

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

October 20, 2005

MINUTES

A. ROLL CALL

Chairman Williams called the meeting to order at 9:00 a.m. Committee members present: Toni Atkins, Bob Emery, Jerry Rindone, and Leon Williams. A roll call sheet listing Executive Committee member attendance is attached.

B. APPROVAL OF MINUTES

Mr. Emery moved approval of the minutes of the October 5, 2005, Executive Committee meeting. Ms. Atkins seconded the motion, and the vote was 4 to 0 in favor.

C. COMMITTEE DISCUSSION ITEMS

1. MTS: Federal Legislative Representation (LEG 470, PC 50121)

MTS Chief Executive Officer (CEO) Paul Jablonski reviewed the structure of past legislative representation contracts. He stated that, in the past, MTS has had a dual contract with North County Transit, and the San Diego Association of Governments (SANDAG) has had a separate contract. Mr. Jablonski then reviewed the process used to select a new firm to provide these services. Mr. Jablonski stated that MTS would like to continue its contract with Thomas Walters and Associates, Inc. until current appropriation activities are completed in Washington, D.C. (end of November). He stated that the contract with Walters is scheduled to expire on December 31, but MTS has the option to terminate this contract at any time.

Mr. Jablonski stated that entering into a joint representation contract will help to present regional priorities with a unified voice. He stated that it was always a logistical challenge to have two separate representation contracts. He stated that Blank Rome Government Relations, LLP, the recommended contractor, recently merged with Peter Peyser, a firm with strong transit background. He reported that Blank Rome has a strong background in defense and now Homeland Security, a developing area of opportunity for obtaining funding. He reviewed the allocation for the cost of the contract between the three agencies. He also reported that, each year, the contract will be evaluated for its effectiveness. Mr. Rindone stated that it was a good proposal, and that the three agencies have mutual interests that would be served through this contract. He asked that the Board be provided with staff's annual evaluation of the contract.

In response to a question from Ms. Atkins, Mr. Jablonski stated that he had no doubt that Thomas Walters and Associates would continue to provide quality representation services even though MTS will be canceling its contract with them

before the end of the year. He added that he felt they would want to end their current association with MTS on a positive note.

Ms. Atkins asked if there were any points where MTS might be at odds with SANDAG from a legislative standpoint and asked for assurances that transit could ensure its needs are met within the broader picture. Mr. Williams expressed concern that there could be a potential conflict based on the nationwide trend giving public transportation a lower priority than highways. He stated that there needs to be a fevered advocacy for public transportation in light of that trend. He felt that transit's position could be diminished in a joint arrangement unless there is a component in the contract to maintain transit's priority. Mr. Rindone stated that the contract could be brought back to the Board if MTS sees any indication that SANDAG is not effectively advocating for transit. He stated that they have been very even-handed to date. Mr. Jablonski agreed with Mr. Rindone's comments and added that legislative priorities will be established collectively by the three agencies. He added that it is very important for transit officials to be involved in that process at SANDAG and have high expectations that transit will receive emphasis and focus in whatever legislative priorities are developed. Ms. Ellen Roundtree, SANDAG Director of Government Relations, stated that the contract for legislative representation has a conflict of interest clause that requires Blank Rome to notify all parties if conflicts develop between the agencies.

Action Taken

Mr. Rindone moved to (1) receive this report regarding activities pursuant to the procurement of joint federal legislative representation services; (2) authorize the Chief Executive Officer (CEO) to allocate \$36,000 to be funded from the MTS Consultant budget line item for legislative representation to cover MTS's one-year share of the joint San Diego Association of Governments (SANDAG), North County Transit District (NCTD), and MTS contract with Blank Rome Government Relations, LLP (Peter Peyser, Senior Principal) beginning on November 1, 2005; and (3) authorize the Chief Executive Officer to terminate the Washington, D.C. Representation Services Contract (MTS Doc. No. G0548.0-00) with Thomas Walters and Associates, Inc. prior to December 31, 2005. Mr. Emery seconded the motion, and the vote was 4 to 0 in favor.

2. MTS: DART, Minibus Fixed-Routes 961-965, SVCC, and Sorrento Valley Caltrans Mitigation Shuttle Services – Competitive Bid Contract Award
(OPS 980.8, 980.9, PC 50751)

Susan Hafner, MTS Director of Multimodal Operations, reviewed the procurement process that was used for this contract, the price bid summary, and the budget impact. She also provided the Committee with information regarding the vehicles that will be used to provide the service and the alternative fuel requirement. She added that all four bidders met all the requirements of the Request for Proposals (RFP).

Mr. Jablonski advised the Committee that the Air Pollution Control District (APCD) Board has placed an agenda item recommending full funding for the Sorrento Valley Coaster Connection (SVCC) service on its October 26 agenda. He stated that full funding for the first year of service would be \$516,000 with MTS's share increasing from \$208,000 to \$225,000 to cover increasing costs. He stated that the

Board will be advised at its October 27, 2005, meeting if the APCD fails to approve the funding. Mr. Jablonski confirmed for Mr. Rindone that passengers from the SVCC receive a zero-cost transfer. Mr. Rindone inquired about charging a small fee (\$1.00) for the transfer. Mr. Jablonski stated that when a passenger transfers from a higher priced service to a lower priced service, no fee or a substantially discounted fee is typically charged for a transfer. He added that the APCD's goal is to maximize ridership of this service in order to remove as many cars as possible from the road and have maximum impact on air quality. He stated that charging a transfer fee may have a negative impact on ridership levels. Mr. Rindone stated that the MTS may have to consider that option if the APCD decides not to provide the funding. Chairman Williams stated that there is a fairly high subsidy for this service, which was originally implemented to help facilitate the success of the Coaster. Mr. Rindone pointed out that taking cars off the road does provide a public benefit.

Mr. Jablonski advised the Committee that the Green Line is serving almost 30,000 passengers daily. Mr. Rindone stated that MTS is attracting riders who will turn into life-long users of transit because of this service.

Ms. Hafner provided some clarification of figures on attachments C-1 and D-1 and advised the Committee that a preaward audit verified that each bidder met the RFP's requirements. Ms. Hafner confirmed that Southland Transit employees are not unionized.

Action Taken

Mr. Emery moved to forward a recommendation to the Board of Directors to authorize the CEO to execute an agreement with Southland Transit, inc. for the operation of Rancho Bernardo and Scripps Ranch Direct Access to Regional Transit (DART) services; Minibus Fixed-Routes 961-965; Sorrento Valley Coaster Connection; and Sorrento Valley California Department of Transportation (Caltrans) Mitigation services. Mr. Rindone seconded the motion, and the vote was 4 to 0 in favor.

D. REVIEW OF DRAFT OCTOBER 27, 2005 BOARD AGENDA

Recommended Consent Items

6. MTS: Adoption of 2006 MTS Executive Committee and Board of Directors Meeting Schedule (ADM 110, PC 50101)

Recommend that the Board of Directors adopt the 2006 Executive Committee and Board of Directors Meeting Schedule (Attachment A of the agenda item).

7. SDTC: Bus Parts – Contract Award (OPS 960.2)

Recommend that the Board of Directors authorize the MTS Chief Operating Officer – Bus to execute multiple three-year contracts with two 1-year options (SDTC Doc. No. B04-010) to the following contractors who were the lowest responsive, responsible bidders (see Bid Summary – Attachment A of the agenda item) in their respective groups: (1) Miramar Ford Truck Sales for Group B (Bendix air brake parts) at a total contract amount not to exceed \$280,766.56; Group C (brake drums

and shoes) at a total contract amount not to exceed \$498,177.92; and Group F (aluminum wheels) at a total contract amount not to exceed \$97,465.26; (2) San Diego Friction Products (Wetmore's) for Group D (Brake Pro brake linings) at a total contract amount not to exceed \$594,584.33; and (3) MCI Service Parts, Inc. for Group E (shocks and air suspensions) at a total contract amount not to exceed \$289,520.91.

8. MTS: Liability Claims Analysis Report (ADM 140, PC 50633)

Recommend that the Board of Directors receive the Liability Claims Analysis Report (Attachment A of the agenda item) for MTS, SDTC, and SDTI.

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

Agenda Item No. 11 – 2006 State Transportation Improvement Program (STIP) Development Guidelines: Sharon Cooney, MTS Director of Government Affairs and Community Relations, distributed and reviewed a synopsis of this item. She reported that this item is being called to the Committee's attention because there is new programming capacity in the FY 2006 STIP for transit capital projects. She stated that this program is funded by Public Transportation Accounting (PTA) or Proposition 42 PTA funds. She added that the California Transportation Commission (CTC) is asking regions to consider adding PTA-eligible projects or replacing existing projects with PTA-eligible projects. She pointed out that this does not mean more funding for the region for transit. She stated that it means that a region that does not match its projects with the right type of funding may run the risk of having its STIP funding sitting idle. She stated that it is therefore important for MTS to identify projects that qualify for a potential \$23.5 million in PTA funds.

Mr. Jablonski stated that MTS has some very compelling capital needs. He stated that he would be presenting a 10-year review of capital needs to the Committee and the Board in November. He stated that currently, MTS has identified \$93 million in capital projects to be programmed against \$24 million in funding, with projections worsening for the following year (\$110 million in projects/\$12 million in funding). He stated that he will be presenting this information to the SANDAG Transportation Committee as well. He briefly discussed Blue and Orange Line infrastructure needs as well as the need for rehabilitation of U2 trolley cars in order to provide the Committee with examples of the types of projects for which MTS needs funding.

Ms. Cooney advised the Committee that more information needs to be gathered regarding the types of projects that qualify for this funding. Ms. Atkins stated that Committee members need to be provided with information regarding specific projects for which they should advocate. Mr. Rindone suggested having a briefing on this specific topic for the four MTS Board members who are members of the SANDAG Transportation Committee (Monroe, Roberts, Emery, and Rindone). Ms. Cooney stated that more specific project information would be provided to after the discussion of this item at the October 21, 2005,

SANDAG Transportation Committee meeting. Mr. Jablonski stated that Committee members should advocate that transit be included in the allocation of the \$23.5 million, and then staff would identify specific projects to be submitted for funding. Ms. Atkins stated that she would discuss this matter with Councilmembers Jim Madaffer and Scott Peters.

Agenda Item No. 5 – Addenda to the Master Memorandum of Understanding (MOU) Between SANDAG, North County Transit, and MTS: Mr. Jablonski reported that this item includes an acknowledgement of the transfer back to MTS of staff members for right-of-way, planning, and the Manager of Business Development, as well as an additional \$400,000 in Transportation Development Act (TDA) funding to address other MTS staffing needs. He reported that the addenda also codifies the percentage of TDA funding that SANDAG will receive annually to cover functions transferred to SANDAG. Mr. Jablonski stated that MTS concurs with these changes. He added that the MOU also includes a statement that there will be no more staff transfers between the agencies.

Mr. Jablonski also stated that, after discussions with SANDAG, it was decided that MTS should now become a direct grant recipient of federal funds (primarily Section 5307 funds). He briefly discussed other options that were considered and rejected because they were inefficient or created additional bureaucracy. He stated that funding allocations would still take place at the Metropolitan Planning Organization (MPO) level.

Public Comment

Clive Richard: Mr. Richard referred to the mid-city transit plan that will be issued soon and stated that this plan involves implementing rapid bus service between SDSU and downtown San Diego rather than bus rapid transit, which involves having dedicated right-of-ways. He stated that, under the current plan, there will be no dedicated right-of-ways. He also suggested that the funding originally earmarked to cover the high capital costs of bus rapid transit be redirected toward operations. Chairman Williams stated that he was not aware of this plan and felt that this approach would be a step back. Ms. Atkins stated that communities are very resistant to the loss of street parking and traffic lanes, and there should be some discussion about how these funds would be reallocated. Ms. Atkins and Mr. Emery both felt that if mid-city service is not correctly implemented, the success of the service could be negatively impacted. Mr. Jablonski felt that it was incumbent to ask what would happen to the funding for this project if some portion or all of it is not needed.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

There were no Committee Member Communications.

G. PUBLIC COMMENTS

Don Stillwell: Mr. Stillwell made suggestions regarding service changes to Route Nos. 13 and 14. Mr. Jablonski stated that if service is not being utilized, then that service may be cut. He added that the service to Kaiser Hospital is still being evaluated as part of the Comprehensive Operational Analysis (COA), a process that will ensure that service matches ridership. Mr. Rindone requested that staff inform Mr. Stillwell when that evaluation has been completed. Chairman Williams stated that MTS is trying to do the most it can with the resources it has, and that staff is doing a good job. He asked that Mr. Stillwell be patient. He also stated that MTS may not always be able to provide what Mr. Stillwell wants.

Clive Richard: Mr. Richard referred to the comments made by Mr. Stillwell and stated that the results of the COA will be released for public comment shortly. Mr. Jablonski stated that people who speak out in favor of bus services should be the people who utilize those services.

Mr. Richard also stated that he recently heard complaints about buses laying over on city streets. He asked how something that is a public convenience could become a public nuisance.

C. COMMITTEE DISCUSSION ITEMS (Continued)

The Committee convened to Closed Session at 10:07 a.m. to discuss the following items:

3. MTS: CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8. Property: Grossmont Center Station Parking Lot. Assessor Parcel Nos.: 490-22-39, 490-200-40, and 490-270-23. Agency Negotiators: Tim Allison, R. Martin Bohl, Gerry Trimble, and Tiffany Lorenzen. Negotiating Parties: Fairfield Residential, LLC, and City of La Mesa. Under Negotiation: Instructions to Negotiators will include Price and Terms of Payment. *(Taken Out of Order)*

The Board reconvened to Open Session at 10:58 a.m.

Oral Report of Final Actions Taken in Closed Session

Ms. Lorenzen reported the following action taken in Closed Session:

The Committee received a report from staff and made a recommendation to forward this item to the Board for consideration.

H. NEXT MEETING DATE:

The next meeting is scheduled for Thursday, November 3, 2005 in the Executive Conference Room.

I. ADJOURNMENT

Chairman Williams adjourned the meeting at 10:59 a.m.

Chairman

Attachment: A. Roll Call Sheet
gailwilliams/minutes