

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

October 13, 2005

Board of Directors Meeting Room, 10th Floor  
1255 Imperial Avenue, San Diego

MINUTES

1. Roll Call

Chairman Williams called the meeting to order at 9:05 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Mr. Ewin stated that the minutes should be changed to reflect that there were three Closed Session items, and that he did not participate in Closed Session discussions regarding the Grossmont real property negotiations (Grossmont Center Station parking lot) because of his role as La Mesa's representative on the MTS Board. Mr. Rindone moved to approve the minutes of the September 22, 2005, Board of Directors meeting with those corrections. Mr. Emery seconded the motion, and the vote was 12 to 0 in favor.

3. Public Comments

*Don Stillwell:* Mr. Stillwell requested that Route No. 14 from Fashion Valley be routed to both Zion Avenue and Crawford Street, bus stops that serve Kaiser Hospital, on the same frequency as Route No. 13. He also requested that Route No. 14 arrive approximately five minutes before Route No. 13 service, and that Route No. 14 also stop at the bus stop in front of the Vons Shopping Center. He presented petitions signed by over 200 individuals requesting these changes. He also distributed two letters, one from himself and one from the Allied Gardens Community Council, stressing safety issues that arise when patrons who are elderly and physically challenged are required to cross streets.

5. Closed Session Items (ADM 122)

There were no Closed Session items.

CONSENT ITEMS

6. MTS: Transportation Development Act Claim Amendment (FIN 340.3, PC 20201)

Recommend that the Board of Directors adopt Resolution No. 05-14 (Attachment A of the agenda

item) amending the FY 2003 Transportation Development Act (TDA) Article 4.0 Claim No. 253 for the City of El Cajon.

7. MTS: Regional Transit Management System – Contract Amendment (CIP 10940)

Recommend that the Board of Directors (1) receive a report on the status of the Regional Transit Management System (RTMS) Project and identify the basis of staff's change order recommendations; (2) ratify Amendment No. 1 to MTS Doc. No. G0867.0-03 (Attachment A of the agenda item) to the Motorola contract as executed by the Chief Executive Officer (CEO) for an amount not to exceed \$10,336; (3) authorize the CEO to execute Amendment No. 2 to the Motorola contract MTS Doc. No. G0867.0-03 (Attachment B of the agenda item) for change orders, in an amount not to exceed \$678,384, with an MTS cost of \$540,483 and North County Transit District (NCTD) cost of \$137,901; (4) authorize the CEO to execute Amendment No. 1 to MTS Doc. No. G0868.0-03 (Attachment C of the agenda item), Fund Transfer Agreement with NCTD, for change orders in the amount of \$137,901 for a total adjusted amount not to exceed \$7,398,631 (Attachment D of the agenda item); and (5) authorize a contract contingency in the amount of \$100,000 and authorize the CEO to execute future contract amendments to not exceed that amount.

8. MTS: Transit Center Maintenance Contract (OPS 920.5, PC 50751)

Recommend that the Board of Directors authorize the CEO to execute Contract Amendment No. 5 to MTS Doc. No. B0299.0-02 (Attachment A of the agenda item) for a one-year option term with Calderon Building Maintenance, Inc. for transit center steam-cleaning services.

9. SDTC: Customer Information Project (OPS 960, PC 50553)

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

10. MTS: Audit Report – San Diego Trolley, Inc. Revenue (LEG 492, PC 50101)

Recommend that the Board of Directors receive the internal audit report on the SDTI revenue process (Attachment A of the agenda item).

11. MTS: Audit Report – The Transit Store (LEG 492, PC 50121)

Recommend that the Board of Directors receive the internal audit report on The Transit Store (Attachment A of the agenda item).

12. MTS: LRV Body and Paint Rehabilitation Services Agreement – Work Orders  
(OPS 970.6, CIP 11165)

Recommend that the Board of Directors (1) accept the assignment of the LRV Body and Paint Rehabilitation Services Agreement from SANDAG and (2) authorize the CEO to issue Work Order Nos. 06-01 and 06-02 to Carlos Guzman, Inc. for body and paint rehabilitation services on nine U2 LRVs and extraordinary bodywork services on LRVs, on an as-needed basis, for a total cost not to exceed \$346,500 and \$140,000, respectively.

13. MTS: Transportation Development Act Fund Reappropriation (FIN 340.3, PC 20201)

Recommend that the Board of Directors adopt Resolution No. 05-15 (Attachment A of the agenda item) to reappropriate the TDA Article 4.0 Capital Reserves for the City of Poway.

14. MTS: Toshiba Phone System Lease Agreement (CIP 10992)

Recommend that the Board of Directors ratify a lease agreement (Attachment A of the agenda item) between MTS and Toshiba America Information Systems, Incorporated for replacing and consolidating the phone systems at SDTC, SDTI, and MTS.

Recommended Consent Items

Mr. Ewin requested that Consent Agenda Item No. 10 be pulled.

Ms. Atkins moved to approve Consent Agenda Item Nos. 6, 7, 8, 9, 11, 12, 13, and 14. Mr. Ewin seconded the motion, and the vote was 12 to 0 in favor.

*Item No. 10 - MTS: Audit Report – San Diego Trolley, Inc. Revenue:* Mr. Ewin asked how card access improves control of the safe containing ticket-vending-machine receipts. Mr. Peter Tereschuck, SDTI President-General Manager, explained that card access provides a history of that access. In response to additional questions asked by Mr. Ewin, Mr. Tereschuck stated that SDTI is in the process of procuring pocketless coveralls for its employees working in this area. He also reported that improving surveillance of this area would necessitate the installation of an entire new system, and funding has not been identified. Mr. Tereschuck advised Mr. Ewin that no losses have been experienced that would necessitate additional cameras. He also stated that the current camera focuses on the entry door to this area.

Mr. Monroe moved to approve Consent Agenda Item No. 10. Mr. Rindone seconded the motion, and the vote was 12 to 0 in favor.

NOTICED PUBLIC HEARINGS

Chairman Williams opened the public hearing at 9:15 a.m.

25. MTS: Public Hearing – Rural Bus Service Adjustments

Julie Wiley, SANDAG General Counsel, reported that it was recommended that the Board take the following actions: (1) conduct a public hearing on service and fare changes for rural bus service; (2) approve service adjustments identified in Option 4 of the agenda item for implementation; (3) approve a performance standard requiring each rural route to achieve a 10 percent farebox requirement within six months from implementation of these service adjustments in order to be retained; (4) recommend to the San Diego Association of Governments (SANDAG) that it approve the adjustment to the rural fare structure; and (5) direct staff to modify MTS Ordinance No. 4 concerning the fare-pricing schedule, (contingent upon SANDAG approving MTS's recommended change to rural fares), including the scheduling of a required public reading of changes at two noticed meetings of the Board of Directors.

Mr. Brandon Farley, MTS Senior Transportation Planner, provided background on the events leading up to staff's recommendation on Rural Bus Service. He provided an overview of existing rural services and each route's respective subsidy per trip. He also reviewed the

proposed service adjustments. Mr. Farley reported that the service adjustments are consistent with feedback received during community meetings and through a passenger survey. He stated that the proposed service adjustments would reduce wasteful portions of the existing service. He also reviewed the proposed fare adjustments and performance standard for Rural Bus Service. He stated that failure of a route to achieve a 10 percent farebox return ratio within six months of implementation of the service and fare adjustments would result in the service being discontinued without further consideration by the Board. In response to a question from Mr. Ewin, Mr. Farley stated that staff anticipates that the proposed routes will be able to attain a 10 percent farebox recovery ratio and confirmed that these routes meet the lifeline standard. Ms. Atkins requested that, if any routes are not meeting the 10 percent standard, those routes be brought back to the Board, not unilaterally discontinued. Mr. Farley then reviewed the annualized budget implications associated with the recommended service changes.

MTS Chief Executive Officer (CEO) Paul Jablonski advised the Board, contrary to what was reported at a previous meeting, that these routes are not affected by the Transportation Development Act farebox recovery standard. He added that the recommended fares are based on the length of the trip. Mr. Conan Cheung, MTS Director of Planning and Performance Monitoring, reported that the \$10 fare matches the approximate cost of driving a car (fuel only) the same distance, and that this fare is consistent with other transportation options.

Mr. Lewis asked if there are any restrictions prohibiting someone from starting a transportation service in the rural area. Mr. Jablonski stated that, at one time, MTS unsuccessfully explored the possibility of providing vehicles to a bonified agency or group wanting to provide service. Mr. Cheung stated that there are such models in place throughout the region. He added that given MTS's experience, particularly with how rural bus service was previously operated, MTS would have concerns regarding compliance and reporting.

#### Public Comments

*Jacqueline Hine:* Ms. Hine stated that she was on the Northeast Rural Bus Board, which previously provided service in the rural area. She stated that Rural Bus Service should be on weekdays so that residents can access medical facilities. She also asked if the miles being saved by eliminating some service between Ramona and Borrego Springs could be used for a second day trip into Julian and Ranchita. She stated that they are very anxious to have service into Borrego Springs for the elderly, disabled, and low-income residents.

*Deloris Royer:* Ms. Royer stated that the recommended \$10 fare is prohibitive. She proposed a \$6 fare in tandem with the proper scheduling of service. She did not feel that rural services would survive the recommended service changes and fare increase and pointed out that this is a lifeline system. She stated that many bus riders in the rural area were not able to attend the community meetings and reminded the Board that rural residents are also taxpayers.

*Crane Johnson:* Mr. Johnson stated that rural bus service was operated at one time very successfully by a group of elderly women.

*Katherine Vienna:* Ms. Vienna stated that it would be very helpful if Route Nos. 888 and 894 were preserved.

*Gary Thyberg:* Mr. Thyberg distributed written comments outlining the performance of certain bus routes. He stated that these written comments indicate that Route Nos. 867 and 888 each have 28 passenger boardings per day. He stated that these productivity figures are inaccurate.

He stated that poor performance on one route is having an adverse affect on the productivity figures, and this route would continue to operate if Option 4 is approved by the Board. He added that staff is recommending services be cut on routes with a recovery rate of 17 percent. He made suggestions regarding the scheduling of certain routes that would maintain or increase ridership and objected to cutting service on weekends. He stated that, under Option 4, Route No. 888 is designed to fail. He also objected to the \$10 fare, which he predicted would reduce ridership.

*Evelyn Reece:* Ms. Reece declined to speak.

*Nancy Shiverette:* Ms. Shiverette pointed out that the rider survey conducted by MTS did not indicate that Route No. 888 would operate only two days a week. She added that many bus riders were not able to attend the Rural Bus Service community meetings. She suggested eliminating Route No. 888 (third round trip) because it carries only four passengers on an 80-mile round trip.

Chairman Williams closed the Public Hearing at 9:48 a.m.

Mr. Lewis expressed concern that approving the proposed changes may be setting the service up to fail. Mr. Cox passed thanks from Supervisor Horn and Jacob to staff for conducting the Rural Bus Service community meetings. He stated that these types of decisions are never easy to make, but added that MTS needs to consider farebox recovery rates. He spoke in favor of providing lifeline service. He added that any decisions to discontinue service should be made by the Board. Mr. Cox also stated that the Board relies upon the expertise of professional staff members to evaluate and recommend the most advantageous scheduling of bus service.

Ms. Atkins agreed that the Board should make any decisions to discontinue service. She stated that the same performance standards cannot be applied to both rural and urban service. She stated that she has been very impressed with the quality of staff's analysis recently, but that she is not comfortable with the recommended changes because of the impact they will have on senior citizens, disabled riders, and the working poor. She expressed concern that these routes might be set up to fail, and stated that MTS has some responsibility to help these routes become more productive. She suggested that the Board review Rural Bus Service in four months and that performance indicators and comments from operators be presented at that time. She expressed hope that additional resources could be identified for the continuation of rural service and suggested that MTS reach out to other transit properties to gather information on how rural services are provided in other communities.

Mr. Emery pointed out that the previous provider of this service, the County of San Diego, decided to divest itself from providing rural service, and he added that MTS is an urban transit authority. He added that he attended the community meeting at Campo, and advised the Board that this meeting was well attended. He also stated that if an individual chooses to live where there is no service, that person cannot then expect someone to provide it. He suggested that medical appointments be scheduled on days there is service. Mr. Emery stated that these types of decisions are not popular or easy to make, but the Board has to look at the system as a whole, and MTS cannot continue to provide service with a subsidy of \$60 to \$120 per rider. He agreed that any decisions to discontinue service should be made by the Board.

Mr. Rindone pointed out that MTS has limited resources and has no service at all in some areas that are directly within its area of jurisdiction. He added that County Supervisors Horn and Jacobs have expressed an interest in maintaining lifeline services, then pointed out that they

had an opportunity to make this decision first hand but chose instead to divest themselves of the service altogether. He added that the proposal being considered doesn't do everything that everyone would like but does provide at least lifeline service. He agreed that the Board should review this service again in four to six months. He pointed out that the 10 percent farebox recovery standard is still less than 30 percent of the standard for urban services (36 percent). He added that, while the recommended service changes are an improvement, it may still not be enough. Mr. Rindone requested that staff consider public comment regarding Route Nos. 867, 891, and 892 requesting that both days of service be weekdays rather than Friday and Saturday. Mr. Farley stated that recommendation is being made based on ridership survey results, but staff has the flexibility to shift the Saturday service to a weekday. Mr. Rindone suggested that the motion to approve this item include a statement authorizing staff to take such an action.

Mr. Monroe stated that MTS needs to provide service that is cost effective, and added that staff has done a great job. He also pointed out that the Comprehensive Operational Analysis (COA), which outlines three tiers of service (network, commuter, and local) and has been approved by the Board, does not reference rural bus or lifeline service. He added that there are other parts of the community that are going to lose service as a result of the COA, and that Rural Bus Service represents a very small portion of the changes that are expected to occur.

Mr. Morrison stated that elected officials are sometimes called upon to make tough decisions and added that MTS must meet its fiscal responsibilities. He stated that everyone on the Board believes very strongly in public transportation, and, therefore, it is especially hard to make decisions to cut service. He stated that the Board would rather increase service, but that is not realistic. He added that the system-wide average farebox recovery rate is 36 percent. He added that all but one of the rural routes have recovery rates between 3.1 and 6.9 percent, and that MTS is basically applying a different standard (lifeline) to rural service. In addition, MTS is providing the elderly and physically challenged with a reduced fare. He added that, if MTS does not make tough decisions now, even more drastic measures will have to be taken in the future.

Mr. Ewin stated that there are new developments in some of these rural service areas, and MTS has always encouraged people to live along transit routes. He stated that cutting rural services may impact how MTS is viewed by those people. Mr. Ewin requested that a mechanism be put in place to make these routes successful and to preserve the funding so that restoration of service could be pursued if warranted. He suggested possibly setting aside \$150,000 of the savings from the service cuts for six months. Mr. Lewis pointed out that Rural Bus Service patrons are taxpayers, and MTS should be reducing fares to encourage ridership.

Mr. Monroe requested that monthly operating reports include performance data on individual routes. Mr. Jablonski pointed out that staff has the authority to make service adjustments when there is no cost impact. Mr. Rindone stated that Mr. Jablonski's statement addresses the concern he expressed earlier about the authority of staff to convert Saturday service into weekday service if requested by the community.

#### Action Taken

Mr. Emery moved to approve staff's recommendation to (1) approve service adjustments identified in Option 4 of the agenda item for implementation; (2) approve a performance standard requiring each rural route to achieve a 10 percent farebox requirement within six months from implementation of these service adjustments and bring back to the Board any routes that do not achieve that performance standard by the end of the six-month period; (3)

recommend to the San Diego Association of Governments (SANDAG) that it approve the adjustment to the rural fare structure; (4) direct staff to modify MTS Ordinance No. 4 concerning the fare-pricing schedule, (contingent upon SANDAG approving MTS's recommended change to rural fares), including the scheduling of a required public reading of changes at two noticed meetings of the Board of Directors, with the clarification that any discontinuation of service be presented to the Board for review in four to six months; Mr. Monroe seconded the motion, and the vote was 12-1 in favor with Mr. Young casting the dissenting vote.

## DISCUSSION ITEMS

45. MTS: Transportation Security Administration (TDA) Bomb-Sniffing Dog Program (OPS 970.11)  
**(Taken Out of Order)**

Mr. Bill Burke, SDTI Transit Security Administrator, advised the Board that San Diego is one of ten transit properties to which this program is being offered by the Transportation Security Administration (TSA). He introduced Chris Kloiber, Special Agent/Canine Program Coordinator, who reviewed the particulars of the program. Mr. Kloiber reported that all bomb-sniffing dogs are now being named after victims of 9-11. He reviewed TSA's responsibilities for reimbursement of costs, provision of the canines to be used, handler training, provision of equipment, on-site certification, and training aids. He then reviewed participant responsibilities regarding the training, handler requirements, kennel facilities, canine vehicles, etc. Mr. Kloiber provided the Board with some examples of how quickly a dog can search an area.

In response to a question from Mr. Monroe, Mr. Burke reported that the dogs will be used in a variety of situations and locations, and dog handlers will be available seven days a week, 24 hours a day, on a rotating basis. Mr. Burke added that the dog handlers will have to be very dedicated to this job and, because of the demands of the position, will have certain restrictions on their personal lives. In response to a question from Mr. Lewis, the Board was advised that dog teams can be used 20 percent of the time to perform duties for other agencies, with the requesting agency bearing the cost and MTS making to decision to participate or not.

### Public Comment

*Clive Richard:* In response to a question from Mr. Richard, Mr. Burke stated that trolley security officers are state-authorized public officers.

### Action Taken

Mr. Rindone moved to approve MTS's participation in the National Explosives Detection Canine Team Program and authorize the CEO to execute a Statement of Joint Objectives (Attachment A of the agenda item) with the Transportation Security Administration. Mr. Emery seconded the motion, and the vote was 13 to 0.

30. MTS: Sorrento Valley Coaster Connection (SVCC) Funding Update (PC 30118, CIP 10465)

Mr. Jablonski advised the Board that MTS expects to hear within the next week if there are any remaining issues connected with the funding of SVCC. He stated that the contract award for this service is on the Board's October 27, 2005 agenda, and any remaining issues will be presented at that time.

Action Taken

Mr. Rindone moved to (1) direct staff to request that the Sorrento Valley Coaster Connection funding status item be placed on the October 21, 2005, SANDAG Transportation Committee agenda; (2) concur with the opinion of the Executive Committee that funding issues related to this service need to be resolved by SANDAG and the Air Pollution Control District; and (3) concur with the opinion of the Executive Committee that MTS does not have the resources to fund this service and, if no funding is identified, there will be a decrease in service levels and/or the implementation of a fare for this service; and (4) continue this issue and bring back to the Board only if there are problems that need to be addressed by the Board. Mr. Cox seconded the motion, and the vote was 13 to 0.

31. SDTC: Disposal of Buses (OPS 960)

Mr. Jim Byrne, SDTC Director of Transportation, reported that SDTC received 41 new buses throughout the summer and now has old buses available to auction. He added that these buses have all exceeded the useful-life standard established by the Federal Transit Administration. He reported that SDTC has received four special requests and reviewed the particulars of each request. In response to a question from Mr. Lewis, Mr. Byrne reported that these buses have been upgraded to meet California NOx standards.

Action Taken

Ms. Atkins moved to (1) sell four retired 1991 Gillig 1200 Series diesel buses to Accessible San Diego to transport seniors, people with disabilities, and special-needs travelers for its Accessible Border Program; (2) donate two retired 1991 Gillig 1200 Series diesel buses to the San Diego Police Department to replace the two 1975 GMC buses that it is currently using; (3) donate one retired 1991 Gillig 1200 Series diesel bus to the National City Fire Department to be used as a mobile command center vehicle; (4) donate one retired 1991 Gillig 1200 Series diesel bus to San Diego Trolley, Inc. to be used as a security command center vehicle; and (5) auction 1993 MAN 1100 Series articulated diesel buses once they reach the end of their useful life (beginning October 2005). Mr. Cox seconded the motion, and the vote was 13 to 0 in favor.

32. MTS: Appointment of New Board Chairperson (ADM 110, PC 50101)

Mr. Jablonski stated that this item was being brought back to the Board in order to clarify the process that would be used to appoint a new board chairperson. He provided the Board with a brief overview of that process.

Action Taken

Mr. Emery moved to approve the process by which the Executive Committee will recommend to the Board the appointment of a new Chairperson. Mr. Clabby seconded the motion, and the vote was 13 to 0 in favor.

REPORT ITEMS

46. MTS: Operations Budget Status Report for August 2005 (FIN 310.1, PC 50601)

Mr. Larry Marinesi, MTS Budget Manager, reviewed financial results for the period ending August 31, 2005. He reviewed the net operating subsidy variance for operations and the



General Fund, combined operators comparison to amended budget, and the net operating subsidy variance for certain functions. He then reviewed the financial impact of recent increases in the cost of energy. He reported that compressed natural gas (CNG) fuel could still increase the 45 to 50 percent it usually increases in the winter months on top of increases already experienced.

Action Taken

Mr. Emery moved to receive the MTS Operations Budget Status Report for August 2005. Mr. Monroe seconded the motion, and the vote was 13 to 0.

48. MTS: Update on Transit Passes for Hurricane Katrina Victims (MKPC 680, PC 50551)  
***(Taken Out of Order)***

Mr. Tereschuck reviewed recent staff actions related to the provision of free passes to victims of Hurricane Katrina. He stated that arrangements have been made to provide free passes, but no requests have been received. Mr. Tereschuck advised the Board that MTS is uncertain at this time if it will be reimbursed for any free passes it provides. Mr. Jablonski stated that the Red Cross indicated to him that it was unlikely that the Federal Emergency Management Agency (FEMA) would provide reimbursement to anyone providing transit passes.

Mr. Tereschuck advised the Board that the Red Cross has provided 143 individuals with passes to date but is no longer providing this service as another committee has been designated to handle any distribution of transit passes. In response to a question from Mr. Lewis, Mr. Jablonski stated that the Board has a policy that any request for passes that exceeds \$5,000 must be approved by the Executive Committee

Action Taken

Mr. Emery moved to receive this report for information and provide direction to staff as appropriate. Mr. Monroe seconded the motion, and the motion passed by a 13 to 0 vote.

Mr. Young requested that the motion reiterate his comments from the September 22, 2005, Board meeting. They are as follows: *Mr. Young commended MTS for assisting with the Hurricane Katrina crisis. Mr. Young asked if MTS could offer at least a month of free ridership to the victims. Mr. Young stated his disagreement that there would be any costs. Mr. Young added that he felt the problem is that we have to wait.*

47. SDTI: Semiannual MTS Security Report (January Through June 2005) (OPS 970.11)

Mr. Burke reviewed the semiannual MTS security report for January through June 2005. Mr. Burke played a video clip of the emergency preparedness drill that was conducted at the San Diego State University (SDSU) Station in June 2005. He also reviewed the results of the most recent FTA audit and presented information on the U.S. Department of Homeland Security Transit Security Grant Program. He then provided the Board with statistical information on incidents, arrests, and passenger inspections. He reported that SDTI has adopted a new policy and, under that policy, conducted a higher number of inspections than in previous years. He also reviewed community activities that security officers have participated in related to safety issues and dealing with gangs. Mr. Lewis stated that bus operators could benefit from training on dealing with gang members.

Mr. Burke then reviewed the criteria for determining where to install closed-circuit television (CCTV) at transit stations. He stated that a Request for Proposals (RFP) has been sent out for the installation of CCTV at three Chula Vista stations. He stated that these cameras will be linked for live viewing at the police station. Mr. Rindone complimented staff on the report, and added that Chula Vista is covering 50 percent of the cost for this project. He suggested that this project be viewed as a pilot program and that the Board should monitor the progress and results of this project.

In response to a question from Mr. Ewin, Mr. Burke stated that the Board 405 Report can be provided by station as requested. In response to a question from Mr. Jones, Mr. Burke reported that SDSU elected not to participate in the emergency preparedness drill. Mr. Burke also informed Mr. Jones that Board members get notification as drills are scheduled. Mr. Burke offered to send a copy of the video from the drill to each Board member.

Mr. Morrison requested that the security report include a map showing the distribution of incidents and arrests. Mr. Burke stated that this information will be included in the annual report on security. In response to a question from Mr. Clabby, Mr. Burke reported that there has been a rash of vandalism, which caused property damage statistics to increase. Mr. Clabby also requested a distribution chart.

In response to a question from Mr. Lewis, Mr. Burke stated that emergency vehicles (only one or two at a time) can get to tunnel level, but the emergency personnel elected to have all emergency vehicles at street level during the recent emergency preparedness drill.

Mr. Young stated that he appreciated the efforts MTS has made to communicate with the youth of San Diego regarding safety and gang issues. He stated that students are being intimidated by gang members and stated that he will continue to be vigilant regarding this issue. Chairman Williams stated that patrons, based on statistics, are actually safer on buses and trolleys than anywhere else in the community.

#### Action Taken

Mr. Monroe moved to receive this report for information. Mr. Emery seconded the motion, and the vote was 13 to 0.

#### 60. Chairman's Report

Chairman Williams recognized Ex Officio Directors Mathis and Kaltenborn and presented each of them with a plaque recognizing their contributions to MTS. He reminded everyone of the reception for Mr. Mathis and Ms. Kaltenborn after the meeting.

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

There was no Chief Executive Officer's Report.

#### 62. Board Member Communications

*Siemens Presentation:* Robin Stimson, Director of Business Development, presented each Board member with a model of the S70 trolley car and thanked MTS for its confidence in Siemens. Mr. Morrison stated that Siemens had a large display at the APTA Annual Meeting EXPO, and MTS's S70 trolley car was the centerpiece of this display.

*Letter Regarding Smoking at Bus Stops:* Mr. Emery referred to a letter that was received by each Board member from a bus rider who complained about people who smoke at bus stops. Mr. Emery requested that staff determine if bus stops are considered as nonsmoking areas under California smoking laws.

*Closed Sessions for Grossmont Development Project Discussions:* Mr. Monroe stated that he felt that some topics being discussed regarding this project were not Closed Session matters. He also requested that La Mesa and Mr. Ewin, as La Mesa's representative on the MTS Board, have an opportunity to participate in discussions of this matter.

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, October 27, 2005, at 9:00 a.m. in the same location.

65. Adjournment

Chairman Williams adjourned the meeting at 11:43 a.m.

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Chairman  
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 - Board 09-22-05