



1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
619 231 1466 FAX 619 234 3407

REVISED

Agenda

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

December 9, 2004

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

ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - November 18, 2004 Approve
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 furnish a copy to the Clerk of the Board.
4. Presentation of Employee Awards Receive
 - a. MTDB: Adoption of Resolution No. 04-16 Honoring the Distinguished Service of Former General Manager Thomas F. Larwin
Action would adopt Resolution No. 04-16 honoring the distinguished service of former General Manager Thomas F. Larwin.



Metropolitan Transit System (MTS) is comprised of the Metropolitan Transit Development Board (MTDB) a California public agency, San Diego Transit Corp., and San Diego Trolley, Inc., in cooperation with Chula Vista Transit and National City Transit. MTS is Taxicab Administrator for eight cities. MTDB is owner of the San Diego and Arizona Eastern Railway Company. MTDB 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.

5.	<u>Closed Session Items</u>	Possible Action
a.	MTDB: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION <u>Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b): (One Potential Case)</u>	
b.	MTDB: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION <u>Government Code Section 54956.9(a): Save Our Heritage Organisation (SOHO) v. City of San Diego, et. al, Superior Court Case No. GIC 837743</u>	
c.	MTDB: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION <u>Government Code Section 54956.9(a): MTDB v. Kalas, San Diego Superior Court Case No. GIE 020086-1</u>	
d.	MTDB: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION <u>Government Code Section 54956.9(a): Renovation & Restoration LLC v. SDSU, et al., San Diego Superior Court Case No. GIC 830256</u>	
e.	MTDB: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION <u>Government Code Section 54956.9(a): MTDB v. The Price Company, San Diego Superior Court Case No. GIC 774603-1</u>	

Oral Report of Final Actions Taken in Closed Session

CONSENT ITEMS - RECOMMENDED BY THE CHIEF EXECUTIVE OFFICER (indicated by *)

* 6.	<u>MTDB: Finalized Audit Report on the Information Technology Control Environment</u> Action would receive this report for information.	Receive
* 7.	<u>MTDB: Finalized Audit Report on the Risk Management Process</u> Action would receive the Risk Management Audit Report for information.	Receive
* 8.	<u>MTDB: Mission Valley East Light Rail Transit Owner-Controlled Insurance Project Program Extension and Funding</u> Action would (1) ratify the Chairman's approval to extend the current Owner-Controlled Insurance Program insurance coverage until the completion of the Mission Valley East Light (MVE) Rail Transit Project (LRT) and bind insurance coverage; and (2) authorize the transfer of funds from the MVE LRT Project, Project Contingency line item and from the La Mesa Segment Construction line item into two different line items: the Tunnel Segment Construction line item and the Grantville Segment Construction line item for continuation of the OCIP project.	Approve

- | | | |
|-------|---|---------|
| * 9. | <u>MTDB: An Ordinance Amending Ordinance No. 5 Relating to the Enforcement Authorities of Code Compliance Inspectors, Assistant Code Compliance Supervisors, the Code Compliance Supervisor, and Taxicab Inspectors I & II; and an Ordinance Amending Ordinance No. 13, an Ordinance to Repeal and Adopt Document No. 164, Codified Rules and Regulations, as Ordinance No. 13: Second Reading</u>
Action would adopt ordinances No. 5 "An Ordinance Relating to Enforcement Authorities of Code Compliance Inspectors, Assistant Code Compliance Supervisors, the Code Compliance Inspection Supervisor, and Taxicab Inspectors I & II" and Ordinance No. 13 "An Ordinance to Repeal and Adopt Document No. 164, Codified Rules and Regulations, as Ordinance No. 13," and direct publication of the ordinance summaries. | Approve |
| * 10. | <u>MTDB: Mission Valley East Light Rail Transit Project: Contract Change Orders</u>
Action would authorize the CEO to (1) execute CCO No. 34 with Stacy and Witbeck, Inc., for the installation of signal revisions to the existing Orange Line and new Green Line; and (2) execute CCO No. 2 with Modern Continental Construction Company and ratify the previous General Manager's signature on CCO No. 81 for changes in quantities of concrete barrier on the Grantville Segment of the Mission Valley East Project. | Approve |
| * 11. | <u>MTDB: Parking Revenue for the James R. Mills Parking Structure</u>
Action would receive this report for information. | Receive |
| * 12. | <u>MTDB: Legal Services Contract Amendment</u>
Action would authorize the CEO to enter into contract amendments with Julie Morris Soden of Grant & Soden and David Skyer of Susson & Parrett for general liability services and ratify prior amendments entered into under the CEO's and/or previous General Manager's authority(ies). | Approve |
| * 13. | <u>MTDB: Creative Bus Sales Contract Amendment</u>
Action would authorize the CEO to (1) execute Amendment No. 1 with Creative Bus Sales; (2) establish Capital Improvement Project (CIP)10489 Chula Vista Nature Center Bus and transfer funds from CIP 10488 to CIP 10489; and (3) add City of Chula Vista Transportation Development Act funds to CIP 10489, contingent upon City of Chula Vista Council approval. | Approve |
| * 14. | <u>MTDB: September 2004 Quarterly Investment Report</u>
Action would receive this report for information. | Receive |

NOTICED PUBLIC HEARINGS

25. None.

NOTE: A FIVE-MINUTE RECESS WILL BE TAKEN AT APPROXIMATELY 10:30 A.M.

DISCUSSION ITEMS

30. This number not used.
31. MTDB: SANDAG Consolidated Transportation Agency Draft Annual Report Approve
Action would receive the San Diego Association of Governments' (SANDAG's) Draft Consolidation Report and request that the SANDAG Transportation Committee approve the inclusion of the language presented in Attachment B into the "Transit Agency Perspective" section (page 51) of the draft report.
32. MTDB: Mission Valley East Final Marketing Plan Approve
Action would approve the Mission Valley East Final Marking Plan.
33. SDTI: Padres Baseball 2004 Year-End Summary Receive
Action would receive this report for information.
34. MTS: Operations Status Reports - October 2004 Receive
Action would receive this report for information.
35. MTS: Comprehensive Operations Analysis - Project Update Receive
Action would receive the status report on the Comprehensive Operational Analysis (COA) of MTS services.
36. MTDB: Triennial Performance Audit Recommendations Approve
Action would approve the Triennial Performance Audit Recommendations and forward to the SANDAG Transportation Committee for approval.
37. MTDB: Mission Valley East Light Rail Transit Project: Budget Status Approve
Action would (1) receive this report on the Mission Valley East (MVE) Light Rail Transit (LRT) Project budget status; (2) authorize an increase in the MVE Project Budget distributed into the project line items; and (3) authorize the CEO to request that the San Diego Association of Governments (SANDAG) amend the Regional Transportation Improvement Program (RTIP) to increase the MVE Project budget and fund the increase with regional Congestion Mitigation and Air Quality funds.
38. SDTC: Amendment to New Flyer Compressed Natural Gas Bus Procurement Contract Approve
Action would authorize the CEO to place additional funds (contingent upon Federal Transit Administration approval) that were received as an insurance payment for a San Diego Transit Corporation (SDTC) bus that was destroyed by fire into Capital Project SDTC Bus Acquisition. These additional funds would be used to offset the cost of two essential components not included in the original bus specifications.

- | | | |
|-----|--|-------------|
| 39. | <u>MTDB: MTS Operators Budget Status Report for September FY 05</u>
Action would receive this report for information. | Receive |
| 40. | <u>MTDB: 2004 Legislative Year in Review and Proposed Federal and State Legislative Goals for 2005</u>
Action would receive the report on the 2004 Legislative Session, and approve the federal and state legislative goals for 2005 as set forth herein. | Approve |
| 45. | <u>Chief Executive Officer's Report</u> | Information |
| 46. | <u>Board Member Communications</u> | |
| 47. | <u>Additional Public Comments Not on the Agenda</u>
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. | |
| 50. | <u>Next Meeting Date:</u> January 13, 2005 | |
| 60. | <u>Adjournment</u> | |

JGarde
AGENDAS EC 12-2-04 BD 12-9-04
11/22/04