



NORTH COUNTY TRANSIT DISTRICT

Board Members

Ed Gallo
Chairman
City of Escondido

Open
City of Carlsbad

David Druker
City of Del Mar

Jerome Stocks
City of Encinitas

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

For more information on NCTD,
please check out our web page at:

www.gonctd.com

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

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

NCTD's Mission

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

NCTD's Vision

*Provide an integrated transit
system that enables our
customers to travel easily
and efficiently throughout
the 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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SPECIAL MEETING/CLOSED SESSION AGENDA

- CALL TO ORDER
- ROLL CALL OF BOARD MEMBERS
- CLOSED SESSION
- A. Closed Session Pursuant to Government Code Section 54956.9 (b) – Conference with Legal Counsel – Anticipated Litigation – One Potential Case
- B. Closed Session Pursuant to Government Code Section 54956.9(b) and (c) – Conference with Legal Counsel – Anticipated Litigation – One Potential Case
- C. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators – Location of Property is portion of Assessor Parcel Numbers 152-173-14 in Oceanside, CA. Negotiator: NCTD: Rick Howard and Ed Singer. Negotiating Party: Charlie Buehl

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
- D. Recognition of Transit Alliance for a Better North County Board
- E. Recognition of Norine Sigafoose for her service to NCTD
- F. Presentation of February 2007 Employees of the Month Commendations to:
 - Mr. William D. Maroney, Mechanic Assistant
 - Mr. Dwayne E. Ferguson, 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 FEBRUARY 15, 2007
(Pages 6-12)

ESTIMATED TIME: 2:20 P.M.

1. Presentation: LIM-Rail: Linear Induction Motor Rail Electrification Systems (No Staff Report)
2. Elect: Board Vice-Chair (S)

(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: 2:35 P.M.

CONSENT ITEMS (Tabs 3 - 7) Items reviewed and recommended for approval by the Governance Committee (G), Planning Committee (P), Monitoring Committee (M) or Staff (S)

3. Authorize: Agreement with Kobey Corporation for COASTER and SPRINTER Stations Master Concession (M) (ATTACHMENTS 1 AND 2)
4. Award: Contract to Rain for Rent and CCL Piping for Groundwater Discharge System at Stuart Mesa Maintenance Facility (M)
5. Authorize: Creation and Funding of Position of Intergovernmental Affairs Officer (S)
6. Award: On-Call Environmental Contract to Dudek and Associates, Inc. (S)
7. Receive: Quarterly Financial Report for Six Months Ended December 31, 2006 (M) (ATTACHMENT 3)

ESTIMATED TIME: 2:40 P.M.

REPORT OF MONITORING COMMITTEE (Tab 8)
Dave Druker, Committee Chair

8. Receive: Update on Automated Fare Collection Project

ESTIMATED TIME: 2:50 P.M.

REPORT OF PLANNING COMMITTEE (Tab 9)
Jerome Stocks, Committee Chair

9. Update: COASTER Schedule

G. Update: SPRINTER Project (Enclosure)

H. Review: SANDAG Agenda (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 29)
 - Rules for Public Speakers at meetings of the North County Transit District (Page 30)

***The next regularly scheduled Board meeting will be held at
2:00 p.m. on Thursday, April 19, 2007
at 810 Mission Avenue, Oceanside, CA***

**MINUTES OF THE SPECIAL MEETING/CLOSED SESSION AND THE REGULAR MEETING
OF NORTH COUNTY TRANSIT DISTRICT HELD FEBRUARY 15, 2007** **PAGE 1**

CALL TO ORDER

Chairman Ed Gallo called the meeting to order at 1:00 p.m.

ROLL CALL OF BOARD MEMBERS

Ed Gallo (City of Escondido); David Druker (City of Del Mar); Dave Roberts (City of Solana Beach); Jerome Stocks (City of Encinitas); Jim Wood (City of Oceanside).

Judy Ritter (City of Vista Alternate) arrived at 1:05 pm and Bill Horn (County of San Diego) arrived at 1:50 pm.

Absent: Norine Sigafoose (City of Carlsbad) and Chris Orlando (City of San Marcos).

CLOSED SESSION

The Board went into Closed Session at 1:02 p.m. to discuss agenda items A, B, C, D and F. (AGENDA ITEM E WAS PULLED BY NCTD STAFF)

- A. Closed Session Pursuant to Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – Two Potential Cases
- B. Closed Session Pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Anticipated Litigation – One Potential Case
- C. Closed Session Pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Existing Litigation – Bartholomew v. NCTD, WCAB Case Numbers: SDO 0300161 and SDO 0300162
- D. Closed Session Pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Existing Litigation – William Wardrop v. NCTD; Superior Court Case No. GIN 049827
- E. 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
- F. 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 2:20 pm. C. Michael Cowett, General Counsel, stated that the Board met in Closed Session, discussed Agenda Items A and F and had nothing to report. Closed session items B, C and D will be heard at the end of the meeting.

ROLL CALL OF BOARD MEMBERS

Ed Gallo (City of Escondido); David Druker (City of Del Mar); Judy Ritter (City of Vista Alternate); Dave Roberts (City of Solana Beach); Jerome Stocks (City of Encinitas); Jim Wood (City of Oceanside); Bill Horn (County of San Diego).

Absent: Norine Sigafoose (City of Carlsbad) and Chris Orlando (City of San Marcos).

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Jerome Stocks led the Board, staff and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

None

PRESENTATION OF COMMENDATIONS

G. Special Recognition to 2006 Employees of the Year

Karen King, Executive Director, introduced the 2006 Employees of the Year:

- John Clark, System Scheduler (Special Recognition Award)
- Kurt Luhrsen, Principal Planner (Professional/Technical/ Administration Award)
- Diane Hessler, Judith Atwood, Alison Gearhart and Gretchen Smith, Management Accounting Team (Team Achievement)
- Thomas Maher, Dispatch Supervisor (Supervisor of the Year)
- Steve Lane, Coach Operator (Coach Operator of the Year)
- Robert Rebar, General Service Worker (Maintenance Employee of the Year)
- Steve Hoyle, Construction Project Officer (Special Recognition), was not in attendance

H. Presentation of January 2007 Employees of the Month Commendations

Don Ankney, Division Superintendent, recognized Mr. Ronald R. Faulkner, Coach Operator, and Mr. Dave Chaudhuri, General Services Worker (not in attendance), as the January 2007 Employees of the Month, with the Board's congratulations.

PUBLIC COMMUNICATIONS

Mr. Paul Cline, San Marcos, CA spoke on his concerns regarding an irrigation line through the temporary construction easement on his property and the lack of roll-call vote on the necessity hearing for his property.

APPROVAL OF MINUTES

MOTION BY JEROME STOCKS TO ADOPT THE MINUTES OF THE REGULAR MEETING OF JANUARY 18, 2007, SECONDED BY DAVE ROBERTS. ABSTAIN: JUDY RITTER. ABSENT: BILL HORN. MOTION CARRIED.

CONSENT ITEMS 4 AND 7 WERE PULLED BY THE BOARD AND WERE HEARD AT THE END OF THE AGENDA.

CONSENT ITEMS

1. Award: Purchase Order to JM Diaz for Center City Development Corporation Quiet Zone On-Call Engineering Support

Award: Contract for Five-Year Agreement for Hazmat Services

3. Award: Purchase Order for On-Call Engineering Support by Project Design Consultants to Provide Design and Project and Construction Management Services for NCTD's Bus Stop Program
5. Adopt: Resolution 07-02 Accepting \$500,000 in State Transportation Improvement Program Funds for the Signal Communication System Upgrade
6. Approve: Amending the 2006 Regional Transportation Improvement Program to 1) Program Funds for Jobs Access Reverse Commute and New Freedom; 2) Revise the 5311 Program Allocation; and 3) Revise the TransNet Funding Allocations between Projects

MOTION BY BILL HORN TO APPROVE AGENDA ITEMS 1, 2, 3, 5 AND 6, SECONDED BY JUDY RITTER. MOTION CARRIED UNANIMOUSLY.

ACTION ITEMS

8. Report: I-15 Bus Rapid Transit Service Plan and Operations

Mr. Barrow Emerson, SANDAG Senior Transportation Planner, provided an update on the I-15 Bus Rapid Transit (BRT) operations plan. He stated that the SANDAG Transportation Committee requested that staff find a way to start the service to Sorrento Mesa in 2012, rather than 2016. Mr. Emerson said that in putting together a plan for the service to Sorrento Mesa, University City and UCSD in 2012, they started out by doing an alignment evaluation. He stated that the service would go: 56 to 5 to 805 and Mira Mesa Blvd; or via Mira Mesa Blvd, down I-15, get off at the direct access ramp that will be built at Hillary Drive, to the Mira Mesa Transit Center and then Mira Mesa Blvd; or via Mira Mar Road, I-15 to Hillary Drive, to the Mira Mesa Transit Center, and then down Black Mountain to Mira Mar Road to Carroll Road, back up to Sorrento Mesa.

Mr. Emerson stated that the I-15 is the key corridor in the RTP, the managed lanes and the BRT service are TransNet early action projects, and that this will be the first BRT in the region. He reviewed the peak times in the three corridors. He added that Miramar is the slowest and Mira Mesa Blvd is slightly faster than the others. Mr. Emerson stated that, taking into consideration patronage potential, travel time, funding and vehicle resources projected to be available, SANDAG, NCTD and MTS staff recommend that Mira Mesa Blvd be the preferred option for the initial introduction of service in 2012. He said that staff would continue to monitor the travel times and the levels of development in each of these corridors. Mr. Emerson stated that the planning staffs of NCTD, MTS and SANDAG, agreed that MTS should be the recommended operator of the service in 2012. He said that a couple of the corridors were scheduled to start receiving operating dollars in earlier years than they are actually going to start operating, so those dollars can be used between 2012 and 2015 to get the Sorrento Mesa service started. Mr. Emerson added that the parking strategy issue is going to be very important because the demand for park and ride is going to be a lot more than was ever envisioned when the initial station sites were acquired, so they are pursuing different strategies about how to provide parking and not have the agencies eat the complete capital costs. He said that Riverside demand will be a key to this whole thing and that they have acknowledged they need to participate in helping to fund the operating scenario.

Dave Druker said that service from Escondido to Sorrento Valley and UTC is very important. He said that in terms of operation, it would be more advantageous to riders if they do not have to stop anywhere but at their final destination, so 56 would continue to be an excellent option for getting people to Carmel Valley, Sorrento Valley or UTC. He stated that he hopes that SANDAG will keep the concept of express buses open as he thinks ridership would increase.

Jerome Stocks stated that SANDAG needs to look at 56 because buses can successfully navigate the shoulders of the freeways.

No action required.

9. Presentation: Transit Demand and Access Study for San Diego International Airport

Pete Aadland, Director of Communications and Business Development, introduced Mr. Ted Anasis, Ms. Angela Shaeffer-Pain (Vice-President of Strategic Planning) and Mr. Brad Caldwell (Airport Planner) from the San Diego County Regional Airport Authority. Mr. Anasis stated that they have developed the draft airport transit plan with the goals of: improving the transit connections to the airport's existing 41-gate terminal; serving the airport employees who work at the airport over a 24-hour period; developing further transit connections in coordination with future phases of improvements, including the airport master plans proposed 10-gate expansion. He said that they want to look at ways to remove barriers and create a seamless transportation system. Mr. Anasis added that they have developed a committee work plan to coordinate and exchange transportation agency ridership data to develop the transit improvements identified in the study, and to develop a final transit plan. He also reviewed: frequency of connections from/to COASTER service; multiple mode changes; airport passenger needs; removing barriers for arriving passengers; existing route changes; direct bus service from the Old Town Transit service; Fly-away concept; automated people mover; study tiers. Mr. Anasis stated that the next steps in developing the transit plan include: monitoring ridership levels; link future projects to identified benchmarks to monitor the progress of the percentage of passengers and employees that utilize

the transit system; and look at feasibility of ridership and cost analysis to identify funding sources in the implementation plan.

Bill Horn asked about the railroad spur line on Washington street that goes to MCRD.

Mr. Anasis stated that the spur is on federal property, but it is in a location where a rail connection could access the north area.

Dave Druker asked what happened to the plan to put the Southwest terminal on the north side so that there would be a direct connection with the transit.

Mr. Anasis said that was proposed by the Port of San Diego, when they operated the airport, as a potential location for a 10-14 gate terminal build-out. He said that the challenge to that proposal is we would have to have an extension of taxi-way Charlie on the north that would allow aircraft to depart the runway to the north and taxi to a terminal on the north area, which would involve an extension of the taxiway on to federal property (MCRD), and the other concern was the cost, which was almost three times as much as building on terminal two west.

Dave Druker requested that option continue to be considered.

Jerome Stocks suggested we consider park and ride service along I-5.

Mr. Anasis replied that the Advisory Committee has identified the I-5 and I-15 corridors as an opportunity to look at.

Dave Roberts asked if they took into consideration flight departure times and spoke on his concerns regarding the walkway at Terminal One over the lanes of traffic, whereby passengers block public transportation.

No action required.

10. Approve: Replenishment of Executive Director's Change Order Authority Pool for SPRINTER Project

Tom Lichterman, Director of Rail Services, reviewed the staff report and stated that staff is requesting replenishment based on several fairly large pending change orders.

MOTION BY DAVE ROBERTS TO APPROVE AGENDA ITEM 10, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

11. Review: SANDAG Agenda

Karen King stated that at the SANDAG meeting on February 16, 2007, there is an item on consent regarding revenue apportionments and projections. She said that this is the first thing NCTD needs from SANDAG in order to start preparation of our budget. Ms. King stated that there are some additional funds to augment the STIP program for this year and that NCTD has worked with SANDAG to provide them a list of projects we have been working on. She said that one

of the items is the first two phases for the Transit First priority measures on Route 350 in Escondido.

No action required.

I. Update: SPRINTER Project

Tom Lichterman stated that the Vehicle Maintenance Facility is 95% complete and the loop contract is 88% complete. He said that we will rapidly see a change in the nature of the project as the heavy construction is completed, and then we will be in the more technical signal and communication type activities. Mr. Lichterman stated that staff is meeting weekly with the contractor to make sure we have a timely completion. He added that we are working toward rail activation by forming a number of internal teams that will be responsible for service implementation in their respective areas.

No action required.

J. NCTD Chairman's Report on SANDAG Committees and Board Actions

Chair Gallo discussed the SANDAG retreat in Borrego Springs and the NCTD Board workshop.

BOARD MEMBER REPORTS, COMMENTS AND CORRESPONDENCE

Dave Roberts thanked NCTD staff for the great Board workshop. He stated that the City of Solana Beach has set the EIR dates, for potential certification, for the train station project. He said that the meetings will be all day on March 10 and 24, 2007, beginning at 9:00 am.

Jerome Stocks stated that he participated in a SANDAG tour of the Ports of Long Beach and Los Angeles. He said that the LOSSAN rail corridor is going to have to be improved because shipping is going to increase.

EXECUTIVE DIRECTOR'S REPORT

Karen King informed the Board that: on February 21, Chair Gallo will be participating in the kickoff event for the 511 system; the Board has at their place the 2007 Board Member's Guide; the Community Report is available for Board members to hand out; she was in Washington D.C. with Gary Gallegos and Paul Jablonski, making preliminary visits to our congressional delegation staff members with regard to the upcoming appropriations cycle.

CONSENT ITEMS PULLED FOR DISCUSSION

4. Approve: SANDAG Bicycle and Pedestrian Grant Application for Bike Locker Upgrades at COASTER Stations

Dave Roberts asked for clarification on the grant amounts.

Stefan Marks responded that the grant includes \$50,000 from SANDAG (if approved), \$3,100 from Ridelink, and NCTD would provide the remainder through an in-kind match, totaling \$54,000.

MOTION BY DAVE ROBERTS TO APPROVE AGENDA ITEM 4, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

7. Approve: Long-Term Lease of Excess Railroad Right-of-Way to Surfer's Point, LLC

Dave Roberts questioned the amount of the rent.

Karen King responded that the Board real estate policy states that we will lease excess property at fair market value. She said that this is a straight lease, as opposed to a joint development project. Ms. King added that NCTD tends to negotiate on a case-by-case basis because every property has special circumstances. She stated that the value of this property will come once the developer is able to use the property.

MOTION BY DAVE ROBERTS TO APPROVE AGENDA ITEM 7, SECONDED BY JIM WOOD. MOTION CARRIED UNANIMOUSLY.

REMAINING PUBLIC COMMUNICATIONS

None

THE BOARD ADJOURNED TO CLOSED SESSION AT 3:32 PM TO CONTINUE CLOSED SESSION DISCUSSION FOR ITEMS B, C AND D.

THE BOARD RETURNED FROM CLOSED SESSION AT 3:54 PM.

ADJOURNMENT

The meeting adjourned at 3:55 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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STAFF REPORT
TO THE BOARD

TITLE: Elect: Board Vice-Chair

STAFF CONTACT: Karen King
Executive Director
E-mail: kking@nctd.org Phone: 760/967-2867

TIME SENSITIVE: YES NO

Consent Action Information

STAFF RECOMMENDATION:

That the Board elect a Vice-Chair for 2007.

DESCRIPTION:

This item relates to the election of Vice-Chair for the Board due to the recent resignation of Vice- Chair Norine Sigafoose.

BACKGROUND:

In accordance with statute, the NCTD Board must elect a Chair and a Vice-Chair in January of each year. The process for election of officers is not dictated by statute or by-laws. The Chair and Vice-Chair serve one year terms, with no limitation on the number of consecutive terms that may be served. 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.

Norine Sigafoose was elected as the Vice-Chair at the January 18, 2007 Board meeting. Due to personal reasons, she has resigned from the Carlsbad City Council, thereby creating an open seat for Carlsbad on the NCTD Board and a vacancy for the NCTD Vice-Chair office. The primary roles of the Vice-Chair include serving as a member of the Governance Committee and acting on behalf of the Chairman, in his absence.

FISCAL IMPACT:

None



MONITORING COMMITTEE REPORT

TITLE: Authorize: Agreement with Kobey Corporation for COASTER and SPRINTER Stations Master Concession

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

COMMITTEE RECOMMENDATION: That the Board authorize the Executive Director to award a sole source contract to the Kobey Corporation for the management of concessionaires at COASTER and SPRINTER Stations. DISCUSSION: NCTD-operated COASTER stations currently provide coffee carts, drink vending machines, and ATMs for COASTER and BREEZE riders. FISCAL IMPACT: Fiscal benefits to NCTD will be increased over current conditions by the improved revenue share to NCTD, addition of SPRINTER stations, and extending agreement terms (3-5 years) to provide an incentive to grow and enhance NCTD concession services and revenues.

COMMITTEE DISCUSSION

3/1/07

Staff provided the Committee with a brief background on the current contract for concessionaire services. The existing contract between the District and Kobey's is month-to-month. The nature of this contract does not provide an incentive to grow, enhance and invest in concession services. It also does not provide for the SPRINTER stations. Kobey's proposal addresses these issues. Staff has determined that the Kobey Corporation is a unique provider of services, and given the relatively small amount of revenue to the concessionaire, conducting an RFP process would be unproductive and not in the best interest of the District. Market research has indicated that drink vending machines may best be managed directly by the District, as is done by MTS, and those services would most likely not be part of a contract with the Kobey Corp.



MONITORING COMMITTEE REPORT

TITLE: Award: Contract to Rain for Rent and CCL Piping for Groundwater Discharge System at Stuart Mesa Maintenance Facility

STAFF CONTACT: Richard Walker TIME SENSITIVE: YES [X] NO []
Manager of Maintenance-of-Way
E-mail: rwalker@nctd.org Phone: 760/967-2868

Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board concur in the award of contracts to Rain for Rent and CCL Piping for emergency groundwater discharge systems for an amount not-to-exceed \$240,000.

DESCRIPTION:

Contract awards to Rain for Rent and CCL Piping to install a temporary emergency groundwater discharge system at Stuart Mesa Maintenance Facility. Emergency services not-to-exceed \$240,000 to complete temporary groundwater discharge system on or before March 1, 2007.

BACKGROUND:

On January 22, 2007, Karen King, NCTD Executive Director, signed a Declaration of Public Exigency for the Emergency Elimination of Stuart Mesa Groundwater Discharge. The Board was notified by memo of this action on February 7, 2007.

Since construction of the facility in 1996, it has been necessary to pump ground water from an installed sub-drain on the Stuart Mesa Maintenance Facility property in order to prevent damage to sub-surface utility vaults and the storage tracks at the facility. This need became apparent during construction of the facility due to the high water table and adjacent farming operation. At certain times of the year, the level of the water table and the volume of the water results in the discharged water reaching the Santa Margarita River.

The pumping operation continued without problem until 2004, when changes in water quality regulations led to a request by the Regional Water Quality Control Board that NCTD obtain a discharge permit. NCTD pursued this course of action, including the required water quality tests. The tests showed that there were no industrial compounds in the water; however, there were high levels of nitrogen and phosphorous, principal ingredients of fertilizer, likely caused by the adjacent farming operation.

NCTD has been working with the Water Board and Camp Pendleton pursuing a resolution of this practice since early 2005 and has had great difficulty in working out a viable solution to the discharge. In August 2006 we finally reached agreement on a satisfactory solution to the problem, with the Base agreeing to accept the ground water into their wastewater treatment system. NCTD then proceeded with the design work to implement this solution, with an understanding based on prior communications with Water Board staff that the discharge must be stopped by August 2007. However, on January 19, 2007, the Water Board placed NCTD on notice that we must discontinue discharge of Stuart Mesa Facility groundwater into the San Margarita River Basin by March 1, 2007.

NCTD must move forward rapidly to install a temporary system to eliminate discharge while final design and installation of a new system is completed. Failure to install a temporary system and a discontinuance of the current discharge will result, within 5 days of stoppage, in a shut down of our Stuart Mesa Maintenance facility and render our COASTER Fleet unacceptable for service as a result of our inability to perform mechanical maintenance, and regulatory inspections. Earlier testing of underground water aquifer that lies beneath Stuart Mesa has proven that in five days or less, without proper discharge of groundwater, groundwater will inundate Stuart Mesa utility facilities causing power outages and unforeseeable soil instability to site.

NCTD now needs to proceed with implementing emergency temporary groundwater storage and pumping facility to allow undesirable groundwater to be pumped into the existing Camp Pendleton wastewater facility for disposal. The emergency contract awards approved by the Executive Director's Declaration will allow implementation of the temporary system to proceed.

FISCAL IMPACT:

The fiscal impact of this item is not-to-exceed \$240,000. A total of \$910,860 has been identified in our current capital budget (JB# 506024) for this project, of which \$88,130 has been encumbered, leaving an available balance of \$822,730 for completion of the temporary and permanent groundwater discharge systems.

COMMITTEE DISCUSSION

3/1/07 Staff provided background on the Stuart Mesa Maintenance Facility property and the need to prevent damage to sub-surface utility vaults and the storage tracks at the facility due to the high water table and adjacent farming operation. NCTD has been working with the Regional Water Quality Control Board and Camp Pendleton pursuing a resolution of this practice issue since early 2005 to correct this problem by the agreed to date to eliminate the current discharge by August, 2007. However, on January 19, 2007, the Water Board placed NCTD on notice that we must discontinue discharge of Stuart Mesa Facility groundwater into the San Margarita River Basin by March 1, 2007. It was determined that within five days of stoppage, a shut down of our Stuart Mesa Maintenance facility would have occurred and rendered our COASTER Fleet unacceptable for service as a result of our inability to perform mechanical maintenance and regulatory inspections. In order to continue service emergency contracts were awarded which provide a temporary system to alleviate the problem. The fiscal impact of these contracts is not-to-exceed \$240,000. A total of \$910,860 has been identified in our current capital budget (JB# 506024) for this project, of which \$88,130 has been encumbered, leaving an available balance of \$822,730 for completion of the temporary and permanent solutions.



STAFF REPORT
TO THE BOARD

TITLE: Award: On-Call Environmental Contract to Dudek and Associates, Inc.

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

STAFF RECOMMENDATION:

That the Board authorize the award of a five-year contract to Dudek and Associates, Inc. for on-call environmental consulting services, with a maximum contract value not-to-exceed \$5 million.

BACKGROUND:

As a result of the October 2006 consultant selection process through RFP 06058, BRG and Project Design Consultants (PDC) were ranked as the two highest scoring firms for award of on-call environmental consulting contracts. Award of contracts to these two firms was approved by the Board in December 2006.

However, in February of this year, PDC made the decision to sell the environmental portion of their company to Helix Environmental. NCTD was notified of this sale on February 22, 2007. Not being able to provide the proposed on-call environmental services, PDC offered to terminate the contracting process. As a result, and as allowed by the RFP process, staff recommends award of an on-call environmental consulting contract to the next highest scoring firm, Dudek and Associates, Inc. The final evaluation scores from the original procurement were as follows:

<u>Firm</u>	<u>Points (Maximum of 100)</u>
BRG	85.7
PDC	75.0 (no longer able to enter contract)
Dudek	71.7

FISCAL IMPACT:

This item has no fiscal impact in itself, but establishes the procurement authority for working with this firm; actual costs would be incurred when purchase orders for specific tasks are issued. The maximum contract value would be \$5 million (estimated at \$1 million/year). As with all NCTD on-call consulting contracts, services requested will be funded mostly by capital projects with smaller amounts from third-party reimbursements and NCTD operational needs.



MONITORING COMMITTEE REPORT

TITLE: Receive: Quarterly Financial Report for Six Months Ended December 31, 2006

STAFF CONTACT: Richard Hannasch
Director of Fiscal and Support Services
E-mail: rhannasch@nctd.org
TIME SENSITIVE: YES [] NO [X]
Phone: 760/967-2809
Consent [] Action [] Information [X]

COMMITTEE RECOMMENDATION:

That the Board receive periodic financial data for information purposes.

DESCRIPTION:

Receive and review the Quarterly Financial Report for the quarter ended December 31, 2006.

BACKGROUND:

The Quarterly Financial Report (Attachment 3) provides information on the District's financial position, as well as an overview of budgeted and actual revenues and expenses through the second 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

3/1/07 Staff provided the Committee with an update on the District's first quarter financial report. Total passenger fares were the largest negative variance in projected revenues. This may be due to both a decrease in passengers of approximately 1% on both BREEZE and COASTER and the use of more monthly passes and senior passes by our customers. Although Employee Benefits shows an increase of 3.9%, most of this is attributed to an accounting adjustment of \$250,000 in FICA expense in December 2006. The other large deviance variance was in Casualty and Liability expenses, where estimated liability claims were higher than budget.



MONITORING COMMITTEE

CHAIRPERSON'S REPORT

TO THE NORTH COUNTY TRANSIT DISTRICT

March 1, 2007

Members in attendance were: Chair Dave Druker, Bob Campbell, Chris Orlando, and Jim Wood.

CONSENT CALENDAR ITEMS:

1. COASTER and SPRINTER Stations Master Concession Agreement

The Committee recommends that the Board authorize the Executive Director to award a sole source contract to the Kobey Corporation for the management of concessionaires at COASTER and SPRINTER Stations.

Staff provided the Committee with a brief background on the current contract for concessionaire services. The existing contract between the District and Kobey's is month-to-month. The nature of this contract does not provide an incentive to grow, enhance and invest in concession services. It also does not provide for the SPRINTER stations. Kobey's proposal addresses these issues. Staff has determined that the Kobey Corporation is a unique provider of services, and given the relatively small amount of revenue to the concessionaire, conducting an RFP process would be unproductive and not in the best interest of the District. Market research has indicated that drink vending machines may best be managed directly by the District, as is done by MTS, and those services would most likely not be part of a contract with the Kobey Corp

2. Groundwater Discharge System at Stuart Mesa Maintenance Facility

The Committee recommends that the Board concur with the award of emergency contracts to Rain for Rent and CCL Piping for the Groundwater Discharge System at Stuart Mesa Maintenance Facility.

Staff provided background on the Stuart Mesa Maintenance Facility property and the need to prevent damage to sub-surface utility vaults and the storage tracks at the facility due to the high water table and adjacent farming operation. NCTD has been working with the Regional Water Quality Control Board and Camp Pendleton pursuing a resolution of this issue since early 2005 to eliminate the current discharge by August, 2007. However, on January 19, 2007,

the Water Board placed NCTD on notice that we must discontinue discharge of Stuart Mesa Facility groundwater into the San Margarita River Basin by March 1, 2007. It was determined that within 5 days of stoppage, a shut down of our Stuart Mesa Maintenance facility would have occurred and rendered our COASTER Fleet unacceptable for service as a result of our inability to perform mechanical maintenance, and regulatory inspections. In order to continue, service emergency contracts were awarded which provide a temporary system to alleviate the problem. The fiscal impact of these contracts is not-to-exceed \$240,000. A total of \$910,860 has been identified in our current capital budget (JB# 506024) for this project, of which \$88,130 has been encumbered, leaving an available balance of \$822,730 for completion of the temporary and permanent solutions.

ACTION/INFORMATION ITEMS:

3. Automated Fare Collection Project

The Committee recommends that the Board receive a status update report from SANDAG Project Manager James Dreisbach-Towle on the regional Automated Fare Collection project

Staff provided background on the regional Automated Fare Collection project which dates back to the original contract award in 2002. The project had been divided into three major phases. The first phase which involved delivery of new fareboxes and driver control units to MTS and NCTD bus fleets has been completed. The second phase includes new TVM's for both COASTER and SPRINTER. SPRINTER TVM's are scheduled to be delivered in the May 2007 timeframe with COASTER TVM installation in that same month. The final phase will add smart card readers to contract bus operators including Chula Vista and NCTD's FAST system. A recent mediation agreement between the vendor and SANDAG involving the integration of the Cubic and GFI systems has been reached, whereby SANDAG will reimburse the vendor approximately \$1.75 million and the contractor will warranty the system for an additional year starting in June of 2007.

4. Quarterly Financial Report for Six Months Ended December 31, 2006

The Committee recommends that the Board receive the report of the District's Financial Report for the Six Months Ended December 31, 2006.

Staff provided the Committee with an update of the District's first quarter financial report. Total passenger fares were the largest negative variance in projected revenues. This may be due to both a decrease in passengers of approximately 1% on both BREEZE and COASTER and the use of more monthly passes and senior passes by our customers. Although Employee Benefits shows an increase of 3.9% most of this is attributed to an accounting adjustment of \$250,000 in FICA expense in December. The other large variance was in Casualty and Liability expenses, where estimated liability claims were higher than budget.

5. Transit Television Network

The Committee received an update on TTN. This is a joint project with MTS to contract transit television services aboard District buses which dates back to 2005. The system provides not only entertainment and public service announcements but required ADA stop announcements both visually and through audio. The system is at no cost to the District with all maintenance provided by the vendor. The vendor in turn receives revenue through advertisements on the system and the District in return will receive air time on the system and a small percentage of revenue return once a certain level is reached. Contract negotiations are on-going and the item will come to the full Board in the next few months.



MONITORING COMMITTEE REPORT

TITLE: Receive: Update on Automated Fare Collection Project

STAFF CONTACT: Richard Hannasch
Director of Fiscal and Support Services
E-mail: rhannasch@nctd.org Phone: 760/967-2809
TIME SENSITIVE: YES [] NO [X]
Consent [] Action [] Information [X]

COMMITTEE RECOMMENDATION:

That the Board receive a status update on the Regional Automated Fare Collection Project.

DESCRIPTION:

Receive and review a status update report from SANDAG Project Manager James Dreisbach-Towle on the regional Automated Fare Collection project.

BACKGROUND:

SANDAG's regional Automated Fare Collection project is a multi-year, multi-operator project. The project's objective was to promote seamless travel in the region using technology to simplify fare payment.

The project had been divided into three major phases. The first phase involved delivery of equipment to MTS and NCTD bus fleets in 2004. The equipment included new fareboxes and driver control units.

The second phase of the project will be to deliver ticket vending machines (TVMs), rail platform smart card validators, hand-held smart card readers, and back-end computer systems to operate the equipment. New TVMs have been installed on the San Diego Trolley lines, and are to be delivered for the COASTER and SPRINTER.

The final phase will add smart card readers to contract bus operators including Chula Vista and NCTD's FAST system.

FISCAL IMPACT:

None.

COMMITTEE DISCUSSION

3/1/07 Staff provided background on the regional Automated Fare Collection project which dates back to the original contract award in 2002. The project had been divided into three major phases. The first phase which involved delivery of new fareboxes and driver control units to MTS and NCTD bus fleets has been completed. The second phase includes new TVM's for both COASTER and SPRINTER. SPRINTER TVM's are scheduled to be delivered in the May 2007 timeframe, with COASTER TVM installation in that same month. The final phase will add smart card readers to contract bus operators, including Chula Vista and NCTD's FAST system. A recent mediation agreement between the vendor and SANDAG involving the integration of the Cubic and GFI systems has been reached, whereby SANDAG will reimburse the vendor approximately \$1.75 million and the contractor will warranty the system for an additional year starting in June of 2007.



PLANNING COMMITTEE
CHAIRPERSON'S REPORT
TO THE NORTH COUNTY TRANSIT DISTRICT BOARD

March 1, 2007

Members in attendance were: Committee Chair Jerome Stocks, Bill Horn, Dave Roberts, and Ed Gallo (substituting for Norine Sigafoose).

DISCUSSION, ACTION, and INFORMATION ITEMS:

1. San Diego Sheriff Contract to Add One Deputy for SPRINTER Line Law Enforcement

The Committee provided budget development direction to proceed with the request for one additional Sheriff Deputy for law enforcement services in conjunction with SPRINTER implementation.

Staff reviewed the past contracting history with the San Diego County Sheriff to provide law enforcement services on the COASTER. Three deputies are provided under the current contract. With the coming implementation of the SPRINTER, staff is requesting budget development direction to pursue one additional deputy to supplement the law enforcement services contract. The Committee concurred and will receive the revised contract proposal when negotiations are completed.

2. Grant Application for 5311(f) Intercity Bus Funding

The Committee:

- a) Authorizes staff to submit five Federal Section 5311(f) Intercity Bus Operating and Capital Assistance grant applications;**
- b) Recommends that the Board hold a public hearing on these grant submittals at the April 19, 2007 meeting.**

The Committee was briefed on the five Federal Section 5311(f) grant applications staff is proposing, which include four qualifying services (Routes 306, 386, 388, 395, and 397) and one capital project to improve the transfer point in Fallbrook. If all the grants were approved, NCTD could receive up to \$1,300,000 in funding. The grants would require NCTD matching funds, most of which are already expended on operating these existing services. The Committee concurred with staff recommendation.

3. COASTER Schedule Update

The Committee recommends that the Board receive this report as information.

Staff provided a status report on COASTER schedule adherence for the past six months, and also reviewed a proposed minor schedule adjustment for the COASTER slated to take effect April 1, 2007. COASTER schedule adherence has shown a significant improvement in the past six months, rising from an average in the mid-80% range before July, 2006, to an average of 92.6% in recent months. The proposed adjustments for April 1, 2007, are intended to further improve on-time performance by taking greater advantage of the passing tracks which have been added in the past few years. The Committee recommended that the Board receive this item as information.

4. Budget Overview and Workshop Schedule

The Committee received an introductory overview of FY 08 Operating Budget issues and development process, in its capacity as the Budget Committee for the District. The review included the following topics:

- Timeline for developing the FY 08 Operating Budget
- Current Board Fiscal Policies
- The Challenges facing the District in developing a budget this year
- A Mid-Year Review of FY 07 Revenues and Expenses for six months
- Preliminary Operating Revenue and Expenses Outlook for FY 08
- The Revenue Outlook five years into the future
- Next Steps –The Committee established a Budget Workshop on Tuesday, March 27, from 1:00 PM to 3:00 PM, at Tremont.

Discussion included recognition that the District will incur expenses for start-up of a new mode, the SPRINTER, with significant budgetary impacts. The Committee also discussed the Governor's initial FY 08 State Budget proposal, and its potential impact on funding for public transit. It was also noted that NCTD's expenses have been rising faster than its revenues in a number of key areas, including fuel and insurance/liability, areas which the District has little control over.

In the revenue area, staff explained that the first three years of SPRINTER operations will qualify for special CMAQ funding (\$5 million, \$5 million, and \$6 million respectively) but that these funds will end after the first three years, necessitating finding a permanent replacement for these funds. The Committee recommended that the District start "sounding the alarm" on this issue with SANDAG now, and on an on-going basis for the next three years.

5. Market Assessment for SPRINTER Light Rail Service

Staff provided a review of market assessment and demographic data for the SPRINTER corridor and identified how this information will be used in developing marketing materials for the new mode. Key market segments in the SPRINTER corridor include the Hispanic community, youth, students, commuters, and seniors. The Committee elected to receive this information at the Committee level only at this time, and asked staff to bring the item back to the Committee and Board when the SPRINTER marketing program is more fully developed.

6. North County Transit Network and Public Hearing Process

The Committee received an overview of key events and decision points the Board will reach in the coming months and years. These include mid-year public hearings on the August 2007 service adjustments and the SPRINTER transit network, review of the Service Improvement Program (SIP) in the Fall for submittal to SANDAG, opening of the SPRINTER in December 2007, openings and/or road improvements on key roads providing service opportunities in 2007 through 2009, FAST service contracting decisions in 2009, opening of the new San Luis Rey Transit Center in 2009, and opening of the new Palomar-Pomerado Medical Center in 2012. The Committee will start reviewing the proposed SPRINTER transit network in detail in April.

7. Elect Committee Vice-Chair

The Committee elected Dave Roberts as its Vice-Chair.

8. Committee Meeting Day and Time

The Committee decided to keep its monthly meeting day and time as it is presently.



PLANNING COMMITTEE REPORT

TITLE: Update: COASTER Schedule

STAFF CONTACT: Lane Fernandes
 Manager of Commuter Rail
 E-mail: lfernandes@nctd.org Phone: 760/967-2850

TIME SENSITIVE: YES NO

Consent Action Information

COMMITTEE RECOMMENDATION:

That the Board receive the COASTER schedule update.

DESCRIPTION:

Staff will present a brief informational item on the upcoming April 2007 schedule adjustment for the COASTER, as well as an update on YTD on-time performance.

BACKGROUND:

The purpose of this item is to inform the Board of the upcoming COASTER schedule adjustment that will go into effect April 1, 2007, and to show a graph demonstrating the improvements this fiscal year in the on-time performance of the COASTER service.

Further, another more comprehensive schedule change that is expected to take effect in October 2007 will be discussed.

FISCAL IMPACT:

None

COMMITTEE DISCUSSION

03/01/07 Staff provided a status report on COASTER schedule adherence for the past six months, and also reviewed a proposed minor schedule adjustment for the COASTER slated to take effect April 1, 2007. COASTER schedule adherence has shown a significant improvement in the past six months, rising from an average in the mid-80% range before July, 2006, to an average of 92.6% in recent months. The proposed adjustments for April 1, 2007, are intended to further improve on-time performance by taking greater advantage of the passing tracks which have been added in the past few years. The Committee recommended that the Board receive this item as information.

March 15, 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:	March 15, 2007; 1:00 p.m.
Posted At:	810 Mission Avenue, Oceanside, CA
Date & Time of Posting:	March 9, 2007; 5:00 p.m.
Posted By:	Clerk of the Board

TO: North County Transit District Board Members
FROM: Ed Gallo, 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.