPROVAL OF MINUTES

Mr. Rindone moved approval of the minutes of the December 7, 2006, Executive Committee meeting. Ms. Hanson-Cox seconded the motion, and the vote was 4 to 0 in favor.

C. COMMITTEE DISCUSSION ITEMS

1. MTS: Consideration of Nominating Slate for 2007 MTS Committees (ADM 110, PC 50101)

Ms. Tiffany Lorenzen, MTS General Counsel, reminded the Board of the modifications that were recently made to Policy No. 22, Rules of Procedure for the MTS, regarding the development of nominations of Board members to committees. She reported that, in accordance with that policy, the Ad Hoc Nominating Committee met to develop a proposed slate of nominations, which was attached to the agenda item.

In response to a question from Mr. Rindone, Ms. Lorenzen explained that the Board will vote on the slate of nominations, and everyone will vote on the slate as a whole. She added that the record will reflect that Board members did not vote for themselves. She also advised the Committee that the Political Reform Act is silent regarding whether or not a person is required to leave the room during any vote for that person. She stated that she is consulting with the Fair Political Practices Commission and other attorneys to make a determination regarding this matter prior to the next Board meeting. Chairman Mathis clarified that Board members will conduct one vote on the entire slate with the understanding that they are not voting for themselves. He stated that the appropriate abstentions will be reflected in the minutes.

Action Taken

Mr. Roberts moved to forward the nominating slate proposed by the Ad Hoc Nominating Committee for the appointment of representatives to the MTS Committees as listed on the table in Attachment A of the agenda item. Mr. Rindone seconded the motion, and the vote was 5 to 0 in favor.

2. MTS: Appointment of San Diego Association of Governments (SANDAG) Transportation Committee Representative (ADM 110, PC 50101)

Ms. Lorenzen reminded the Committee that revised Policy No. 22 also states that the Executive Committee nominates and appoints MTS's representative for the SANDAG Transportation Committee. She reported that the Executive Committee can appoint any Board or Executive Committee member to this position. She stated that if the member appointed does not sit as a regular member of the Executive Committee, then that individual would become an ex officio member of the Committee. She stated that any nominee(s) for this position will be asked to leave the room during the Committee's vote since a determination has not yet been made regarding the appropriateness of their presence during voting.

Chairman Mathis opened nominations for the position of MTS's representative on the SANDAG Transportation Committee. Mr. Rindone nominated Mr. Emery for this position. Ms. Hanson-Cox pointed out that Mr. Emery was a good nominee because he is knowledgeable and active within the organization.

Action Taken

The Executive Committee appointed Bob Emery to serve on the San Diego Association of Governments Transportation Committee for the 2007 calendar year. The vote was 5 to 0 in favor. Mr. Emery was not present for the vote on this item.

3. MTS: Leon Williams Station Dedication Working Group Report (ADM 110, PC 50101)

Ms. Sharon Cooney, MTS Director of Governmental Affairs and Community Relations, provided an overview of the activities of the working group for the Leon Williams Station Dedication. She reviewed the decision-making process that was used to identify a location at the SDSU Station, select an artist, determine what type of display would be commissioned, and how funding would be raised. She provided visuals of the location selected. She reported that the working group has decided on a full-size, bronze sculpture, and that the project would be privately funded with working group members leading the fund-raising effort. She stated that the sculpture would be on a pedestal with a plaque detailing Mr. William's accomplishments. Ms. Cooney pointed out that a profile of the selected artist, Jess Dominguez, was placed at the table prior to the start of the meeting. She briefly discussed Mr. Dominguez's qualifications and showed some examples of his work.

Ms. Cooney advised the Committee that the working group will seek a formal proposal from the artist and return to the Executive Committee and Board with a detailed proposal for approval. She projected a six- to eight-month turnaround on the design and manufacture of the project and a two-week installation period.

Ms. Hanson-Cox expressed her support of a full-size sculpture and the selected location. She also thanked everyone for the thought that had been given to this project. Mr. Emery stated that the artist should capture Leon's slim and athletic build in the sculpture. Mr. Rindone also expressed his support of a full-size sculpture and a listing of Leon's most important accomplishments. He suggested that the working group consult with Leon in the selection of what is to be listed. He also suggested consulting with Leon regarding whether or not his hat should be included as part of the sculpture. Mr. Roberts suggested that the base for the sculpture be rounded so it does not create a safety hazard or interfere with traffic flow. He stated that it is important that this project does not negatively impact the people who use this station. Ms. Hanson-Cox stated that the base should be high enough so it is not a tripping hazard. Mr. Rindone expressed his support of a round or oval base. In response to a question from Mr. Roberts, MTS CEO Mr. Paul Jablonski stated that the mezzanine where the sculpture would be located is 18 to 20 feet wide. Mr. Roberts added that he was impressed with the resume of the artist.

Action Taken

Mr. Rindone moved to receive a report on the efforts to date in regard to dedicating the San Diego State University Station to former Board Chairman Leon Williams. Ms. Hanson-Cox seconded the motion, and the vote was 5 to 0 in favor.

4. MTS: C Street Master Plan Update (ADM 124, PC 50451)

Mr. Jablonski advised the Committee that MTS staff continues to work with the Centre City Development Corporation (CCDC) and the City of San Diego regarding the C Street Master Plan and the relocation of the 5th Street Station. He referred Committee members to templates of the C Street Corridor that had been placed on the wall for reference purposes. He stated that he, staff members, and Chairman Mathis met with Nancy Graham, President of CCDC, regarding stations issues and the operation of S70 consists, which are longer than other consists, through this corridor. He reported that Ms. Graham pledged to work with MTS to reach an amenable compromise. She felt that an agreement could be reached by getting all parties together to discuss this issue.

Mr. Brandon Farley, MTS Senior Transportation Planner, provided the Committee with an overview of the issues as well as information on existing and projected ridership levels through the C Street corridor. He stated that the northern alignment, as favored by the CCDC and other interested parties, would move the trolley tracks to the north side of C Street and add a vehicle travel lane on the south side of the street. He briefly discussed MTS's safety concerns with the northern alignment. Mr. Jablonski stated that there are only two factors that would prevent MTS from agreeing to a plan. He stated that an S70 three-car consist must be able to operate through this corridor, and there must be four stations in the corridor, not three as has been suggested as an option. He stated that the accommodation of these two factors is vital to MTS's acceptance.

Mr. Farley provided visuals of the station options demonstrating the importance of having four stations. One of the recommendations presented four stations equidistance from each other, and Mr. Farley stated that MTS favors this configuration, which would provide the highest level of convenience to trolley users. He also presented a visual of a possible solution that would relocate the 5th Avenue Station to the block between 6th and 7th Avenues. He pointed out that the recommendation would include narrowing of traffic lanes on 7th as the lanes approach the intersection and sidewalks would be adjusted. He stated that these two options would provide enough room for S70 consists to operate at the station. He stated that the other three stations in the corridor can accommodate the longer S70 consists, although some minor adjustments would have to be made to some platforms. Mr. Farley pointed out that other locations that have been discussed for relocation of the current 5th Avenue Station would hinder trolley rider access to bus routes.

Chairman Mathis stated that, given ridership projections, MTS would ideally like to operate four-car consists but will have to compromise with three. Mr. Rindone suggested that MTS consider operating three-car consists into downtown and four-car consists on the Bayside Line from the south. Chairman Mathis did not feel this was a viable solution given ridership projections for the C Street corridor. Mr. Jablonski pointed out that many trolley riders from South Bay cities are destined for Civic Center and 5th Avenue. He stated that Mr. Rindone's suggestion might be more doable for special-event service. Mr. Rindone requested that staff at least consider, as South Bay stations are retrofitted, designing them to accommodate four-car consists.

Mr. Roberts stated that operating four-car consists on the entire system is important even if it means blocking or partially blocking intersections. He stated that this is a regular occurrence on other streets and cited Ash Street and the fact that stop lights are not synchronized with Amtrak/Coaster traffic on that street. He stated that a car can wait eight to ten minutes to travel over the tracks on Ash Street. He stated that he was not concerned about interfering with traffic at the 7th Avenue and C Street intersection. He stated that a short inconvenience to cars may be unavoidable and acceptable.

Mr. Mathis stated that traffic is also blocked by trains stopped at stop lights on C Street. In response to comments by Committee members, Mr. Tereschuck explained that trains, in theory, are supposed to be able to travel through on green lights, but there is no guarantee because of the bidirectional flow of trains. He added that this problem occurs most often during peak travel periods. Mr. Jablonski reported that a consultant from Berkeley has been hired to study the C Street corridor and should be making a report shortly. The Committee and Mr. Jablonski also briefly discussed the amount of time needed by a trolley to pass through an intersection and how traffic lights affect that process. Mr. Jablonski stated that longer dwell times at stations may help resolve the problem. He added that it is desirable to have trains stop only at stations and pointed out that the drawings of the C Street corridor reflect the reestablishment of crosswalks that are currently blocked by trains. In response to a question from Mr. Roberts, Mr. Jablonski reported that there have been discussions of having barriers for cars and pedestrians in the appropriate places. Mr. Roberts suggested having a midpoint

crossing between the two intersections. Mr. Farley reported that that idea was discussed and subsequently discarded by mutual agreement due to safety concerns. Mr. Jablonski stated that this idea should be reconsidered.

Mr. Rindone suggested not having the travel lane in the C Street corridor. Mr. Jablonski reported that having a travel lane here is as important to CCDC as accommodation of S70 consists is to MTS.

Public Comment

Clive Richard: In response to a question from Mr. Richard, Mr. Farley stated that MTS numbers regarding the most frequently used stops include only trolley stops, not bus stops as included by SANDAG. Mr. Richard stated that the Trolley Access Advisory Committee was given this presentation by CCDC. He felt that none of the options were particularly favorable.

Action Taken

Mr. Rindone moved to receive an update regarding the Centre City Development Corporation's C Street Master Plan and affirming MTS's priorities as follows: (1) S70 three-car consists must be able to operate through the C Street corridor; and (2) there must be four stations in the C Street corridor. Ms. Hanson-Cox seconded the motion, and the vote was 5 to 0 in favor.

5. MTS: Quarterly Pension Update (FIN 300, PC 50601)

Mr. Cliff Telfer, MTS Chief Financial Officer, reviewed the status and performance of the SDTC Employees Retirement Plan investment fund. He reviewed the asset allocation by manager and asset allocation vs. target allocation. He reported that the plan returned 10.76 percent for the first 11 months of the year through November 30, 2006 compared to its actuarial assumption of 8 percent. He added that the fund's policy index was 12.82 percent. He advised the Committee that TCW Investment Management has been put on watch because of their performance, and the pension's Investment Committee is talking to them monthly regarding that issue. He pointed out that their performance was 51.08 percent in 2003 when their investment philosophy was in favor. He added that they hold only 20 to 30 stocks. He reported that TCW's poor performance was the primary reason that fund performance did not meet or exceed its policy index.

Mr. Telfer advised the Committee that the fund's return should have a positive affect on the upcoming actuarial valuation.

Action Taken

Ms. Atkins moved to receive the Pension Investment Report Through November 2006. Ms. Hanson-Cox seconded the motion, and the vote was 5 to 0 in favor.

D. REVIEW OF DRAFT JANUARY 18, 2007 BOARD AGENDA

Recommended Consent Items

6. MTS: Investment Report (FIN 300, PC 50601)

Recommend that the Board of Directors receive an investment report through November 2006.

7. MTS: An Ordinance Amending Ordinance No. 13, an Ordinance Regarding Prohibited Conduct Onboard Transit Vehicles and Prohibited Actions On or About a Transit Facility or a Bus Stop (ADM 110.3, PC 50451)

Recommend that the Board of Directors adopt the ordinance (Attachment A of the agenda item) entitled "An Ordinance Regarding Prohibited Conduct Onboard Transit Vehicles and Prohibited Actions on or About a Transit Facility or a Bus Stop" and direct publication of an ordinance summary.

8. MTS: LRV Traction Motors Repair and Rehabilitation Services Agreement – Work Orders (CIP 11164)

Recommend that the Board of Directors (1) accept the assignment of the LRV Traction Motors Repair and Rehabilitation Services Agreement from SANDAG; and (2) authorize the CEO to issue Work Order Nos. 07-01 and 07-02 (Attachments A and B of the agenda item) to Siemens Energy and Automation for rehabilitation of 30 U2 traction motors for a cost not to exceed \$1,707,396 and for U2 traction motor repairs as needed for a cost not to exceed \$500,000, respectively.

9. MTS: Escrow Agreement (FIN 300, PC 50601)

Recommend that the Board of Directors approve an Escrow Agreement (Attachment A of the agenda item) with the Bank of New York Trust Company, N.A. as Trustee.

10. SDTI: Uniform Service Contract Award (OPS 970.6)

Recommend that the Board of Directors authorize the SDTI President-General Manager to execute a five-year contract (SDTI Doc. No. C.O.065.0-07), in an amount no to exceed \$568,837.55, with Prudential Overall Supply for uniform services for San Diego Trolley, Inc.

11. MTS: Policies and Procedures No. 18 (Joint Use and Development of Property) (LEG 461, PC 50791)

Recommend that the Board of Directors approve changes to Policy No. 18 as recommended by the Executive Committee.

12. MTS: Emergency Work Authorization Under Policy No. 52.4 (C) and MTS/SANDAG Memorandum of Understanding (MOU) Approval
(CIP 10426.6)

Recommend that the Board of Directors (1) find that immediate remedial measures are required at the West Park Avenue and L Street grade crossing to comply with Federal Railroad Administration Rule Nos. 213.127 and 213.113(7) to replace deteriorated rail and ties to ensure that the system is available to serve the transportation needs of the general public, and that the procurement of construction services in compliance with MTS Policy No. 52.2 is inadequate due to the urgency of the rehabilitation work; and (2) authorize the CEO to execute an MOU (in substantially the same format as Attachment A of the agenda item) with SANDAG to reimburse SANDAG for West Park Avenue and L Street rehabilitation work to be done under a contract change order to the Broadway Rail Replacement Project (CIP 11061) for a total cost not to exceed \$350,000.

Recommended Consent Items

There was no discussion of the recommended Consent Items.

Recommended Board Discussion Items

There was no discussion of the recommended Discussion Items.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

Chairman Mathis reported that the next SANDAG Transportation Committee meeting is January 19, 2007, and staff has no report on this item.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

End of Executive Committee Term: Ms. Hanson-Cox thanked everyone who contributed to her education on transit issues as a member of the Executive Committee. She also thanked Mr. Jablonski for helping her. She stated that she looked forward to continuing her service as a Board member.

G. PUBLIC COMMENTS

Don Stillwell: Mr. Stillwell advised the Committee that he requested MTS records from 1976. He stated that he was told that staff would need to determine if those records were still available, and that he would be charged staff time for the production of these documents. He felt that documents should be available and that he should have to pay for only the copies themselves. Ms. Lorenzen stated that Mr. Stillwell requested this documentation (minutes from 1976) in order to get the names of MTS's original Board members, and she was able to provide him with that information from another, more readily available source. She stated that older documents have been moved to a storage building, and it is currently unknown if records have been retained from that early date. She stated that critical records are customarily retained for ten years.

Brian Martin, EB Property: Mr. Martin stated that his organization had been negotiating with The San Diego & Imperial Valley Railroad (SD&IV) and Rail America to build a rail spur onto their property. He stated that SD&IV and Rail American have withdrawn from those negotiations. He appealed to the Committee for assistance.

Clive Richard: Mr. Richard asked for information on trolley travel through Smart Corner. Mr. Peter Tereschuck, SDTI General Manager, reported that westbound service will be added next week. Mr. Richard stated that this project is a great example of smart growth and transit-oriented development. He also asked for clarification of the reference to one bicycle per trolley as outlined in Ordinance No. 13. Ms. Lorenzen pointed out that the definition of a trolley (Section 13.2 - Definitions) is "one car", so one bicycle is allowed per car. She stated that the ordinance has had this restriction for some time.

H. NEXT MEETING DATE:

The next meeting is scheduled for Thursday, February 8, 2007, in the Executive Conference Room.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 10:33 a.m.

Chairman

Attachment: A. Roll Call Sheet

[gail.williams/minutes](#)