



NORTH COUNTY TRANSIT DISTRICT

Board Members

Jerome Stocks
Chairman
City of Encinitas

Ed Gallo
Vice-Chairman
City of Escondido

Norine Sigafosse
City of Carlsbad

David Druker
City of Del Mar

Jim Wood
City of Oceanside

Chris Orlando
City of San Marcos

Dave Roberts
City of Solana Beach

Bob Campbell
City of Vista

Bill Horn
County of San Diego

Executive Director

Karen King

General Counsel

C. Michael Cowett

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**MEETING of the
NORTH COUNTY TRANSIT DISTRICT
Board Room
810 Mission Avenue
Oceanside, CA 92054**

**THURSDAY
January 18, 2007
1:15 P.M. – Special Meeting /
Closed Session
2:00 P.M. - Regular Meeting**

NCTD's Mission

*To deliver safe, convenient,
reliable, and user-friendly
public transportation services.*

NCTD's Vision

*To build an integrated transit
system that enables our
customers to travel easily
and efficiently throughout
our growing region.*

For individuals with disabilities, we will provide assistive services. To obtain such services or copies of documents in an alternate format, please call or write, a minimum of 72 hours prior to the event, to request these needed reasonable modifications. We will make every attempt to accommodate requests that do not give 72 hour notice. Please contact our Customer Service Supervisor at (760) 966-6503.

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The NCTD office located at 810 Mission Avenue, Oceanside, CA is accessible by the COASTER (NCTD Commuter Rail) and the BREEZE (NCTD Bus). Please log onto www.gonctd.com to check current routes and schedules, or call 1-800-COMMUTE.

SPECIAL MEETING/CLOSED SESSION AGENDA

- CALL TO ORDER
- ROLL CALL OF BOARD MEMBERS
- CLOSED SESSION
- A. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators – Location of Property is portion of Assessor Parcel Numbers 263-340-02 through 263-340-07, and 298-520-03 in Solana Beach. Negotiator: NCTD: Rick Howard and Lance Schulte – Negotiating Party: Shea Properties.

REGULAR MEETING BEGINNING AT 2:00 PM

- CALL TO ORDER
- ROLL CALL OF BOARD MEMBERS
- PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG
- CHANGES TO THE AGENDA
- PRESENTATION OF COMMENDATIONS
- B. Presentation of December 2006 Employees of the Month Commendations to:
 - Mr. Juan C. Rendon, Mechanic II
 - Ms. Rowena K. Kerns, Coach Operator
- PUBLIC COMMUNICATIONS

(There is a time limit of 15 minutes for this section of Public Communications and each speaker is limited to three minutes for their presentation.)

APPROVAL OF MINUTES FOR REGULAR MEETING OF DECEMBER 21, 2006
(Pages 6 – 16)

(All matters listed under CONSENT CALENDAR are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on the motion, unless members of the Board, the Executive Director, or the public, request specific items to be discussed and/or removed from the Consent Calendar for separate action. A request from the public to discuss an item must be filed with the Clerk of the Board on the "Request to Speak" form before that agenda item is called.)

ITEMS PULLED FROM CONSENT WILL BE MOVED TO THE END OF THE AGENDA

ESTIMATED TIME: 2:25 P.M.

CONSENT ITEMS (Tabs 1 - 9) Items reviewed and recommended for approval by the Governance Committee (G), Planning Committee (P), Monitoring Committee (M) or Staff (S)

1. Adopt: Calendar Year 2007 Legislative Goals (G) (Attachment 1)
2. Award: Purchase Order for Project Design Consultants for Surveying Support Service (M)
3. Award: On-Call Engineering Contracts for Category 1 (Railroad Related Capital and MOW) and Category 3 (Facilities Maintenance) (M)
4. Extend: Contract for Amtrak On-Call Engineering (M)
5. Award: Purchase Orders for Del Mar Bluffs Project 2 Slope Stabilization Project (M) (Attachment 2)
6. Approve: Memorandum of Understanding for System Maintenance of the Regional Scheduling System (M) (Attachment 3)
7. Receive: FY 07 1st Quarter Performance Report (July to September 2006) (M) (Attachments 4 and 5)
8. Receive: Quarterly Financial Report for Quarter Ended September 2006 (M) (Attachment 6)
9. Adopt: Resolution 07-01 Accepting \$612,000 in State Transportation Improvement Program Funds for Capitalized Maintenance Along the Surfliner Corridor (P) (Attachment 7)

ESTIMATED TIME: 2:30 P.M.

REPORT OF GOVERNANCE COMMITTEE (Tabs 10 - 11)
Jerome Stocks, Board Chair

10. Elect: Board Chair and Vice-Chair
11. Appoint: Board Committees and External Committee Assignments

ESTIMATED TIME: 2:40 P.M.

**REPORT OF PLANNING COMMITTEE (Tabs 12 and 13)
Dave Druker, Committee Vice-Chair**

- 12. Review: Cedros Crossing Project Status Report (Attachments 8, 9, 10 and 11)
- 13. Review: I-15 Bus Rapid Transit Service Plan and Operations

ESTIMATED TIME: 3:15 P.M.

**REPORT OF MONITORING COMMITTEE (Tab 14)
Norine Sigafoose, Committee Chair**

- 14. Review: North County Pilot Project (FACT) CTA Final Report

- D. Update: SPRINTER Project (Enclosure)

- E. NCTD Chairman's Report on SANDAG Committees and Board Actions (No Staff Report)
 - BOARD MEMBER REPORTS, COMMENTS AND CORRESPONDENCE
 - EXECUTIVE DIRECTOR'S REPORT
 - REMAINING PUBLIC COMMUNICATIONS (For any remaining speakers who have completed a "Request to Speak" form before the start of the meeting.)

All persons wishing to address the Board during the meeting must complete a "Request to Speak" form. These forms are provided in a box at the table in the hallway, and must be completed and given to the Clerk of the Board before that agenda item is called. All speakers are limited to three minutes for their presentation.

- ADJOURNMENT
- CERTIFICATIONS AND RULES (FOR BOARD AND PUBLIC INFORMATION)
 - Posting of Board Agenda (Page 49)
 - Rules for Public Speakers at meetings of the North County Transit District (Page 50)

***The next regularly scheduled Board meeting will be held at
2:00 p.m. on Thursday, February 15, 2007
at 810 Mission Avenue, Oceanside, CA***

**MINUTES OF THE SPECIAL MEETING/CLOSED SESSION AND THE REGULAR MEETING
OF NORTH COUNTY TRANSIT DISTRICT HELD DECEMBER 21 , 2006 PAGE 1**

CALL TO ORDER

Chairman Jerome Stocks called the meeting to order at 1:33 p.m.

ROLL CALL OF BOARD MEMBERS

Jerome Stocks (City of Encinitas); Bob Campbell (City of Vista); David Druker (City of Del Mar); Ed Gallo (City of Escondido); Lesa Heebner (City of Solana Beach); Bill Horn (County of San Diego); Hal Martin (City of San Marcos); Norine Sigafoose (City of Carlsbad); Jim Wood (City of Oceanside).

CLOSED SESSION

The Board went into Closed Session at 1:34 p.m. to discuss agenda items A and B.

- A. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators – Location of Property is Portions of Assessor Parcel Numbers 162-050-08. Negotiators: NCTD: Tom Lichterman and C. Michael Cowett. Negotiating Party: Mark L. Collins. Under Negotiation: Price and Terms
- B. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators – Location of Property is portion of Assessor Parcel Numbers 157-040-42 in Oceanside, CA. Negotiator: NCTD: Rick Howard. Negotiating Party: Loranda Corporation.

The Board returned from Closed Session at 2:05 pm. C. Michael Cowett, General Counsel, stated that the Board met in Closed Session, discussed Agenda Items A and B and had nothing to report.

ROLL CALL OF BOARD MEMBERS

Jerome Stocks (City of Encinitas); Bob Campbell (City of Vista); David Druker (City of Del Mar); Ed Gallo (City of Escondido); Lesa Heebner (City of Solana Beach); Bill Horn (County of San Diego); Hal Martin (City of San Marcos); Norine Sigafoose (City of Carlsbad); Jim Wood (City of Oceanside).

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Barb Murray, Executive Assistant, led the Board, staff and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

Chair Stocks, requested that Agenda item 14, under the Monitoring Committee, be moved up to be heard prior to the Consent Calendar.

C. Presentation of November 2006 Employees of the Month Commendations

Brian Graham, Director of Bus Operations and Maintenance, recognized Mr. Donald L. Bowden, Facilities Maintenance Worker, and Mr. LeGrand C. Bowden, Coach Operator, as the November 2006 Employees of the Month, with the Board's congratulations.

PUBLIC COMMUNICATIONS

Mr. Paul Cline, San Marcos, CA spoke on his concerns regarding a utility pole and a broken tree limb on his property.

APPROVAL OF MINUTES

MOTION BY BOB CAMPBELL TO ADOPT THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 16, 2006, SECONDED BY LESA HEEBNER. MOTION CARRIED UNANIMOUSLY.

14. Review: FY 06 Financial Audit Results

Richard Hannasch, Director of Fiscal and Support Services, reviewed the staff report.

Mr. Eric Xin, Partner with Brown Armstrong, reviewed the results of the audit. He stated that they budgeted 630 hours, but spent 690 hours, versus 640 hours in the prior year. Mr. Xin said that they had only one minor finding related to the driver's trip sheets for Laidlaw Transit Services which did not agree with their monthly summary. He said that this had no impact on the financial impact.

Bill Horn asked if they had any recommendations for NCTD.

Mr. Xin said there was only one finding this year, and the recommendations from previous years were all addressed this year.

Bob Campbell stated that staff should be commended considering the complexity of the books.

MOTION BY BOB CAMPBELL TO ACCEPT THE AUDIT RESULTS, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

CONSENT ITEMS

2. Approve: Contract Extension for Federal Legislative Representation
3. Approve: 2007 Investment Policy
4. Approve: Resolution 06-17 for Amendment to Board's Administrative Rules of Procedure

5. Approve: Resolution 06-15 for Implementation of NCTD 401(a) Retirement Plan
6. Award: Contract Change Order to Bombardier for Coach Refurbishment for the Painting and Rust Repair of Two F-59 Locomotives
7. Increase: Purchase Order to MACTEC Engineering and Consulting Inc. for On-Call Materials Testing and Inspection Services to Support the SPRINTER Project
8. Award: Contracts for On-Call Environmental Consulting Services to BRG Consulting, Inc. and Project Design Consultants (PDC) for Environmental Support
9. Approve: Agreement Between UCSD and NCTD to Enable Students, Faculty and Staff to Ride Route 101
10. Award: Contract for Five-Year Sole Source Maintenance Agreement for SPRINTER Dispatching System
11. Award: Supplemental Agreement and Purchase Order to Katz, Okitsu & Associates for Traffic Engineering Planning Services in Support of the SPRINTER

MOTION BY NORINE SIGAFOOSE TO APPROVE AGENDA ITEMS 2, 3, 4, 5, 6, 7, 8, 9, 10 AND 11, SECONDED BY LESA HEEBNER. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING

1. Public Hearing: Consider Adoption of a Resolution of Public Necessity to Acquire Interests in Real Property for the SPRINTER Project, Location of Property is Portions of Assessor Parcel Number 162-050-08

Tom Lichterman, Director of Rail Services, reviewed the: background on the slope failure and the efforts to remediate the landslide to prevent further damage to the railroad and to on-going rail operations; permanent acquisition of a portion of APN 162-050-08; conservation and temporary construction easements; proposed findings; time frame, as time is of the essence due to environmental constraints coming up in February with the start of the nesting and breeding season that could constrain our ability to make the repairs; offer of just compensation process; staff recommendation.

Mr. Robert Marks, stated that he was representing Mr. Collins and the Collins Trust, the property in question, opposing the proposed resolution of necessity. He reviewed a handout that he provided the Board and stated that his office did not receive an offer from NCTD.

Hal Martin asked the date that his client was first made aware of the situation.

Mr. Marks responded that he could not say, as he only started representing Mr. Collins two weeks ago but that he believes the date was close to the date of the actual slide. He said that they were notified by letter December 5, 2006 of what would be addressed at this hearing. Mr. Marks said

that he was notified this morning that there was a modified agenda and that the word “emergency” was inserted into the argument.

Mr. Paul Cline, San Marcos, CA spoke on his concerns regarding NCTD’s eminent domain process.

Michael Cowett said that this item was being brought forward pursuant to the Code of Civil Procedure Section 1245.230 which specifically provides that, if at the time the governing body of a public agency is requested to adopt a resolution of necessity, and the project for which the property is needed has been determined by the public entity to be an emergency project, which project is necessary to either protect or preserve the health, safety, welfare or property, the requirements of Section 7267.2 of the government code need not be a prerequisite to the adoption of the authorizing resolution at the time. He said that in those cases, the provisions of Section 7267.2, which are making the offer and negotiating, and so forth, of the government code, shall be implemented by the public entity within a reasonable time thereafter, but not in any event more than 90 days after the adoption of the resolution of public necessity. Mr. Cowett stated that NCTD has been operating in a very rapid manner and working with Mr. Marks on negotiating an agreement. He added that we had an appraisal which we were able to accomplish in a period of two weeks, which is unusual and that it was done two days ago and that was conveyed to Mr. Marks. Mr. Cowett said that an offer letter did go out and how it didn’t get to Mr. Marks, he doesn’t know; but in any event, it was superfluous to the legal requirements before the Board because no offer is required to be made pursuant to the provision that he just read.

Ed Gallo asked how we resolve the issue that an offer was made by NCTD but that the property owner did not receive.

Michael Cowett responded that NCTD has been negotiating agreements through Mr. Marks for a period of two weeks so we have been dealing very intensely with a consensual agreement for a period of two weeks. He said that everybody has been aware that we had an expedited appraisal in the works, and that we were hoping it would be completed before this meeting. Mr. Cowett said that it was completed two days ago and sent to Mr. Marks. He said that our offer letter is not required under this provision, we decided to do it just for the form of having done it, we offered the appraised value, and he knows what that appraised value is.

Hal Martin said that he would like to see a copy of the offer. He said this occurrence happened on August 4, 2006. He asked if the slide occurred all at one time, has it gotten worse over time, at what point did we declare it an emergency, when was the Board made aware of emergency, when did we start good faith negotiations, not just negotiating back and forth.

Tom Lichterman said that the slide occurred on August 3 and 4, 2006 and that the track damage was almost immediate. He said that the trench was filled and that stopped the movement.

Don Bullock said that as soon as the trench was excavated, 10 feet wide and 400 feet long, within three hours the track had shifted 3-4 feet, and that constitutes an emergency because we had to take drastic action to refill the trench to keep the slide from continuing down into the river. He said that we straightened the track out, and subsequently investigated what it would take to stabilize the slope, which is the plan we are operating under now. Mr. Bullock added that as far as the

emergency goes, it has been demonstrated that it's a hazard and there are currently fissures uphill. He stated that what makes that even more dangerous is if it starts raining, those fissures could fill and become reservoirs and exacerbate the problem.

Hal Martin asked at what point staff called it an emergency and the Board was made aware. Michael Cowett said that when this first happened, we had to design a remediation project and that remediation project actually occupies two acres of the adjoining property. He said that NCTD started working on that immediately after the landslide occurred and has have been working as quickly as possible, not only with our engineers and the contractor, but also working with the property owner. Mr. Cowett said the property owner knows the project, he understands exactly the situation and he is as anxious to get this done as we are because of the potential damage to the property in the event of rain.

Don Bullock said that Mr. Collins has stated directly to NCTD that he is very concerned about further slipping down the hill, he has uphill operations to the south, so his intent is to get this thing stabilized as quickly as possible. He said that we are afraid the slope could continue to erode or even derail a train, so the emergency occurred on day one.

Hal Martin confirmed that staff knew it was an emergency right away, so staff decided to try to do some mediation work that might correct the emergency.

Don Bullock responded that it was a stop-gap measure to keep it from slipping down the hill, that we reversed the excavation that we had previously done to buttress the slope from continuing to fail, and that is what has been in place since then, as a temporary measure.

Karen King said that until the engineers did all the work and engineered a fix for it, it was not known that we would need this property in order to address the problem. She added that those intervening months were used to determine the solution and once that was determined, that is when it became known that we needed this property.

Hal Martin asked what was the date the engineers decided this is the problem and this is the only way we can fix it.

Don Bullock said they had to do a number of steps in the interim. He said that the first thing NCTD did was request access from Mr. Collins to go up the hill, clear some area, and temporarily compact and fill some other fissures that had opened up, which were a problem area that could have been exacerbating the issue. He said that subsequently we did additional geotechnical borings in the hillside, the geotech engineers worked with our civil engineers to develop various scenarios for fixes, and we worked with the contractor to come up with an ultimate proposal how to do this in the most economical and feasible way. Mr. Bullock said that whole process took a couple of months.

Dave Druker asked what was the date of the engineer report and when did we decide to purchase this property.

Don Bullock said that there wasn't one engineering report, there were a number of different geotechnical investigations. He said that we took some preliminary borings and discovered that we had to go back and take some more, all in conjunction and with permission of Mr. Collins, who

understood the necessity of it. Mr. Bullock said that we then received 4 or 5 different proposals from the geotech and engineers which were evaluated from cost perspective and/or feasibility and that it was about a month ago when we finally settled on the exact proposal we wanted to pursue.

Karen King said that it was brought to her attention that this was the recommended course of action about a month ago.

Tom Lichterman added that the Board was briefed on this project in November 2006.

Hal Martin said, so four weeks ago, staff determined that this was an emergency and that we must own the property.

Tom Lichterman said that we determined that we needed to get access to the property and that our efforts for the last couple of months have been to get a right of entry permit from Mr. Collins in order to get access onto the property to be able to do the remediation.

Norine Sigafoose asked about the comments by Mr. Marks that we are not going to be able to have dual proceedings legally.

Michael Cowett responded that it's not that dual proceedings are prohibited, they are actually encouraged, that you are encouraged to work with the property owner before you file eminent domain, so that is what we have been trying to do. He said that going ahead with eminent domain will not stop our active attempts to get a consensual resolution as quickly as we possibly can.

Jim Wood asked Mr. Marks to elaborate on his concerns.

Mr. Marks said that his client, Mr. Collins, is not opposed to any of the railway activity and that based on what happened, he wants to sell the property, to have NCTD perform the repairs and take the responsibility for it. He agrees with NCTD counsel that both sides have been working hard, exchanging language of an agreement for sale, but that we never had a price, or an appraisal. Mr. Marks stated that what he is concerned about, in addition to the public's rights, needs, desires, is that we can't take the organization and run over one guy, that he has rights and desires. He said they want a fair price and NCTD wants a fair price. He said there are rules, if you declare an emergency and you have evidence that an emergency situation exists, you can avoid the need for making us an offer and entering into good faith negotiations before eminent domain, but only in the case of an emergency supported by evidence. Mr. Marks said that Mr. Martin's question was not answered regarding when did you notify the Board, when did you publicly state this was an emergency and that we could avoid good faith negotiations. He said that if staff knew this was an emergency on August 4, 2006, then your counsel's letter to us on December 5, 2006 would have stated that this is an emergency and we are going before our Board declaring it an emergency and therefore we are going to avoid making an offer to you prior to entering into good faith negotiations. He said that he would like these gentlemen to answer that as he would be relying on NCTD's counsel's December 5, 2006 letter. He added that the concern they have is when the law says you must first make a good faith offer, you must first enter into good faith negotiations, it is the power of the public entity, with all its muscle and legal rights to just roll over with eminent domain proceedings on one side and allegedly good faith negotiations on the other side, it can turn into it's our way or the highway. He said that a good faith offer is more than the market appraisal, it requires a price higher than the market value because of the lessening of value of the surrounding property.

David Druker stated that Mr. Marks presented to the Board a handout regarding property acquisition that was dated December 21, 2006.

Mr. Marks responded that he did.

David Druker added "and you received a letter from our general counsel dated December 5, 2006 and the attachment of Agenda Item 1, what was the date you received that?"

Mr. Marks responded that if it was with the letter, he received it at the same time.

David Druker said in that letter, paragraph 4 on page 14 of the agenda item, does it say "emergency" anywhere? He added that it says it in two paragraphs.

Mr. Marks responded that he sees exactly what Mr. Druker is saying.

Jerome Stocks said that no one on this Board takes eminent domain lightly, they all have tremendous respect for personal property rights and a healthy respect for safeguarding the public from the power of public agencies, of which we are all involved. He said that the precipitating reason we are here considering this resolution of public necessity today, is that NCTD and the repair crews have not been allowed access to begin the repair work, and that it is in the public's interest that this repair job get started to protect the public right-of-way, to protect the public's investment, to protect the freight lines and to protect further degradation to this man's private property.

David Druker said that the clause we are using does not demand that we create an offer, it says "will be made" so we have been bending over backward to get an offer to them. He said that Mr. Collins has finally hired an attorney that is willing to work with NCTD, and that he has only been on the case for two weeks. Mr. Druker stated that this does not say we are going to court tomorrow morning to get this, it says we are giving our legal counsel permission to go to court and start working on this as quickly as possible. He added that the reason it is an emergency is we have to get this done by about February 1, 2007 due to nesting season and that we have only known for a month the way we are going to do this and now we have one month to get this resolved. He said that he knows that NCTD staff will work with Mr. Collins and his attorney so we don't end up in court.

Jerome Stocks said if we take this action today, we are protecting the public's ability to move forward on this project.

**MOTION BY DAVID DRUKER TO APPROVE AGENDA ITEM 1, SECONDED BY BILL HORN.
OPPOSED: MARTIN. MOTION CARRIED.**

REPORT OF GOVERNANCE COMMITTEE

12. Update: COASTER Wireless Projects

Kirk Talbott, Chief Information Officer, provided background information on the project and demonstrated a live camera feed at Tamarack Avenue in Carlsbad. He said that he is finalizing the RFP process and hopes to bring back to the Board in January 2007 a recommendation for award of the contract to implement internet connectivity on the COASTER immediately.

No action required.

13. Adopt: SPRINTER Revised Budget and Financial Plan

Chair Stocks said that this budget was approved unanimously at SANDAG and is factored into the amended recovery plan that the FTA approved last week.

David Druker asked what the number is that we are really working towards.

Mr. Jim Linthicum, SANDAG, said that the current estimate to complete is \$447 million and that this project can be done for that amount. He said that staff is doing a regular monthly update of a cost to complete which represents the actual cost at that moment of time in the construction project, so the cost floats from month to month. Mr. Linthicum added that the completion date of December 2007 is do-able and they are managing to that date.

Bob Campbell stated that we have increased our contingency by \$38.5 million. He asked if sound mitigation had been put back in for Vista.

Tom Lichterman responded that those walls have not been put back in.

Bob Campbell asked what was included in the \$38.5 million.

Tom Lichterman stated that \$38.5 million is the difference between our last adopted budget back in June of 2006 of \$440 million and what the FTA has mandated us to have in this budget after we account for various specific cost risks in the line items. He said that it is not assigned to any specific item; it is unallocated contingency.

Bob Campbell questioned if it is based on some calculation.

Tom Lichterman said that the FTA used data from other projects across the country where they have seen various types of risks occur and that they have imputed those risks to our project at our project cost level. He said that there is a model for all this, but there are not specific individual things that have dollar amounts.

Bob Campbell asked when staff would be addressing sound mitigation in Vista.

Karen King responded that NCTD has been talking to Vista staff for quite some time about it and it's an on-going dialog. She added that as soon as there is something of substance to report, we would bring that to the Board.

MOTION BY HAL MARTIN TO APPROVE AGENDA ITEM 13, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

CHAIR STOCKS REQUESTED THAT AGENDA ITEM 19 FROM THE PLANNING COMMITTEE BE HEARD NEXT.

19. Approve: Proposed Capital Improvement Program FY 2008-2012 and Regional Transportation Improvement Program

Richard Hannasch, Director of Fiscal and Support Services, reviewed the background of the CIP and the RTIP. He said that in conjunction with the RTIP submittal, SANDAG recommends that as part of the recommendation, NCTD as the operating agency, make a statement that we will expend the funds in compliance with the requirements of the TransNet Ordinance.

MOTION BY LESA HEEBNER TO APPROVE AGENDA ITEM 19, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

REPORT OF MONITORING COMMITTEE

15. Update: FY 06 Annual Performance Report and FY 06 – 4th Quarter

No action required.

HAL MARTIN LEFT AT 3:45 PM.

16. Update: Paratransit Improvement Implementation

Alane Haynes, Accessible Services Administrator, provided background information, reviewed recommendations, and the status and outcome of those recommendations.

No action required.

17. Update: Carlsbad-Escondido-Oceanside (CEO) Master Plans Project Status Report

Lance Schulte, Economic Development Administrator, reviewed: project objectives; transit rider survey; three public workshops; next steps in the project.

No action required.

REPORT OF PLANNING COMMITTEE

18. Review: January 14, 2007 Service Changes

Stefan Marks, Manager of Service Development, stated that the service changes for January 14, 2007 are the result of traffic congestion that we are experiencing all over the District's service area.

He highlighted the additional bus service that will be added to Route 350 in Escondido to North County Fair.

Bill Horn asked when we would be going to SANDAG requesting more money for these changes.

Karen King responded that we have already had informal discussions with them and that there is support, but it's a matter of identifying a source of funds. She said that she thinks that at the next budget cycle at SANDAG they will be looking at ways to address some of those.

No action required.

D. Update: SPRINTER Project (No Staff Report)

No action required.

E. NCTD Chairman's Report on SANDAG Committees and Board Actions (No Staff Report)

Chair Stocks stated that the Encinitas City Council elected him as the SANDAG and NCTD representative, and that SANDAG chose him as the second Vice-Chairman of SANDAG.

BOARD MEMBER REPORTS, COMMENTS AND CORRESPONDENCE

Ed Gallo said he would be returning to the Board and Sam Abed will be the Alternate.

Jerome Stocks said he would be returning to the Board and Teresa Barth will be the Alternate.

Norine Sigafoose said she would be returning to the Board and Ann Kulchin will remain the Alternate.

Bob Campbell said he would be returning to the Board and Judy Ritter will remain the Alternate. He commented on the bus wrap on Route 302 and asked about the policy regarding bus wraps.

Pete Aadland, Director of Communications and Business Development, responded that it NCTD has an advertising contract and that we have leased out the exterior of our buses. He said they can wrap up to 10% of the exterior of the fleet and that we received revenues of about \$450,000. He stated that we do have the ability to review for offensive and sensitive advertising.

Lesa Heebner said that Dave Roberts will be the primary representative and she would be the Alternate.

Dave Druker said he would be returning to the Board and Carl Hilliard will be the Alternate.

Bill Horn said he would be returning to the Board and that Pam Slater-Price will remain the Alternate.

Jim Wood said he would be returning to the Board and Deputy Mayor Rocky Chavez will be the Alternate.

EXECUTIVE DIRECTOR'S REPORT

Karen King informed the Board that: NCTD will be offering free-fare bus service on New Year's Eve from 6:00 pm to 4:00 am on New Years Day; we had service to Poinsettia Bowl this week and we are working on service for the Holiday Bowl; we did a joint promotion with the Auto Show; the Santa COASTER Express Train was an overwhelming success and we collected and delivered to Interfaith Services over four tons of food.

REMAINING PUBLIC COMMUNICATIONS

None

ADJOURNMENT

The meeting adjourned at 4:25 p.m. Submitted by Jill McNaughton, Clerk of the Board for North County Transit District.

CHAIRMAN: _____

CLERK OF THE BOARD: _____

DATE: _____

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GOVERNANCE COMMITTEE REPORT

TITLE: Adopt: Calendar Year 2007 Legislative Goals

STAFF CONTACT: Pete Aadland **TIME SENSITIVE:** YES NO X
 Director of Communications and Business Development
 E-mail: PAadland@nctd.org Phone: 760/967-2822

Consent Action Information

COMMITTEE RECOMMENDATION:

That the Board adopt the 2007 Legislative Goals and Agenda.

DESCRIPTION:

Develop the Board's 2007 Legislative Goals and forward to the Board for approval.

BACKGROUND

On an annual basis, the Board of Directors develops the District's federal, state, regional, and local legislative goals. Timing of the goals is based on the beginning of the new federal and state legislative sessions as well as the early deadline for introducing bills and funding-request submittals.

Attachment 1 provides a draft of legislative goals which are consistent with last years' goals and/or are included in NCTD's Capital Improvement Program. The items are sorted according to priority and the level of government in which legislative action would most likely occur. The Board may add, delete, alter priority status, or shift NCTD's position on any of the goals (for example: support, oppose, neutral, monitor, or respond).

The development of these positions provides staff with direction to respond to issues as they arise throughout the course of the year, as well as provide the framework for the annual Federal Joint Legislative Agenda.

A summary of the Board's Draft Legislative Goals, for the calendar year 2007, is attached.

FISCAL IMPACT:

None

COMMITTEE DISCUSSION

1/3/07 Staff reviewed the Draft Calendar Year 2007 Legislative Goals and Agenda, which will serve as a guide for both staff and our legislative representatives for the year. The majority of the goals are general in nature and give latitude for quick response. Other goals are more specific to NCTD. There was a discussion about LOSSAN, our participation and the future role the organization may play in funding and prioritizing projects. The next several years are anticipated to be relatively slow as far as project-funding goes and changes on the federal level will require NCTD and our legislative representatives to review our strategic approach to advance our projects and positions. While working in the regional structure, we must continue to look after the interest of local public transit. The Committee requested that staff change the title of the *Coastal Maintenance-of-Way Facility* project to the *Rail Maintenance-of-Way Facility*.



MONITORING COMMITTEE REPORT

TITLE: Award: Purchase Order for Project Design Consultants for Surveying Support Service

STAFF CONTACT: Mitch Alderman Senior Engineer E-mail: malderman@nctd.org Phone: 760/967-2852 Consent [X] Action [] Information [] TIME SENSITIVE: YES [X] NO []

COMMITTEE RECOMMENDATION:

That the Board award a purchase order to Project Design Consultants (PDC) in the not-to-exceed-amount of \$150,000 for bridge replacement surveying support services.

DESCRIPTION:

On-call engineering contract between NCTD and PDC to provide detailed ground run surveys, right-of-way surveying and mapping for bridge replacement projects.

BACKGROUND:

In support of the bridge replacement program, surveying support services are required at the very beginning of the project in order that the project engineers and environmental consultants can accurately perform their work. These services include aerial photography, aerial topography, detailed surveys, and right-of-way surveying and mapping.

Since much of the engineering cannot begin until the environmental consultants complete their field investigations, time is critical. To help speed up the process, NCTD processed a requisition for a purchase order in December 2006 for PDC to begin work on the aerial photography and aerial topography portion of the work. The Purchase Order amount was not-to-exceed \$90,000.

Staff is currently seeking approval for the award of a purchase order for an additional \$150,000 to PDC for completion of the surveying support services in support of NCTD's bridge replacement program.

FISCAL IMPACT:

The fiscal impact of this action is \$150,000. A total of \$4,762,500 has been budgeted in various capital projects under the Bridge Replacement Program (JB#s 506101, 506102, 506103, 506104, 506105, 507101 and 507102) for this purpose. Of this amount, \$3,890,000 has been obligated, leaving an available balance of \$872,500 for preliminary design and environmental permitting, including detailed ground run surveys, right-of-way surveying and mapping for these bridge replacement projects.

COMMITTEE DISCUSSION

1/4/07 Staff provided the Committee with a brief background on the surveying support for the District's bridge replacement program. Surveying support services are required at the very beginning of the project in order that the project engineers and environmental consultants can accurately perform their work. These services include aerial photography, aerial topography, detailed surveys, and right-of-way surveying and mapping. Since much of the engineering cannot begin until the environmental consultants complete their field investigations, time is critical. To help speed up the process, NCTD processed a requisition for a purchase order in December 2006 for PDC to begin work on the aerial photography and aerial topography portion of the work. The PO amount was not-to-exceed \$90,000. Staff is recommending that an additional \$150,000 be allocated to this task.



MONITORING COMMITTEE REPORT

TITLE: Award: On-Call Engineering Contracts for Categories 1 and 3

STAFF CONTACT: Mitch Alderman **TIME SENSITIVE:** YES NO
 Senior Engineer
 E-mail: malderman@nctd.org Phone: 760/967-2852
 Consent Action Information

COMMITTEE RECOMMENDATION:

That the Board award on-call contracts to HNTB Corporation and RailPros, Inc. for RFP 06058, Category 1, Railroad Related Capital and Railroad/Maintenance-of-Way and that the RailPros contract be combined for work in both Categories 1 and 3 of the same RFP 06058.

DESCRIPTION:

Establish a five-year on-call engineering contract to be awarded to the two highest scoring firms for RFP 06058, Category 1, Railroad Related Capital and Railroad/Maintenance-of-Way. These firms are HNTB Corporation and RailPros. Since RailPros was the only proposer for Category 3 and is qualified to perform the work, they will have a combined contract for Categories 1 and 3.

BACKGROUND:

Many of NCTD's projects associated with maintenance and capital improvements of its railroad and bus infrastructure require the services of engineering consulting firms to provide planning, engineering, and construction support. NCTD utilizes consultants to provide on-call engineering services for various tasks associated with NCTD facilities, railroad right-of-way, capital development, third-party and public projects, and Quiet Zones. Through the Request for Proposal (RFP) process, firms are selected using a competitive, qualification based, selection process.

On May 23, 2006, NCTD published RFP 06058, On-Call Engineering/Environmental. Proposals were due by July 13, 2006. The RFP was divided into five categories.

1. Railroad Related Capital and Railroad/Maintenance-of-Way
2. General Engineering
3. Facilities Maintenance
4. Environmental
5. Staff Augmentation (Quiet Zones)

The proposers could offer services in any or all of the five categories as a prime or a subconsultant or any combination thereof. Evaluation committees were formed for each of the five categories, with some committee members reviewing multiple categories. Evaluation criteria was established prior to, and included in, the RFP publication.

Category	Number of Proposals Received
Railroad Related Capital and Railroad/Maintenance-of-Way	2
General Engineering (awarded at September 2006 Board)	5
Facilities Maintenance	1
Environmental (awarded at December 2006 Board)	6
Staff Augmentation (Quiet Zones) (awarded at October Board)	1

Contracts for Category 2 were awarded to Boyle Engineering and Project Design Consultants (PDC) at the September 2006 Board meeting, one contract for Category 5 was awarded to JMD at the October 2006 meeting, and two contracts for Category 4 were awarded to BRG and PDC at the December 2006 meeting.

For Category 1, two proposals were received, HNTB Corporation and RailPros, Inc. Since two firms are needed for this category, and both submitting firms are qualified based on the selection criteria below, both firms were selected without conducting interviews. Since interviews were not conducted, the maximum possible score was 76. Scores determined by the evaluation committee concluded with the following:

HNTB Corporation – 58.5
 RailPros, Inc. – 61.0

For Category 3, only one proposal was received from RailPros, Inc. Since this firm is qualified based on the section criteria below, RailPros, Inc. was selected without conducting interviews.

On-call Engineer/Environmental Selection Criteria		
		Maximum Possible Score
1	Qualifications of Prime Consultant	
a	General corporate experience and qualifications	8
b	Related projects and record of satisfactory performance for other clients (references)	3
c	Financial stability and capacity	1
d	Experience of key staff	4
	Maximum Total Possible	16
2	Qualifications of Subconsultants	
a	General corporate experience and qualifications	4
b	Experience of key staff	8
	Maximum Total Possible	12
3	Management Approach	
a	Qualifications of proposed Project Manager	10
b	Proposed project organizational chart	6
c	Project management approach to quality assurance and quality control	8
d	Demonstration of personnel resources available to meet contract requirements	8
	Maximum Total Possible	32
4	Understanding of District's Needs	
a	Understanding of District's Needs	7
b	Approach to accomplishing work	5
c	Elements required to produce PS&E documents	4
	Maximum Total Possible	16
5	Oral Presentation/Interview	
a	Demonstration of expertise of Prime consultant	7
b	Demonstration of expertise of Subconsultants	5
c	Demonstration of expertise of Management Approach	2
d	Responsiveness to questions	10
	Maximum Total Possible	24
	Total	100

FISCAL IMPACT:

This item has no current fiscal impact. The fiscal impact will occur when future purchase orders are issued under these contracts. The costs associated with the proposed on-call engineering consulting services will be primarily project specific, with nearly all of the costs being covered by a capital project budget or reimbursable, resulting from capital projects executed by NCTD, SANDAG, AMTRAK, CALTRANS, cities, and other non-public third-parties.

COMMITTEE DISCUSSION

1/4/07 Staff provided background on RFP 06058, which was published in May 2006 for on-call Engineering/Environmental services for various tasks associated with NCTD facilities, railroad right-of-way, capital development, and third-party and public projects. This particular contract award is for categories 1 and 3 engineering services. Through the Request for Proposal (RFP) process, firms were selected through a competitive, qualification based, selection process. Evaluation committees were formed for each of the five categories, with some members reviewing multiple categories. Evaluation criteria were established prior to and included in the RFP publication. Two firms submitted bids for category 1 and both are qualified. Only one firm, RailPros, Inc. submitted a bid for category 3. They are qualified for this type of consulting service. This item has no current fiscal impact. The fiscal impact will occur when future purchase orders are issued under these contracts.



MONITORING COMMITTEE REPORT

TITLE: Extend: Contract for Amtrak On-Call Engineering

STAFF CONTACT: Mitch Alderman Senior Engineer E-mail: malderman@nctd.org Phone: 760/967-2852 TIME SENSITIVE: YES [X] NO [] Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board extend Amtrak's On-Call Engineering contract for six months.

DESCRIPTION:

In 2002, Amtrak, along with several other engineering firms, were awarded contracts by NCTD to provide services for engineering, construction, and third party project support. Amtrak's contract expires in February 2007 and the procurement process for selecting firms for the next five-year period has not yet been completed. Given that their services are needed immediately, and Amtrak is the only firm offering specific sole source needs to NCTD, it is requested that their contract be extended for six months, allowing time for the RFP consultant selection process to be completed.

BACKGROUND:

Through on-call contracts, NCTD routinely utilizes engineering firms to provide design and construction support services for in-house and third party projects including, but not limited to, projects performed by NCTD, Amtrak/Caltrans Division of Rail, Camp Pendleton, Cities, SANDAG, utility companies, and private developers. The services generally provided may include engineering design, construction management and support, and inspections for such projects as the State of Good Repair, bridge replacements, Bridge 230.6, and the Del Mar Bluffs Slope Stabilization.

The estimated cost for this contract extension is approximately \$100,000, but will ultimately depend on the nature and extent of work that Amtrak is requested to perform. The majority of anticipated work is capital in nature, which will be funded by reimbursed projects such as the Del Mar Bluffs Slope Stabilization and other third party projects and some NCTD in-house support.

FISCAL IMPACT:

The fiscal impact of this action will ultimately depend on the nature and extent of work that Amtrak is requested to perform; however, it is estimated at approximately \$100,000. Funding for these costs is expected to come primarily from approved capital project budgets and other third party and reimbursable projects with some NCTD in-house support.

COMMITTEE DISCUSSION

1/4/07

Staff provided background on the award of the current five-year (5) contract to Amtrak, which is due to expire in February 2007. The procurement process for selecting firms for the next five years has not been completed. The services provided by this contract include design and construction support services for in-house and third party projects, including, but not limited to, projects performed by NCTD, Amtrak/Caltrans Division of Rail, Camp Pendleton, cities, SANDAG, utility companies, and private developers. The services generally provided may include engineering design, construction management and support, and inspections for such projects as the State of Good Repair, bridge replacements, Bridge 230.6, and the Del Mar Bluffs Slope Stabilization. The estimated cost for this contract extension is approximately \$100,000, but will ultimately depend on the nature and extent of work that Amtrak is requested to perform. The majority of anticipated work is capital in nature, which will be funded by reimbursed projects such as the Del Mar Bluffs Slope Stabilization and other third party projects.



MONITORING COMMITTEE REPORT

TITLE: Award: Purchase Orders for Del Mar Bluffs Project 2 Slope Stabilization Project

STAFF CONTACT: Mitch Alderman Senior Engineer E-mail: malderman@nctd.org Phone: 760/967-2852
TIME SENSITIVE: YES [X] NO []
Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board award purchase orders to Amtrak in an amount not-to-exceed \$120,000 and to Transit America in an amount not-to-exceed \$180,000 for construction support services to NCTD for the Del Mar Bluffs 2 Slope Stabilization Project.

DESCRIPTION:

Through their on-call engineering contract with NCTD, Amtrak will provide construction support services to NCTD, including review of construction documents, attending construction meetings, performing construction inspections, coordinating train movements with Amtrak, COASTER, and BNSF, coordinating Amtrak busing around the construction site, and flagging while establishing absolute work windows.

Through their COASTER contract with NCTD, Transit America will provide all flagging and track and signal inspection to NCTD.

BACKGROUND:

In November 2006, SANDAG published an Invitation for Bid (IFB) for the construction of the Del Mar Bluffs 2 (DMB2) Slope Stabilization Project. In December 2006, SANDAG received bids, with West Coast General Corporation being the apparent low bidder at \$3,745,132.60. This construction company has never worked for NCTD or around Class 1 railroads with operating high speed trains.

As with any project built by, or for NCTD, all design and construction must adhere to NCTD standards and federal regulations; therefore, NCTD will be performing construction support duties such as reviewing construction documents, attending construction meetings, performing random construction and safety audits, coordinating train movements with the Metrolink dispatcher, Amtrak, COASTER, and BNSF, providing flagging, conducting track and signal inspections, establishing absolute work windows, and coordinating the busing of train passengers around the work site.

A MOU (Attachment 2) between NCTD and SANDAG has been executed as Amendment # 9 to the master MOU for this project. The associated costs for NCTD's support duties for the project will be reimbursed by SANDAG as described in the MOU. Following are maximum Purchase Order amounts for each NCTD contractor in support of the project:

- Amtrak - \$120,000
Transit America - \$180,000

FISCAL IMPACT:

The fiscal impact of this action is \$300,000. These costs are to be funded by the capital project budget for the Del Mar Bluffs 2 (DMB2) Slope Stabilization Project, under SANDAG's management, and will be reimbursed to NCTD by SANDAG pursuant to the terms of the MOU.

COMMITTEE DISCUSSION

1/4/07

In November 2006, SANDAG published an Invitation for Bid (IFB) for the construction of the Del Mar Bluffs 2 (DMB2) Slope Stabilization Project. These bids were received in December 2006, with West Coast General Corporation being the apparent low bidder at \$3,745,132.60. This construction company has never worked for NCTD or around Class 1 railroads with operating high speed trains.

As with any project built by, or for NCTD, all design and construction must adhere to NCTD standards and federal regulations. Therefore, NCTD will be performing construction support duties such as reviewing construction documents, attending construction meetings, performing random construction and safety audits, coordinating train movements with the Metrolink dispatcher, Amtrak, COASTER, and BNSF, providing flagging, conducting track and signal inspections, establishing absolute work windows, and coordinating the busing of train passengers around the work site. A MOU between NCTD and SANDAG has been executed as Amendment # 9 to the master MOU for this project. The associated costs for NCTD's support duties for the project will be reimbursed by SANDAG as described in the MOU.



MONITORING COMMITTEE REPORT

TITLE: Approve: Memorandum of Understanding for System Maintenance of the Regional Scheduling System

STAFF CONTACT: Rick Howard Deputy Executive Director Email: rhoward@nctd.org Phone: 760/966-6597 TIME SENSITIVE: YES [X] NO [] Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board approve the Memorandum of Understanding (MOU) for the on-going servicing and maintenance of the Regional Scheduling System.

DESCRIPTION:

NCTD, along with MTS and SANDAG, has worked cooperatively towards fully implementing the Regional Scheduling System which provides transit scheduling and driver bidding. In addition, the agreement would cover support for the Regional Transit Management System which provides vehicle location and dispatch.

BACKGROUND:

The system, known as HASTUS, has been in operation at the transit agencies for almost two years. Since its inception, system maintenance has been under an agreement with the product vendor. At this time, it has become more advantageous to bring the service and maintenance of the system "in-house." The MOU (Attachment 3) stipulates the responsibilities of each agency, which will employ the necessary staff, and at what costs.

MTS will employ one additional IT professional to service the system. As part of the MOU, and in maintaining consistency with other aspects of the project, costs will be determined based upon the number of revenue vehicles in service within each respective transit agency. Additionally, MTS will provide immediate support during the business day and four-hour support after hours. This ensures NCTD of on-going maintenance, service and troubleshooting within a reasonable period of time.

FISCAL IMPACT:

The FY 07 budget amount for HASTUS software maintenance is \$14,100. The actual cost to NCTD will be determined once the fully burdened employee costs and the number of revenue vehicles in operation at each transit agency are identified.

COMMITTEE DISCUSSION

01/4/07 Staff provided background on HASTUS, a Regional Scheduling System which provides both bus scheduling and a coach operator bidding system. The system has been in operation for approximately two (2) years and, during that time, system maintenance has been provided by the vendor. This MOU establishes an agreement between the District, MTS, and SANDAG whereby a full-time employee will be hired by MTS to provide this service, thus eliminating the need for system maintenance by the vendor. The cost of the employee will be allocated based on the number of revenue vehicles in operation at the MTS and NCTD.



MONITORING COMMITTEE REPORT

TITLE: Receive: FY 07 1st Quarter Performance Report (July to September 2006)

STAFF CONTACT: Stefan Marks
Manager of Service Development
E-mail: smarks@nctd.org Phone: 760/966-6539
TIME SENSITIVE: YES [] NO [X]
Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board receive the 1st Quarter Performance Report and discuss trends.

DESCRIPTION:

The Quarterly Performance Report (Attachments 4 and 5) is provided to the Board and it is utilized to tracks trends in ridership, operating costs and revenues and other indicators, including service quality.

BACKGROUND:

The Performance Report is presented for the Committee's consideration and incorporates the Board adoption in April 2004 of the revised structure for this report, modeled closely on SANDAG's report.

Overall, the ridership and financial trends for FY 2007 have started with some challenges. The new contracts for LIFT and the COASTER include mobilization and have spiked operating costs upward this quarter. Ridership is down for all services except LIFT, which surged 17%, adding 4,000 additional boardings, and COASTER, which has increased 1.6%. System ridership is down 1.4%, operating costs are up 9.6% and fare revenues are down 1.7%. Revenue hours fell 0.6% and revenue miles are up 0.8%.

This quarter's results for ridership, cost and revenue data require additional analysis of ridership trends and cost drivers. Notable this year is the introduction of new operating contracts for LIFT and COASTER. The additional costs this quarter for both services rose \$1,261,400, or 30%, in the first quarter of FY 07 compared with FY 06. LIFT and COASTER accounted for 87% of the overall operating cost increase compared with the previous year.

FISCAL IMPACT:

Not applicable.

COMMITTEE DISCUSSION

1/4/07 Staff provided a summary update of the District's FY 07 1st quarter performance. Some of the high points include an increase of 1.6% in 1st quarter ridership on the COASTER. This is the first quarter that ridership has exceeded 6,000 on weekdays. LIFT ridership is up 17.1% (3,542 passengers) and ridership on FAST has increased 0.1%. There was, however, a decrease in BREEZE ridership of 2.0% compared to the last FY. Some of this could have been the result of one less work day during this quarter. Ridership has basically remained steady despite a fare increase. The first quarter of FY 07 also reflected the mobilization costs for the new COASTER and LIFT contracts. This of course results in increased operating costs for the 1st quarter.



MONITORING COMMITTEE REPORT

TITLE: Receive: Quarterly Financial Report for Quarter Ended September 2006

STAFF CONTACT: Richard Hannasch
Director of Fiscal and Support Services
E-mail: rhannasch@nctd.org
TIME SENSITIVE: YES [] NO [X]
Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board receive the Quarterly Financial Report for Quarter Ended September 2006.

DESCRIPTION:

Receive and review the Quarterly Financial Report for the quarter ended September 30, 2006.

BACKGROUND:

The Quarterly Financial Report (Attachment 6) provides information on the District's financial position, as well as an overview of budgeted and actual revenues and expenses through the 1st quarter of the fiscal year. It should be noted that only year-end financial reports are independently audited and receive all necessary adjustments for compliance with GAAP (generally accepted accounting principles). Quarterly financial reports are un-audited and are for internal use only.

FISCAL IMPACT:

None.

COMMITTEE DISCUSSION

1/4/07 Staff provided the Committee with an update of the District's 1st quarter financial report. Total passenger fares were the largest negative deviance in projected revenues. This appears to be due to the use of passes, to include monthly and senior passes. A more in-depth analysis of the use of fare mediums was recommended. The largest variance in operating expenses was in salary and wages. Staff explained that new contract changes for maintenance employees and wages changes for management employees did not take affect until the second quarter.



PLANNING COMMITTEE REPORT

TITLE: Adopt: Resolution 07-01 Accepting \$612,000 in State Transportation Improvement Program Funds for Capitalized Maintenance Along the Surfliner Corridor

STAFF CONTACT: Richard Walker Maintenance-of-Way Manager E-mail: RWalker@NCTD.org TIME SENSITIVE: YES [X] NO [] Phone: 760/967-2868 Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board adopt Resolution #07-01 accepting \$612,000 in State Transportation Improvement Program (STIP) funds from the California Transportation Commission for Capitalized Maintenance along the Surfliner Corridor, and authorizing the Executive Director to execute a contract with Caltrans Division of Rail for said funds.

DESCRIPTION:

Accept \$612,000 in State Transportation Improvement Program (STIP) funds from the California Transportation Commission; enter into an agreement with Caltrans Division of Rail in the amount of \$612,000 for the Capitalized Maintenance Program for replacement of mainline crossties along the Surfliner Corridor; and authorize the Executive Director to execute the agreement.

BACKGROUND

At the September 2006 California Transportation Commission meeting, NCTD was awarded an allocation of STIP funds in the amount of \$612,000 for crosstie replacement along the Surfliner Corridor.

The STIP funds will be used to support approximately 20% of the overall cost of the project (installation of approximately 3,400 ties). The tie replacement is performed as part of NCTD's State of Good Repair and will enhance the safety and operational reliability of the Surfliner Corridor.

In order for NCTD to receive the funds, a formal resolution (Attachment 7) must be adopted by the Board accepting the \$612,000 STIP allocation; enter into an agreement with Caltrans Division of Rail; and authorizing the Executive Director to execute the agreement.

FISCAL IMPACT:

The fiscal impact of this action is to increase capital funding by \$612,000 for the Capitalized Maintenance Program.

COMMITTEE DISCUSSION

1/4/07 Staff explained that the District had been awarded a \$612,000 allocation from the CTC for Capitalized Maintenance on the coastal railroad (Surfliner) corridor. NCTD is using the funds to supplement our current cross-tie replacement program as part of the overall railroad State-of-Good-Repair program. Receipt of the funds requires adoption of the Resolution. The Committee recommended approval by the Board on the Consent Calendar.



GOVERNANCE COMMITTEE
CHAIRPERSON'S REPORT
NORTH COUNTY TRANSIT DISTRICT

January 3, 2007

Members in attendance: Jerome Stocks, Ed Gallo, Norine Sigafoose and Dave Druker

CONSENT ITEMS:

1. Calendar Year 2007 Legislative Goals

The Committee recommends that the Board adopt the 2007 Legislative Goals and Agenda.

Staff reviewed the Draft Calendar Year 2007 Legislative Goals and Agenda, which will serve as a guide for both staff and our legislative representatives for the year. The majority of the goals are general in nature and give latitude for quick response. Other goals are more specific to NCTD. There was a discussion about LOSSAN, our participation and the future role the organization may play in funding and prioritizing projects. The next several years are anticipated to be relatively slow as far as project-funding goes and with the changes on the federal level, will require NCTD and our legislative representatives to review our strategic approach to advancing our projects and positions. While working in the regional structure, we must continue to look after the interests of local public transit. The Committee requested that staff change the title of the *Coastal Maintenance-of-Way Facility* project to the *Rail Maintenance-of-Way Facility*.

ACTION ITEMS:

2. Board Chair and Vice-Chair Election

The Committee recommends that the Board accept nominations for NCTD Chair and Vice-Chair.

After discussion, the Committee agreed to forward the nominations of Ed Gallo for NCTD Chair and Norine Sigafoose for Vice-Chair to the Board for election at the January 2007 Board meeting. The Committee discussed that, in accordance with Board Resolution 02-06 adopted April 4, 2002, it also would be appropriate for Board member Gallo to propose appointments of

Board members to Committees, for the Board's acceptance, should he be elected Chairman at the January 18, 2007 meeting. The unanimous consensus was that the January 18, 2007 meeting agenda should include an item to appoint committees, to follow the election of Board officers. Should Ed Gallo not be elected by the Board, the trailing item would be pulled and the elected Chair would formulate new recommendations for consideration by the Board at a future meeting. (See Board Agenda Item 11 for the complete listing of the assignments and recommendations.)

OTHER ITEMS:

3. SANDAG Transportation Committee Agenda Review

The SANDAG Transportation Committee meeting for January 5, 2007 has been cancelled. The next meeting is January 19, 2007.

4. Draft Board Agenda for January 18, 2007 Board Meeting

The NCTD Board Agenda for January 18, 2007 was reviewed.

5. Future Board Agendas (Master Board Agenda)

The future agenda items for the month of February 2007 were reviewed

6. Other Matters

Staff informed the Committee that all of the websites hosted by SANDAG would not be available on Sunday, January 7, 2007, due to a planned power outage. Customers are being notified and instructed to use Telephone Information on that day.

The Committee was reminded of the Board Workshop, February 10, 2007, at Shadowridge Country Club. Alternates will be invited to attend.

7. Public Comment

None.



GOVERNANCE COMMITTEE REPORT

TITLE: Elect: Board Chair and Vice-Chair

STAFF CONTACT: Karen King Executive Director E-mail: kking@nctd.org Phone: 760/967-2867
TIME SENSITIVE: YES [X] NO []
Consent [] Action [X] Information []

COMMITTEE RECOMMENDATION:

The Committee recommends that the Board:
1. Accept the nomination of Ed Gallo for NCTD Chairman for 2007 and hold an election; and
2. Accept the nomination of Norine Sigafoose for NCTD Vice-Chair for 2007 and hold an election.

DESCRIPTION:

Elect officers of the Board of Directors for 2007.

BACKGROUND:

In accordance with statute, the NCTD Board of Directors must elect a Chair and a Vice-Chair in January of each year. The Chair and Vice-Chair each serve a one-year term, with no limitation on the number of consecutive terms that may be served. The process for election of officers is not dictated by statute or by-laws. The Board's recent past practice has been for the Vice-Chair to be elected as the new Chair following two consecutive one-year terms of service by the current Chair.

The Governance Committee wishes to nominate Ed Gallo for Chairman and Norine Sigafoose for Vice-Chair for 2007.

FISCAL IMPACT:

None

COMMITTEE DISCUSSION

1/3/07 After discussion, the Committee agreed to forward the nominations of Ed Gallo for NCTD Chair and Norine Sigafoose for Vice-Chair to the Board for election at the January 2007 Board meeting. The Committee discussed that, in accordance with Board Resolution 02-06 adopted April 4, 2002, it also would be appropriate for Board member Gallo to propose appointments of Board members to Committees, for the Board's acceptance, should he be elected Chairman at the January 18, 2007 meeting. The unanimous consensus was that the January 18, 2007 meeting agenda should include an item to appoint committees, to follow the election of Board officers. Should Ed Gallo not be elected by the Board, the trailing item would be pulled and the elected Chair would formulate new recommendations for consideration by the Board at a future meeting. (See Board Agenda Item 11 for the complete listing of the assignments and recommendations.)



GOVERNANCE COMMITTEE REPORT

TITLE: Appoint: Board Committees and External Committee Assignments

STAFF CONTACT: Karen King Executive Director E-mail: kking@nctd.org Phone: 760/967-2867 TIME SENSITIVE: YES X NO

Consent [] Action [X] Information []

COMMITTEE RECOMMENDATION:

That the Board:

- 1. Accept NCTD Board Committee appointments;
2. Elect Committee Chairpersons; and
3. Accept external Committee assignments as recommended by the Governance Committee.

DESCRIPTION:

Board Committee appointments for 2007.

BACKGROUND

Board Resolution 02-06 adopted April 4, 2002, places responsibility on the Board Chair to appoint Board members to NCTD Board Committees. Historically, Board appointments to external committees have also been made at this same time. The nominated Board Chairman formulated recommendations for 2007 appointments and discussed them with the Governance Committee at the January 3, 2007 meeting. Please note that Resolution 02-06 calls for any Board member who has served two years consecutively on either the Planning or Monitoring Committee to be moved to the other Committee. The resolution also dictates that the Governance Committee be comprised of the Board Chair, Vice-Chair and the Chairs of the Planning and Monitoring Committees. Committee assignments for 2007 as presented to the Board for acceptance are:

MEETINGS OF THE NCTD BOARD

Governance Committee meets typically the first Wednesday of the month at 8:30 a.m.

Monitoring Committee meets typically the first Thursday of the month at 8:30 a.m.

Planning Committee meets typically the first Thursday of the month at 3:00 p.m.

Board Meetings are the third Thursday of the month at 2:00 p.m. (adjusted earlier for Closed Session)

Governance Committee: Board Chairperson, Board Vice-Chairperson, Monitoring Committee Chairperson, Planning Committee Chairperson

Monitoring Committee: Dave Druker*, Bob Campbell, Chris Orlando, Jim Wood

Planning Committee: Jerome Stocks*, Norine Sigafoose, Bill Horn, Dave Roberts

(* recommended Chairpersons)

EXTERNAL COMMITTEE MEETINGS

SANDAG Board: The SANDAG Board includes NCTD as an advisory member. The Board meets twice a month on the second and fourth Fridays of the month. The first meeting of the month is from 10:15 a.m. to noon and deals with policy matters. The second meeting of the month is a business meeting and meets from 9:00 a.m. to noon.

SANDAG Transportation Committee: NCTD has a seat as a voting member on this committee. Meetings are scheduled for the first and third Friday of each month from 9:00 a.m. to noon.

SANDAG Regional Planning Committee: This committee is responsible for the development of the Regional Comprehensive Plan (RCP) and NCTD is included as an advisory member. Meetings are scheduled for the first Friday of each month from 11:00 a.m. to 1:00 p.m.

Joint Committee On Regional Transit (JCRT): Meets quarterly or as needed, to provide policy guidance on transit operating matters that are of concern to NCTD and MTS and to review the implementation of the Transition Plans for agency consolidation. Meeting dates for 2007 are not scheduled at this time.

LOSSAN: The Los Angeles to San Diego Rail Corridor Agency Joint Powers Board meets quarterly in Los Angeles to further the development of rail service in the coastal corridor from San Diego to San Luis Obispo. (Meetings for 2007 are scheduled for Wednesdays as follows)

January 10, 2007	LAMTA
May 9, 2007	LAMTA
September 19, 2007	Santa Barbara
December 12, 2007	LAMTA

SANDAG Board of Directors (Advisory Member):

Member:	Board Chairperson
1 st Alternate:	Planning or Monitoring Committee Chair
2 nd Alternate:	Planning or Monitoring Committee Chair

SANDAG Transportation Committee (Voting Member):

Member:	Board Chairperson
1 st Alternate:	Planning/ Monitoring Committee Chair
2 nd Alternate:	Planning/Monitoring Committee Chair

SANDAG Regional Planning Committee (Advisory Member):

Member:	Dave Druker
Alternate:	Ed Gallo

Joint Committee on Regional Transit (JCRT):

Members:	Board Chairperson Dave Druker Jerome Stocks
Alternate:	Bill Horn

LOSSAN Corridor Board of Directors:

Member:	Norine Sigafoose
Alternate:	Julianne Nygaard

BOARD MEMBER ASSIGNMENTS

Bob Campbell: Monitoring Committee

Dave Druker: Monitoring Committee, Governance Committee, SANDAG Regional Planning Committee, SANDAG Transportation Committee (alternate), SANDAG Board (alternate), JCRT

Ed Gallo: Governance Committee, SANDAG Transportation Committee, SANDAG Board, SANDAG Regional Planning Committee (alternate), JCRT

Bill Horn: Planning Committee, JCRT (alternate)

Chris Orlando: Monitoring Committee

Dave Roberts: Planning Committee

Norine Sigafoose: Planning Committee, Governance Committee, LOSSAN, SANDAG Transportation Committee (alternate), SANDAG Board (alternate)

Jerome Stocks: Planning Committee, Governance Committee, SANDAG Transportation Committee (alternate), SANDAG Board (alternate), JCRT

Jim Wood: Monitoring Committee

FISCAL IMPACT:

None



PLANNING COMMITTEE

CHAIRPERSON'S REPORT

TO THE NORTH COUNTY TRANSIT DISTRICT BOARD

January 4, 2007

Members in attendance were: Committee Vice-Chair David Druker, Dave Roberts, and Mayor Jim Wood.

CONSENT ITEM:

1. Capitalized Maintenance Program

The Committee recommends that the Board adopt Resolution 07-01 accepting \$612,000 in State Transportation Improvement Program (STIP) funds from the California Transportation Commission for Capitalized Maintenance in the Surfliner Corridor.

Staff explained that the District had been awarded a \$612,000 allocation from the CTC for Capitalized Maintenance on the coastal railroad (Surfliner) corridor. NCTD is using the funds to supplement our current cross-tie replacement program as part of the overall railroad State-of-Good-Repair program. Receipt of the funds requires adoption of the Resolution. The Committee recommended approval by the Board on the Consent Calendar.

DISCUSSION ITEMS:

2. I-15 Bus Rapid Transit (BRT) Service Plan and Operations

The Committee recommends that the Board:

- 1) Receive the report on SANDAG's draft I-15 BRT Operations plans and provide input to SANDAG regarding the recommendations; and**
- 2) Authorize the Executive Director to work with the partner agencies on a MOU detailing specifics of the service.**

The Committee was briefed by SANDAG planning staff on the draft recommendations regarding the I-15 BRT operations. Key recommendations include a finding that MTS should be the operator of the service, and that the Sorrento Mesa branch of the service should use Mira Mesa Blvd. rather than SR-56 or Miramar Road, for the connection between the I-15 and I-5 corridors. This latter recommendation was based on an evaluation of ridership potential and travel time analysis. Other recommendations included identification of a funding plan for the \$2.5 million in operating costs in excess of the current budget to cover the addition of the

Sorrento Mesa branch, and determination that double-decker or other high capacity buses will be needed to handle peak loads. NCTD staff supports the SANDAG recommendations with the understanding that SANDAG, MTS, NCTD, and CALTRANS will develop a MOU that addresses BRT service schedules, service levels, fares and transfers, capital and operating budgets, station and vehicle maintenance, marketing, and coordination with existing services in the corridors.

Committee members expressed the following additional concerns and comments:

- SANDAG should evaluate whether an Escondido to Sorrento Mesa non-stop service would be more viable than a service that makes a number of stops along the way, due to the increased running time the latter service approach will take, thus possibly making the service less attractive.
- The Mira Mesa Blvd. routing will preclude direct service to the Carmel Valley business area and thus deprive the service to those potential commuters. At a minimum, a connection with MTS' new service to that area should be considered.
- SANDAG should evaluate whether it might be more effective to have the I-15 service go straight to Sorrento Valley Station, with the Sorrento Valley Shuttles at that location, then circulating commuters to their final destinations in the sprawling business parks and employment centers in the area. It was noted that those shuttles currently run close to capacity and would have to be augmented.

SANDAG staff agreed to follow up on these issues but noted that a finite budget makes it necessary to apply the limited resources where the largest passenger demands are projected. NCTD staff commented that SANDAG should try to retain as much flexibility as possible in designing operating plans for a service that does not start until 2012, in case conditions present at that time necessitate adjustments in the operating approach.

3. Cedros Crossing Project

The Committee recommends that the Board receive this current project status report.

Staff provided a status report and update on the Cedros Crossing Project, a mixed-use development at the Solana Beach Station which would construct a 500-space parking structure for COASTER and Amtrak commuters and would separately construct a mixed-use transit-oriented development of commercial/retail and residential space. A brief overview of how the project relates to NCTD's Real Estate Policy was provided, along with project history, project objectives, funding status, and next steps. Funding for the \$15.5 million parking structure relies on approximately 35% coming from ground leases on the commercial and residential components of the project, and 65% coming from grants and other sources. It was noted that 49% of the funding is currently either in need of a grant time extension or is unsecured. In particular, a \$6 million STIP grant from the State must obtain a time extension early this year or else the funding will be lost to the project, given current project schedules.

The Committee discussed the long time period involved in the processing of the environmental impact report, which received hundreds of comments requiring response. Greg Shannon, representing Shea Properties, expressed the hope that the EIR process would be concluded soon so as to keep to the latest schedule. That schedule calls for EIR certification in January 2007 by the City of Solana Beach, Coastal Commission Development Permitting from January to August 2007, and a start of construction by September 2007 with opening in October 2008. Mr. Shannon indicated that if this schedule slips too much, the construction window would be forced to slip an entire year due to interference with summer construction and beach use restrictions. The Committee recommended this item be sent to the full Board as information.



PLANNING COMMITTEE REPORT

TITLE: Review: Cedros Crossing Project Status Report

STAFF CONTACT: Lance Schulte Economic Development Administrator E-mail: LSchulte@nctd.org TIME SENSITIVE: YES [] NO [X] Phone: 760/966-6683 Consent [] Action [X] Information []

COMMITTEE RECOMMENDATION:

That the Board receive the current project status report.

DESCRIPTION:

The Cedros Crossing Project at the Solana Beach Transit Center is a proposed Joint Use Development as defined by NCTD's Real Estate Policy (Attachment 8). The project provides long-term ground leases to Shea Properties (Shea) for 55 years with options for two 22-year lease extensions for a total of 99 years. Ground leases allow Shea to develop the Cedros Crossing mixed-use transit oriented development (TOD) on NCTD's Solana Beach Station property (Attachment 9). Part of the TOD is a 500 space parking structure to replace and expand NCTD's parking capacity to serve COASTER and Amtrak riders by 205 spaces, or an additional 64%.

The ground leases provide revenue to cover approximately 35% of NCTD's estimated cost of the parking structure. The balance (65%) of the funding comes from Federal and State grants, of which 16% of the total project cost has been secured by grant funds, and 49% of the total project costs depend on conceptually approved but unsecured grant funds. The Lease Conveyance Agreement between Shea and NCTD provides that if this funding is not available, Shea's ground leases may not be executed.

The Cedros Crossing project is an amendment to the last phase of an approved multi-phase enhancement and transit orientation of downtown Solana Beach begun in 1991. The initial phases included: 1) the transfer of the Del Mar Amtrak Station, and the introduction of COASTER service, to Solana Beach and creation of the NCTD Solana Beach Transit Center in 1995; 2) the identification and initial permitting of transit and downtown supportive land uses in the Cedros Crossing project area in 1991 and 1993; and 3) the grade separation of the NCTD rail facilities from Loma Santa Fe and surrounding land uses in 1999. After the grade separation phase of the project was completed in 2000, NCTD and the City of Solana Beach agreed on a set of principals for completion of the last phase (Attachment 10). Shea was competitively selected to implement the project and they began a series of public workshops in 2002. At the request of the City of Solana Beach, the North Coast Reparatory Theater was included in the project. In 2004 the Cedros Crossing project was submitted to the City of Solana Beach for their development review process. Since 2004, the project has been in process to modify the prior City of Solana Beach land use approvals and environmental analysis of the transit oriented development.

Although delayed, it is anticipated that the project will receive approval from the city of Solana Beach in February 2007. After City approval, an additional six months of State permit processing, primarily the California Coastal Commission (CCC), would occur prior to starting major construction. Other ancillary developments on NCTD property that relate to the principles of the 1991 multi-phase development plan include two pedestrian/bike bridges across the railroad tracks, and the Rail Trail open space enhancements. The Cedros Crossing and 1991 approved land uses are summarized in Attachment 11.

As the Cedros Crossing Project is moving through the City and CCC development review and conditioning process, projected project costs can change. Extended processing time adds to processing costs and expands cost uncertainty due to changes in the price of materials and labor. Extensive project conditions can add extra project costs by imposing increased capital or operational costs on the project, and/or by reducing development potential. Although these primarily impact Shea, staff is monitoring the changing cost and revenue structure of the project from both processing time delays and proposed development conditions. As the land owner and eventual owner of the 500 space parking structure, we are discussing with the City and CCC staff issues that can impact the financial position of the project, and helping define solutions that work for the City, CCC, Shea and NCTD. Shea, as the lead on the project processing, is actively managing cost and revenue estimates for the project as approvals are moving forward. Staff will update the Board as progress is achieved on the project by Shea.

FISCAL IMPACT:

Processing delays and change orders have resulted in the expenditure of the contingency budget for the design of NCTD's 500 space parking structure. Additionally, the District needs to request an extension of the approved grant funding. Staff is exploring approaches to address the shortfall with revenue enhancements from operations of the project, and is hopeful that the grant extension request will be approved.

COMMITTEE DISCUSSION

1/4/07 Staff provided a status report and update on the Cedros Crossing Project, a mixed-use development at the Solana Beach Station which would construct a 500-space parking structure for COASTER and Amtrak commuters and would separately construct a mixed-use transit-oriented development of commercial/retail and residential space. A brief overview of how the project relates to NCTD's Real Estate Policy was provided, along with project history, project objectives, funding status, and next steps. Funding for the \$15.5 million parking structure relies on approximately 35% coming from ground leases on the commercial and residential components of the project, and 65% coming from grants and other sources. It was noted that 49% of the funding is currently either in need of a grant time extension or is unsecured. In particular, a \$6 million STIP grant from the State must obtain a time extension early this year or else the funding will be lost to the project, given current project schedules.

The Committee discussed the long time period involved in the processing of the environmental impact report, which received hundreds of comments requiring response. Greg Shannon, representing Shea Properties, expressed the hope that the EIR process would be concluded soon so as to keep to the latest schedule. That schedule calls for EIR certification in January 2007 by the City of Solana Beach, Coastal Commission Development Permitting from January to August 2007, and a start of construction by September 2007 with opening in October 2008. Mr. Shannon indicated that if this schedule slips too much, the construction window would be forced to slip an entire year due to interference with summer construction and beach use restrictions. The Committee recommended this item be sent to the full Board as information.



PLANNING COMMITTEE REPORT

TITLE: Review: I-15 Bus Rapid Transit (BRT) Service Plan and Operations

STAFF CONTACT: Stefan Marks
Manager of Service Development
E-mail: smarks@nctd.org Phone: 760/966-6539
TIME SENSITIVE: YES [X] NO []
Consent [] Action [] Information [X]

COMMITTEE RECOMMENDATION:

That the Board:

- 1) Receive the report on SANDAG's draft I-15 BRT Operations plans and provide input to SANDAG regarding the recommendations; and
2) Authorize the Executive Director to work with the partner agencies on a MOU detailing specifics of the service.

DESCRIPTION:

SANDAG staff will present the following draft SANDAG recommendations for I-15 BRT operations:

- 1. Identify MTS as the preferred BRT Operator and authorize the Executive Director to develop an MOU between SANDAG, MTS, NCTD, and CALTRANS that will detail the specific aspects of BRT service; and
2. Adopt a Service Plan which operates service to Sorrento Mesa and UTC/UCSD and downtown San Diego starting in 2012. (The Sorrento Mesa/UTC/UCSD service is proposed to operate via Mira Mesa Blvd west of I-15.)

These recommendations are to be presented to the SANDAG Transportation Committee on January 19, 2007. The Board is requested to provide feedback to SANDAG staff on whether to support the proposed SANDAG recommendations. NCTD staff supports the SANDAG recommendations as proposed.

BACKGROUND:

At the October 6, 2006 meeting, the SANDAG Transportation Committee approved the initial operations plan for BRT service along the I-15 corridor. This plan includes two service options for full BRT service to begin in 2012: (1) service exclusively to downtown San Diego and (2) service to both downtown San Diego and the Sorrento Mesa/UTC/UCSD area. The Transportation Committee requested that staff return with detailed analysis on Option #2 and a recommendation on a proposed service operator. The recommendations were formulated by SANDAG with input from NCTD and MTS staff.

I-15 BRT Operator

MTS is proposed by SANDAG as the preferred operator for the initial I-15 BRT service for the following reasons:

- Most of the BRT services will operate in MTS' service area
• Existing MTS operating subsidies committed to the I-15 corridor are a necessary part of the funding strategy for operations (along with farebox revenues, TransNet new project operating funds, and FasTrak)

NCTD staff has supported this approach, provided that BRT schedules are coordinated with NCTD services, given that a large proportion of riders will start their trips in Escondido. SANDAG proposes that an MOU between MTS, NCTD and SANDAG is developed to address operating and capital funding, service levels, fare structure, revenue sharing and service coordination, station and vehicle maintenance, joint development and marketing. NCTD staff support this approach.

Service Plan and Route Alignment

TransNet operations funds for the I-15 Sorrento Mesa service are scheduled to be available in 2016. In order to begin the Sorrento Mesa/UTC/UCSD service in 2012, headways on the downtown San Diego service are reduced from 10 minute to 15 minutes. As a result, service to Sorrento Mesa/UTC/UCSD also is proposed at 15 minute headways.

SANDAG analyzed the potential of three alternative alignments for service west of I-15 to Sorrento Mesa and the UTC/UCSD areas; SR-56, Mira Mesa Blvd, and Miramar Road. These alignment options were compared on the basis of travel time, patronage potential, and opportunities for stops and park and ride.

- SR-56 has a longer travel time (even with possible priority improvements) and generates less patronage (in part because of limited pickup/drop off locations) than the Mira Mesa Blvd option.
- Miramar Road also has longer travel times and less patronage potential than Mira Mesa Blvd.
- Mira Mesa Blvd offers a faster travel time and highest potential ridership, and as a result, is the preferred alignment.

Operating Subsidy

The Sorrento Mesa/UTC/UCSD service requires an annual operating subsidy of \$2.5 million beyond the level originally proposed for the Downtown San Diego service. There is an opportunity to fund this additional subsidy between 2012 and 2016 from TransNet operating funds being collected between 2008 and 2011 which will not be needed, as their designated projects will now not be commencing until later years. It is proposed to use the TransNet operating funds identified for I-15 and Mid Coast between 2008 and 2011 (\$2.5 million) to fund the expanded I-15 BRT service from 2012 to 2016 when \$2.5 million becomes available annually for Sorrento Mesa BRT service.

Vehicle Capacity

Based on a review of transit demand for the various residential origins and employment destinations and taking into consideration the newly proposed service frequencies and stopping patterns, analysis has shown that the peak passenger loads on the express and core all-stops services will require a mix of standard sized coaches and higher-capacity vehicles to meet patronage demand between Escondido and downtown San Diego and Sorrento Mesa.

Initial forecasts suggest peak loads for the express routes providing service to downtown San Diego can be met with standard sized coaches; however, services to Sorrento Mesa and the all stop service to San Diego will have peak loads that will require higher-capacity vehicles. TransNet provides approximately \$20 million for acquisition of vehicles for the startup up of San Diego bound services by 2012 and another \$21 million for acquisition of vehicles for Sorrento Mesa services in 2016. SANDAG will complete a more detailed analysis of capital requirements of the proposed service plan.

If patronage exceeds forecast levels, service capacity can be increased by a range of strategies including increased frequency, creation of separate routes for Sorrento Mesa and UTC/UCSD services, or introduction of additional higher capacity vehicles.

Next Steps

Progress reports will be provided to the Transportation Committee and the transit agency Boards on a periodic as-needed basis.

FISCAL IMPACT:

Not applicable.

COMMITTEE DISCUSSION

1/4/07

The Committee was briefed by SANDAG planning staff on the draft recommendations regarding the I-15 BRT operations. Key recommendations include a finding that MTS should be the operator of the service, and that the Sorrento Mesa branch of the service should use Mira Mesa Blvd. rather than SR-56 or Miramar Road, for the connection between the I-15 and I-5 corridors. This latter recommendation was based on an evaluation of ridership potential and travel time analysis. Other recommendations included identification of a funding plan for the \$2.5 million in operating costs in excess of the current budget to cover the addition of the Sorrento Mesa branch, and determination that double-decker or other high capacity buses will be needed to handle peak loads. NCTD staff supports the SANDAG recommendations with the understanding that SANDAG, MTS, NCTD, and CALTRANS will develop a MOU that addresses BRT service schedules, service levels, fares and transfers, capital and operating budgets, station and vehicle maintenance, marketing, and coordination with existing services in the corridors.

Committee members expressed the following additional concerns and comments:

- SANDAG should evaluate whether an Escondido to Sorrento Mesa non-stop service would be more viable than a service that makes a number of stops along the way, due to the increased running time the latter service approach will take, thus possibly making the service less attractive.
- The Mira Mesa Blvd. routing will preclude direct service to the Carmel Valley business area and thus deprive the service to those potential commuters. At a minimum, a connection with MTS' new service to that area should be considered.
- SANDAG should evaluate whether it might be more effective to have the I-15 service go straight to Sorrento Valley Station, with the Sorrento Valley Shuttles at that location, then circulating commuters to their final destinations in the sprawling business parks and employment centers in the area. It was noted that those shuttles currently run close to capacity and would have to be augmented.

SANDAG staff agreed to follow up on these issues but noted that a finite budget makes it necessary to apply the limited resources where the largest passenger demands are projected. NCTD staff commented that SANDAG should try to retain as much flexibility as possible in designing operating plans for a service that does not start until 2012, in case conditions present at that time necessitate adjustments in the operating approach.



MONITORING COMMITTEE

CHAIRPERSON'S REPORT

TO THE NORTH COUNTY TRANSIT DISTRICT

January 4, 2007

Members in attendance were: Norine Sigafoose, Ed Gallo and Jerome Stocks.

CONSENT CALENDAR ITEMS:

1. Project Design Consultants for Surveying Support Service

The Committee recommends that the Board authorize the Executive Director to issue a purchase order for an additional \$150,000 to PDC for completion of the surveying support services in support of NCTD's bridge replacement program.

Staff provided the Committee with a brief background on the surveying support for the District's bridge replacement program. Surveying support services are required at the very beginning of the project in order that the project engineers and environmental consultants can accurately perform their work. These services include aerial photography, aerial topography, detailed surveys, and right-of-way surveying and mapping. Since much of the engineering cannot begin until the environmental consultants complete their field investigations, time is critical. To help speed up the process, NCTD processed a requisition for a purchase order in December 2006 for PDC to begin work on the aerial photography and aerial topography portion of the work. The PO amount was not to exceed \$90,000. Staff is recommending that an additional \$150,000 be allocated to this task.

2. Contract Award for On-Call Engineering Categories 1 and 3

The Committee recommends that the Board authorize the Executive Director to execute a five-year contract with HNTB Corporation and RailPros for category 1 and RailPros for category 3 on-call engineering services.

Staff provided background on RFP 06058 which was published in May 2006 for on-call Engineering/Environmental services for various tasks associated with NCTD facilities, railroad right-of-way, capital development, and third-party and public projects. This particular contract award is for category 1 and category 3 engineering services. Through the Request for Proposal (RFP) process, firms were selected through a competitive, qualification based, selection process. Evaluation committees were formed for each of the five categories, with some members reviewing multiple categories. Evaluation criteria were established prior to and

included in the RFP publication. Two firms submitted bids for category 1 and both are qualified. Only one firm, RailPros, submitted a bid for category 3. They are qualified for this type of consulting service. This item has no current fiscal impact. The fiscal impact will occur when future purchase orders are issued under these contracts.

3. On-Call Engineering Contract Extension

The Committee recommends that the Board authorize the Executive Director to extend Amtrak's current contract for an additional six (6) months.

Staff provided background on the award of the current five (5) year contract to Amtrak, which is due to expire in February 2007. The procurement process for selecting firms for the next 5 years has not been completed. The services provided by this contract include design and construction support services for in-house and third party projects, including, but are not limited to, projects performed by NCTD, Amtrak/Caltrans Division of Rail, Camp Pendleton, cities, SANDAG, utility companies, and private developers. The services generally provided may include engineering design, construction management and support, and inspections for such projects as the State of Good Repair, bridge replacements, Bridge 230.6, and the Del Mar Bluffs Slope Stabilization. The estimated cost for this contract extension is approximately \$100,000, but will ultimately depend on the nature and extent of work that Amtrak is requested to perform. The majority of anticipated work is capital in nature, which will be funded by reimbursed projects such as the Del Mar Bluffs Slope Stabilization and other third party projects.

4. Del Mar Bluffs Project 2 Slope Stabilization Project

The Committee recommends that the Board authorize the Executive Director issue a purchase orders to Amtrak in an amount not-to-exceed \$120,000 and Transit America in an amount not-to-exceed \$180,000 for construction support services to NCTD for the Del Mar Bluffs 2 Slope Stabilization Project.

In November 2006, SANDAG published an Invitation for Bid (IFB) for the construction of the Del Mar Bluffs 2 (DMB2) Slope Stabilization Project. These bids were received in December 2006, with West Coast General Corporation being the apparent low bidder at \$3,745,132.60. This construction company has never worked for NCTD or around Class 1 railroads with operating high speed trains.

As with any project built by or for NCTD, all design and construction must adhere to NCTD standards and federal regulations, therefore, NCTD will be performing construction support duties such as reviewing construction documents, attending construction meetings, performing random construction and safety audits, coordinating train movements with the Metrolink dispatcher, Amtrak, COASTER, and BNSF, providing flagging, conducting track and signal inspections, establishing absolute work windows, and coordinating the busing of train passengers around the work site. A MOU between NCTD and SANDAG has been executed as Amendment #9 to the master MOU for this project. The associated costs for NCTD's support duties for the project will be reimbursed by SANDAG as described in the MOU.

5. System Maintenance of the Regional Scheduling System

The Committee recommends that the Board approve the MOU for the on-going serving and maintenance of the Regional Scheduling System.

Staff provided background on HASTUS, a Regional Scheduling System which provides both bus scheduling and a coach operator bidding system. The system has been in operation for approximately two (2) years and, during that time, system maintenance has been provided by the vendor. This MOU establishes an agreement between the District, MTS, and SANDAG whereby a full-time employee will be hired by MTS to provide this service, thus eliminating the need for system maintenance by the vendor. The cost of the employee will be allocated based on the number of revenue vehicles in operation at the MTS and NCTD.

6. FY 07 1st Quarter Performance Report (July to September 2006)

The Committee recommends that the Board receive the report of the District's 1st Quarter Performance Report.

Staff provided a summary update of the District's FY 07 1st quarter performance. Some of the high points include an increase of 1.6% in 1st quarter ridership on the COASTER. This is the first quarter that ridership has exceeded 6,000 on weekdays. LIFT ridership is up 17.1% (3,542 passengers) and ridership on FAST has increased 0.1%. There was however a decrease in BREEZE ridership of 2.0% compared to the last FY. Some of this could have been the result of one less work day during this quarter. Ridership has basically remained steady despite a fare increase. The first quarter of FY 07 also reflected the mobilization costs for the new COASTER and LIFT contracts. This, of course, results in increased operating costs for the 1st quarter.

7. Quarterly Financial Report for the Quarter Ended September 2006.

The Committee recommends that the Board receive the report on the District's financial report for the 1st Quarter of FY 07.

Staff provided the Committee with an update of the District's 1st quarter financial report. Total passenger fares were the largest negative deviance in projected revenues. This appears to be due to the use of passes, to include monthly and senior passes. A more in-depth analysis of the use of fare mediums was recommended. The largest variance in operating expenses was in salary and wages. Staff explained that new contract changes for maintenance employees and wages changes for management employees did not take affect until the second quarter.

ACTION/INFORMATION ITEMS:

8. Full Access & Coordinated Transportation (Fact) North County Pilot Project, Final Report

The Committee recommends that the Board receive a report on FACT.

Staff presented information about the formation of FACT, a regional coordinated transportation project. The mission of FACT is to create a coordinated system of providers with centralized dispatching. The purpose of this project was to assess the needs, resources and commitment of various identified stakeholder groups in preparation for the coordinated transportation system pilot project in northern San Diego County. In January 2006, the Board endorsed staff to submit an application to the CTAA, on behalf of FACT, for a Community-Based Transportation Planning Grant.



MONITORING COMMITTEE REPORT

TITLE: Review: North County Pilot Project (FACT) CTAA Final Report

STAFF CONTACT: Alane Haynes Accessible Services Administrator
E-mail: ahaynes@nctd.org Phone: 760/966-6607
TIME SENSITIVE: YES [] NO [X]
Consent [] Action [] Information [X]

COMMITTEE RECOMMENDATION:

That the Board receive the presentation.

DESCRIPTION:

Report on the Full Access & Coordinated Transportation (FACT) North County Pilot Project, funded through a Community Transportation Association of America (CTAA) Grant.

BACKGROUND:

At the November 17, 2005 Board meeting, staff presented information about the formation of FACT, a regional coordinated transportation project. The mission of FACT is to create a coordinated system of providers with centralized dispatching so that a person needing a ride would only have one number to call, beginning with a pilot project in North County. In January 2006, the Board endorsed staff to submit an application to the CTAA, on behalf of FACT, for a Community-Based Transportation Planning Grant.

The purpose of this project was to assess the needs, resources and commitment of various identified stakeholder groups in preparation for the coordinated transportation system pilot project in northern San Diego County. Staff procured the services of Judith Norman, Transportation Consultant, to assist with the work. Ms. Norman will present the results of her work at the meeting.

FISCAL IMPACT:

None.

COMMITTEE DISCUSSION

1/4/07 Staff presented information about the formation of FACT, a regional coordinated transportation project. The mission of FACT is to create a coordinated system of providers with centralized dispatching. The purpose of this project was to assess the needs, resources and commitment of various identified stakeholder groups in preparation for the coordinated transportation system pilot project in northern San Diego County. In January 2006, the Board endorsed staff to submit an application to the CTAA, on behalf of FACT, for a Community-Based Transportation Planning Grant.

January 18, 2007

TO: North County Transit District Board Members
FROM: Clerk of the Board
SUBJECT: POSTING OF BOARD AGENDA

In Compliance with the Ralph M. Brown Act, As Amended, the following information is provided.

The Agenda for this meeting of the Board was posted as follows:

Meeting Date and Time:	January 18, 2007; 1:15 p.m.
Posted At:	810 Mission Avenue, Oceanside, CA
Date & Time of Posting:	January 12, 2007; 5:00 p.m.
Posted By:	Clerk of the Board

TO: North County Transit District Board Members
FROM: Jerome Stocks, Chairman
SUBJECT: RULES FOR PUBLIC SPEAKERS AT MEETINGS OF THE NORTH COUNTY TRANSIT DISTRICT

Per Board policy, all public communications at meetings of the North County Transit District shall be made and received in accordance with the following procedures:

I. COMMENTS ON ITEMS NOT ON AGENDA

- A. Total time limit all speakers:
- Beginning of Meeting: Fifteen (15) minutes
 - End of Meeting: No time limit.
- B. Time limit per speaker per meeting: Three (3) minutes, with no donation of time allowed
- C. Priority: First come first served. All Speaker Slips will be numbered as the Clerk of the Board receives them. Those not allowed to speak at the beginning of the meeting due to limit stated above, will be called at the end of the meeting.
- D. Order on agenda: Items will be heard at the beginning of the meeting and if the time limit stated in paragraph A is exhausted, those who filled out a speaker slip and have not yet spoken, will be given an opportunity to speak at the end of the meeting under "*Remaining Public Communications*".

Comments not addressing items on the agenda are out of order.

II. TIME LIMITS FOR ADDRESSING MATTERS ON THE AGENDA

- A. Total time limit: None.
- B. Time limit per speaker: Three (3) minutes, with one donation of three minutes, for a maximum of six minutes
- C. These rules apply to both public hearing and non-public hearing items listed on the agenda.

Comments made not germane to the subject matter of the agenda are out of order.

III. CUTOFF FOR TURNING IN SPEAKER SLIPS

Speakers wishing to speak to an item on the Board Agenda must submit a speaker slip to the Clerk of the Board before that agenda item is called. Speaker slips will be available at the meeting.

Speakers turning in slips after discussion begins on an item will be heard at the end of the meeting under "*Remaining Public Communications*".

IV. MODIFICATION OF RULES BY CHAIR

The Board Chair may, in his or her absolute discretion, relax the requirements of these rules. However, a decision of the Chair to do so in one instance shall not be deemed a waiver of the rules as to any other instance or matter.