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***REVISED**

Agenda

Joint Meeting of the Board of Directors for
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

June 8, 2006

9:00 a.m.

James R. Mills Building
Board Meeting Room, 10th Floor
1255 Imperial Avenue, San Diego

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please call the Clerk of the Board at least five working days prior to the meeting to ensure availability. Assistive Listening Devices (ADLs) are available from the Clerk of the Board/Assistant Clerk of the Board prior to the meeting and are to be returned at the end of the meeting.

ACTION
RECOMMENDED

1. Roll Call
2. Approval of Minutes - May 25, 2006
3. Public Comments - Limited to five speakers with three minutes per speaker. Others will be heard after Board Discussion items. If you have a report to present, please give your copies to the Clerk of the Board.

Approve



Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the taxicab administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company. MTS member agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.

CONSENT ITEMS

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| 6. | <u>Number not used.</u> | |
| 7. | <u>MTS: Increased Authorization for Legal Services</u>
Action would authorize the CEO to enter into a contract amendment with Julie Morris Soden of the law firm Grant and Soden for legal services and ratify prior amendments entered into under the CEO's and/or previous General Manager's authority(ies). | Approve |
| 8. | <u>MTS: San Diego and Arizona Eastern (SD&AE) Railway Company Quarterly Reports and Ratify Actions Taken by the SD&AE Board of Directors</u>
Action would: (1) receive the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association, and Carrizo Gorge Railway, Inc. quarterly reports; and (2) ratify actions taken by the San Diego and Arizona Eastern (SD&AE) Railway Company Board of Directors at its meeting on May 9, 2006. | Approve |
| 9. | <u>MTS: Transit Service Contracts Carryover Amendments</u>
Action would authorize the CEO to execute carryover amendments for: (1) commuter-express bus services operated by Coach USA, Inc. for the period of October 1, 2006, through December 31, 2006; and (2) East County fixed-route transit services operated by Laidlaw Transit Services, Inc. for the period of October 1, 2006, through January 27, 2007. | Approve |
| 10. | <u>MTS: San Diego State University (SDSU) Station Radio System Enhancement</u>
Action would authorize the CEO to establish a new Capital Improvement Program (CIP) No. 11158 (MVE/SDSU Radio System Enhancement) and transfer funds into this new project from the Mission Valley East Project Reserve. | Approve |
| 11. | <u>MTS: Final Audit - Accounts Receivable and Cash Receipts</u>
Action would receive an audit report on MTS accounts receivable and cash receipts functions. | Receive |
| 12. | <u>MTS: Final Audit - Passenger Services</u>
Action would receive an audit report on MTS's passenger services. | Receive |

CLOSED SESSION

24. a. MTS: Conference with Real Property Negotiators Pursuant to California Government Code Section 54956.8; Possible Action
Property: Grossmont Center Trolley Station Parking Lot at the Intersection of Grossmont Center Drive and Fletcher Parkway;
Agency Negotiators: R. Martin Bohl, Paul Jablonski, Tim Allison, and Tiffany Lorenzen;
Negotiating Parties: Fairfield Residential, LLC, JP Morgan Chase Bank, and Mass Mutual;
Under Negotiation: Instructions to Negotiators will Include Price and Terms of Payment.
- b. *MTS: Conference with Legal Counsel – Existing Litigation Pursuant to Subdivision (a) of California Government Code Section 54956.9: Possible Action
Stella Reed (Claim No. Unassigned)

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. MTS: Fiscal Year 2007 Budget - Public Hearing and Adoption Adopt
Action would: (1) hold a public hearing, receive testimony, and review and comment on the fiscal year 2007 budget information presented in the report; (2) approve the Performance Incentive Program; and (3) adopt Resolution No. 06-6 approving the operating and capital budget for MTS and the operating budgets for San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), MTS Contract Services, Chula Vista Transit, National City Transit, and the Coronado Ferry.

DISCUSSION ITEMS

30. MTS: Independent Transit Planning Review Possible Action
Action would receive a report for information.
31. MTS: Update on the Status of the Grossmont Trolley Station Joint Development Project Possible Action
Action would: (1) receive an update from General Counsel regarding the status of the Grossmont Trolley Station Joint Development Project; and (2) approve or authorize the following documents if negotiations have been concluded with Fairfield Residential, LLC's (Fairfield's) lenders:
(a) authorize the Chief Executive Officer (CEO) to execute the Disposition and Development Agreement (DDA) and Ground Lease, in substantially the same format as provided to the Board (the final Ground Lease will be couriered early next week); (b) approve the appraisal report; and
(c) authorize the CEO to execute and sign any other documents necessary to complete the transaction, including the lenders' Estoppel Certificate and the Parcel Map.

REPORT ITEMS

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| 45. | <u>SDTI: Green Line Revised Operating Plan</u>
Action would receive a report for information. | Receive |
| 60. | <u>Chairman's Report</u> | Possible Action |
| 61. | <u>Chief Executive Officer's Report</u> | Information |
| 62. | <u>Board Member Communications</u> | |
| 63. | <u>Additional Public Comments Not on the Agenda</u>
If the limit of 5 speakers is exceeded under No. 3 (Public Comments) on this agenda, additional speakers will be taken at this time. If you have a report to present, please furnish a copy to the Clerk of the Board. Subjects of previous hearings or agenda items may not again be addressed under Public Comments. | Possible Action |
| 64. | <u>Next Meeting Date:</u> June 22, 2006 | |
| 65. | <u>Adjournment</u> | |

JGarde
AGENDAS EC 6-1-06 BD 6-8-06
6/5/2006