

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

January 5, 2006

MINUTES

A. ROLL CALL

Chairman Mathis called the meeting to order at 9:03 a.m. A roll call sheet listing Executive Committee member attendance is attached.

B. APPROVAL OF MINUTES

Public Comment

*Clive Richard:* Mr. Richard pointed out that the minutes should be corrected to reflect that the vote on Agenda Item C1 was three to one, not four to one, as there were only four Executive Committee members present at that particular meeting.

Mr. Emery moved approval of the minutes of the December 1, 2005, Executive Committee meeting with the aforementioned correction. Mr. Rindone seconded the motion, and the vote was 4 to 0 in favor.

G. PUBLIC COMMENTS *(Taken Out of Order)*

*Don Stillwell:* Mr. Stillwell requested that changes currently scheduled for Route Nos. 13 and 14 as part of the Comprehensive Operational Analysis (COA) be implemented immediately rather than six months from now. He also requested improvements in the schedules for those two routes to improve connections with the Grantville Trolley Station. He also felt that Route Nos. 13 and 14 were making too many trips per hour and suggested that the design review be conducted by people who ride the bus.

C. COMMITTEE DISCUSSION ITEMS

1. MTS: Proposed Modifications of MTS Board Policy No. 22 for Appointment of Committee Members and Executive Committee Composition (ADM 110, PC 50101)

MTS Chief Executive Officer (CEO) Paul Jablonski provided a brief background on the formation and purpose of the Ad Hoc Policy Review Committee. He stated that the Committee is recommending the formation of an Ad Hoc Nominating Committee to meet in November of each year to formulate recommendations for Board appointments as well as the election of officers. He stated that the Board will be asked to form that committee at its January 12, 2006, meeting. The Ad Hoc Nominating Committee would then meet to formulate its appointment recommendations, which would then be presented to the Board in February. He stated that, by law, the Board must appoint a Vice Chair and a Chair Pro Tem at its first meeting in January.

Mr. Jablonski explained that the Ad Hoc Policy Review Committee also reviewed the composition of the Executive Committee as outlined in Policy No. 22. He stated that the Committee is recommending that Policy No. 22 be revised to specify that the Executive Committee will consist of the Chairman, one member from the County, one member from the City, one member to represent the South Bay cities, and one member to represent the East County cities. Also included in the revised policy is a statement that the suburban representatives will each serve a two-year term. He added that the Vice Chair of the Board would sit on the Executive Committee as a nonvoting member, and the Executive Committee's representative on the SANDAG Transportation Committee would also sit on the Executive Committee. If that individual is not already a member of the Executive Committee, then he or she would sit as a nonvoting member. He stated that this would allow the Executive Committee to select its Transportation Committee representative from the full Board.

Mr. Mathis requested that changes be made to paragraph 22.8.1 to clarify that only the South Bay and East County representatives on the Executive Committee will serve two-year terms. Mr. Rindone also suggested that the expirations of these two terms be staggered so they don't both end in the same year. Mr. Jablonski stated that the Board will be reviewing this matter at its January 12, 2006, meeting, and a determination could be made at that time as to which suburban representative will serve a one-year term in order to implement this concept.

Mr. Mathis also requested that the words "establish the order of items" be dropped from paragraph 22.8.5. He stated that it has always been the Chairman's prerogative, in conjunction with the CEO, to establish the order of agenda items. Mr. Rindone stated that Ms. Tiffany Lorenzen, MTS General Counsel, did an excellent job of encapsulating the Ad Hoc Policy Review Committee's input regarding Policy 22.

#### Action Taken

Mr. Emery moved to receive a report on proposed modifications to MTS Board Policy No. 22 to modify the composition of the Executive Committee and create a clearly defined Committee member appointment process. Ms. Atkins seconded the motion, and the vote was 5 to 0 in favor.

#### 2. MTS: Utilization of Grantville Station Excess Property for Alvarado Canyon Road Realignment to Facilitate Increased Public Transit Access (ADM 110, PC 50101)

Mr. Jablonski reported that the City of San Diego is in the process of seeking a grant to realign Alvarado Canyon Road and would like that realignment to pass through a parcel of MTS's property that was originally purchased as part of the Mission Valley East (MVE) Light Rail Transit (LRT) Extension. Mr. Jablonski provided the Committee with details on the property and provided visuals of the property itself. He stated that MTS has had meetings with Councilmember Jim Madaffer regarding this matter. He added that this matter was also heard by the Board in 2001. Mr. Jablonski pointed out that the realignment of Alvarado Canyon Road would provide improved pedestrian and vehicular access to the Grantville

Trolley Station. He stated that the Executive Committee is being asked to authorize him to negotiate and enter into a Memo of Understanding (MOU) regarding the use of MTS's property, which would probably in the form of an easement. He added that he would ensure that, if the realignment necessitates the relocation of the power substation, MTS's cost for that relocation as well as any related administrative costs would be covered within the road construction costs.

Ms. Atkins stated that she would abstain from voting on this issue until she is able to ascertain that it is appropriate for her to do so since this matter involves the City of San Diego, whom she represents on the Board.

In response to a question from Mr. Emery, Mr. Jablonski stated that the property consists of two parcels approximately 1.7 acres in total. He stated that the alignment would leave MTS with a parcel of approximately  $\frac{3}{4}$  of an acre fronting Mission Gorge Road. He stated that MTS would no longer have access to its parcel from Alvarado Creek Road but would have access from Mission Gorge. He stated that it will be important to ensure that MTS still has access to the power substation. Mr. Emery expressed concern that the remaining acreage may not be usable and added that it would be up to the CEO to negotiate an MOU that doesn't render the remainder of the land useless.

Mr. Roberts expressed concern that allowing the City of San Diego access to this property would seriously degrade the value of that land, something that does not seem prudent given MTS's current shortfall of funding for its capital program. He felt that MTS would be making a "gift" to the City of access to this land. Mr. Jablonski stated that the federal funding that was provided for the MVE LRT extension was granted with the understanding that the right-of-way would be used for public purposes, and reviewed the contents of MTS's letter to the Federal Transit Administration (FTA) regarding this matter. Mr. Mathis also pointed out that the property was in excess of MTS's need, and it was not purchased with the intent to derive a profit. Chairman Mathis pointed out that if MTS were to sell this property, MTS would have to pay a portion of the proceeds (70 to 75 percent) to the FTA because the project/grant is still open. Mr. Jablonski also advised the Committee that Tom Larwin has confirmed that he had agreed during his tenure as General Manager of MTDB to contribute that right-of-way for the betterment of Alvarado Canyon Road. Mr. Roberts felt that the point was who currently holds the title to the land and how the would be used. He was also interested in a legal determination of MTS's obligation to the City.

Mr. Roberts stated that he was not comfortable with approving anything until a legal review could be conducted and a report made back to the Committee on the results of that review. He also expressed concern that the City's plan and need is not well defined at this point in time and expressed concern that if this alignment does not actually happen, MTS could end up with an easement across its property. He questioned whether or not MTS actually has a de facto easement across its property now. Mr. Mathis stated that a legal determination would have to be made in that regard. Chairman Mathis also stated that specifics regarding access and responsibility would be outlined in the MOU. Ms. Atkins stated that this situation appears to be much the same as the situation with MVE and San Diego State

University (SDSU), when the Board authorized the CEO to negotiate an agreement for SDSU Station. It was reported that the original cost for that property was \$2.2 million.

Action Taken

Mr. Emery moved to (1) receive a report on the proposed utilization of excess property acquired for the Grantville Station for the realignment of Alvarado Canyon Road to facilitate increased public transit access, (2) authorize the CEO to continue discussions with the City of San Diego to further define the parameters of this project; and (3) direct legal counsel to review this matter and return to the Executive Committee with a report of the results of that review, including background, a rationale for gifting access to MTS's property, and defining the parameters of MTS's ability to negotiate with the City. Mr. Rindone seconded the motion, and the vote was 4 to 0 in favor with Ms. Atkins abstaining.

D. REVIEW OF DRAFT JANUARY 12, 2006 BOARD AGENDA

4. MTS: Election of Vice Chair and Chair Pro Tem and Continuance of Appointments to Committees for 2006 (LEG 410, PC 50101)

Recommend that the Board of Directors elect a Vice Chair and a Chair Pro Tem for 2006; and continue the current appointment of representatives to the MTS Committees as listed on the attached table (Attachment A of the agenda item) through the end of January 2006 so the Ad Hoc Nominating Committee can make recommendations for committee appointments for the 2006 calendar year.

Recommended Consent Items

6. MTS: FY 06/07 Take One Printing – Contract Amendment with AAA Printing (SRTP 830.4, PC 50451)

Recommend that the Board of Directors authorize the CEO to exercise the second of two option years with AAA Printing to print Take One notices at a cost not to exceed \$43,048 (including tax and delivery), in substantially the same form as attached (Attachment A of the agenda item). This cost represents a 3.3% increase over the previous year as allowed by the current contract.

7. MTS: FY 06/07 Daily-Dated Universal Transfer Slips – Contract Amendment with The Ticket Factory (FIN 330.3, PC 50451)

Recommend that the Board of Directors authorize the CEO to exercise a third option year with The Ticket Factory for printing of 12,953,600 Universal Daily-Dated Transfer Slips at a cost not to exceed \$63,084.03 (including tax and delivery), in substantially the same form as Attachment A of the agenda item. This price represents a cost of \$4.87 per 1,000 slips, a 2% increase per unit over the previous year as determined by the current contract.

8. SDTI: Light Rail Vehicle Pantograph Carbon Procurement (OPS 970.6)

Recommend that the Board of Directors authorize the President-General Manager to execute a Standard Procurement Agreement (Attachment A of the agenda item) with Schunk Graphite Technology, Inc. to supply light rail vehicle (LRV) pantograph carbons for a five-year period contingent upon approval of a waiver from Buy America requirements from the Federal Transit Administration (FTA). The total cost, including California sales tax and freight for a five-year period, shall not exceed \$622,250.00.

Recommended Consent Items

There was no discussion of Recommended Consent Items.

Recommended Board Discussion Items

There was no discussion of Recommended Board Discussion Items.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

It was reported that the January 6, 2006, SANDAG Transportation Committee meeting has been cancelled.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

There were no Committee Member Communications.

H. NEXT MEETING DATE:

The next meeting is scheduled for Thursday, January 19, 2006, in the Executive Conference Room.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 9:50 a.m.

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Chairman

Attachment: A. Roll Call Sheet  
gailwilliams/minutes