



NORTH COUNTY TRANSIT DISTRICT

Board Members

Ed Gallo
Chairman
City of Escondido

Dave Roberts
Vice-Chair
City of Solana Beach

Julianne Nygaard
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

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

AMENDED AGENDA

THURSDAY

June 21, 2007

**1:30 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.

Persons with hearing impairment please use the California Relay Service (CRS): 800-735-2929 using TTY; 800-735-2922 using voice; 800-855-3000 for Spanish. CRS Customer Service: 800-735-0373 or 800-735-0193 TTY.



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 157-040-42 in Oceanside, CA. Negotiator: NCTD: Rick Howard. Negotiating Party: Loranda Corporation
- B. Closed Session Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiators Regarding Unrepresented Employees – Negotiating Party: NCTD: Rick Howard.

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
- C. Breeze Sprees Award to the San Marcos Senior Center
- D. Special Retirement Commendation to:

Mr. Gary L. Talkington, Shift Supervisor I, retiring after twenty-eight years of service
- E. Presentation of May 2007 Employees of the Month Commendations to:
 - Mr. John W. Popoff, Mechanic I
 - Mr. Gerald S. Edds, 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 MAY 17, 2007 (Pages 6 – 17)

(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: 2:10 P.M.

CONSENT ITEMS (Tabs 1 – 10) Items reviewed and recommended for approval by the Governance Committee (G), Planning Committee (P), Monitoring Committee (M) or Staff (S)

1. Award: Five-Year Contract to Parsons Incorporated to Implement Internet Connectivity On Board the COASTER Trains (G)
2. Receive: Update on Mesh Network Media Coverage (G) (ATTACHMENT 1)
3. Award: Contract to Office Depot for U.S. Communities Office Supplies Contract (M)
4. Award: Contract to Blair Rasmussen Construction for Refurbishment of Escondido Transit Center Colonnades and Shelters (M)
5. Award: Purchase Order to HDR Engineering for Repair Design for Bridge 225.4 (M)
6. Award: Contract to Metro Video Systems, Inc. for Closed Circuit Television (CCTV) Systems Upgrade at Station “O” (M)
7. Receive: Quarterly Financial Report for Nine Months Ended March 31, 2007 (M) (ATTACHMENT 2)
8. Receive: FY 07 3rd Quarter Performance Report (M) (ATTACHMENTS 3 AND 4)
9. Receive: SPRINTER Ridership Projections Report (P) (ATTACHMENT 5)
10. Receive: August 2007 Service Changes Status Report (P)

ESTIMATED TIME: 2:15 P.M.

REPORT OF PLANNING COMMITTEE (Tabs 11 – 14)
Jerome Stocks, Committee Chair

11. Conduct: Public Hearing on December 2007 BREEZE and FAST Service Changes (ATTACHMENT 6)
12. Conduct: Public Hearing and Adopt FY 08 Budget and FY 2008 – 2012 Capital Improvement Program (CIP) (ATTACHMENT 7)

13. Authorize: Executive Director to Execute Partnership Agreement with Full Access and Coordinated Transportation (FACT) and Operating Partnership Pledge (P)
(ATTACHMENTS 8 AND 9)

14. Approve: Smart Parking Pilot Project (P)

ESTIMATED TIME: 3:10 P.M.

REPORT OF GOVERNANCE COMMITTEE (Tab 15)
Ed Gallo, Board Chair

15. Discuss: Recommended Cancellation of Committee Meetings for August 2007
(No Staff Report)

ESTIMATED TIME: 3:15 P.M.

REPORT OF MONITORING COMMITTEE (Tab 16)
Bob Campbell, Committee Vice-Chair

16. Reauthorize: Executive Director's Change Order Authority Pool for the SPRINTER Project

F. Update: SPRINTER Project (Enclosure)

G. Review: SANDAG Agenda and Other Legislative Activities (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 52)
 - Rules for Public Speakers at meetings of the North County Transit District (Page 53)

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

CALL TO ORDER

Chairman Ed Gallo called the meeting to order at 1:40 p.m.

ROLL CALL OF BOARD MEMBERS

Ed Gallo (City of Escondido); Julianne Nygaard (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) arrived at 1:55 p.m.

CLOSED SESSION

The Board went into Closed Session at 1:42 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 portion of Assessor Parcel Numbers 157-040-42 in Oceanside, CA. Negotiator: NCTD: Rick Howard. Negotiating Party: Loranda Corporation.
- B. Closed Session Pursuant to Government Code Section 54956.9 (b) and (c) – Conference with Legal Counsel – Anticipated Litigation – One Potential Case

The Board returned from Closed Session at 2:00 pm. Michael Cowett, General Counsel, stated that the Board met in Closed Session, discussed Agenda Item A and had nothing to report. He stated that in regards to Item B, the Board approved a SPRINTER Construction Improvement Agreement between NCTD and the City of Vista by unanimous vote, and that the agreement is at the Clerk of the Board's desk.

ROLL CALL OF BOARD MEMBERS

Ed Gallo (City of Escondido); Julianne Nygaard (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).

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Board member Dave Roberts led the Board, staff and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

Michael Cowett stated that an information item regarding the settlement between NCTD and the SPRINTER Contractor, West Coast Rail Constructor, needs to be added and that item should be reviewed before Agenda Item E.

MOTION BY BOB CAMPBELL TO ADD THIS ITEM TO THE AGENDA, SECONDED BY DAVE ROBERTS. MOTION CARRIED UNANIMOUSLY.

C. JAKE Award

Wayne Penn, Rail Safety & Compliance Officer, introduced Mr. Pete Jesperson from the American Short Line & Regional Railroad Association and General Manager of the San Diego and Imperial Valley Railroad.

Mr. Jesperson presented the JAKE award to the San Diego Northern Railway for their excellence in safety for 2006.

Mr. Penn recognized the following Contractors who helped make this award possible: Mr. Joe Yanuzzi, Mr. John Eschenbach and Mr. Mike Chandler from Amtrak; and Mr. Doug Dailey from TransitAmerica (who was not in attendance).

PRESENTATION OF COMMENDATIONS

D. Presentation of April 2007 Employees of the Month Commendations

Tom Gallagher, Manager of Facility Maintenance, recognized Mr. Johnny D. Curtis, Facility Maintenance Worker and Kim Stone, Manager of Bus Operations, recognized Mr. Gerald Lane, Coach Operator, as the April 2007 Employees of the Month, with the Board's congratulations.

PUBLIC COMMUNICATIONS

Ms. Jennifer Knapic, San Marcos, CA, spoke on her concerns regarding Route 302 drivers not deploying the ramp when she requests it. She expressed her appreciation for assistance she has received from NCTD employees Rosalia Martinez, Alane Haynes and Alana Burkett.

Dave Roberts asked for an explanation of the policy for riders with physical disabilities in regards to ADA compliance.

Karen King, Executive Director, responded that if the customer needs those facilities and requests them to be deployed, the bus operator should be deploying those. She said that what we typically do is ask people to call in if they have a problem and provide specific information so we can identify who the bus operator is, and then we counsel them and do training, if that is necessary, so they conduct business appropriately.

Mr. Roberts requested that the Executive Director provide feedback at a future date on how the situation is progressing.

Chris Orlando asked if it is against policy for a driver to ask why a rider might need a ramp and requested that it be part of the inquiry when staff looks into the situation.

Mr. Peter Warner, Hanford, CA, spoke on his concerns regarding connections between the Amtrak Bus and the last bus 303 that leaves Oceanside at 11:30 pm.

APPROVAL OF MINUTES

MOTION BY DAVE ROBERTS TO APPROVE THE MINUTES OF THE REGULAR MEETING OF APRIL 19, 2007, SECONDED BY BOB CAMPBELL. ABSTAIN: JULIANNE NYGAARD. MOTION CARRIED.

MOTION BY BILL HORN TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF MAY 2, 2007, SECONDED BY DAVE ROBERTS. MOTION CARRIED.

1. Conduct: Public Hearing for August 12, 2007 Services Changes

Stefan Marks, Manager of Service Development, reviewed the process for noticing the public hearing and the proposed service changes that will be effective August 12, 2007. He said that the staff recommendation is for the Board to adopt the service proposal.

Jerome Stocks clarified that ridership on Route 316 has actually gone down in the past year.

Chair Gallo opened the Public Hearing.

Ms. Jennifer Knapic, San Marcos, CA, spoke on her concerns regarding route 316.

Mr. Peter Warner, Hanford, CA, spoke on his concerns regarding Rincon Middle School service and route 316.

Ms. Deanna Brenay, Oceanside, CA, spoke on her concerns regarding route 316.

Ms. Mary Louise Farris-Martinez, Oceanside, CA, spoke on her concerns regarding route 316.

Ms. Rachael Gaines, Oceanside, CA, spoke on her concerns regarding route 316.

Ms. Bastien Atterbury, Carlsbad, CA, spoke on her concerns regarding the Carlsbad Village COASTER connection and submitted a petition with 60 names on it.

Mr. Mike Werner, La Mesa, CA, spoke on his concerns regarding the attitude of the COASTER conductors.

Ms. Bonnie Moody, San Marcos, CA, spoke on her concerns regarding routes 350, 351, 352, 353 and 355.

Mr. Patrick McIntosh, Carlsbad, CA, spoke on his concerns regarding the Carlsbad Village COASTER connection.

Chair Gallo closed the Public Hearing.

Jim Wood stated that the Oceanside City Council voted to continue to support route 316. He stated that he supports route 316 but also understands the budgetary issues for NCTD. He made a motion to keep route 316 until it can be looked into further by staff to see if there are any other recommendations from staff to modify it.

Bob Campbell asked what options were looked at for route 316.

Stefan Marks responded that the route is not carrying enough people to warrant bus service. He said that they have marketed it and encouraging the community to use the service and they have not done it. Mr. Marks said the alternatives are we either keep the route or we don't keep it, but he has not looked at any detailed alternatives.

Bob Campbell asked if there has ever been a precedence for a case like this, in an isolated place, using a voucher system to let people use taxis or other things that would relieve NCTD of the cost, the burden of scheduling, the equipment maintenance, and staffing.

Karen King responded that has not been considered as a means of NCTD delivering service.

Dave Roberts said he would like to support Mayor Wood as best he can. He asked if there is some way to delay this item, and not only look at different service options, but to see if there are any sharing agreements that could be worked out with the City of Oceanside, whereby they either heavily market this or they pay the subsidy difference to keep the route operating.

Karen King responded that we have worked with communities, employers and other entities to help underwrite the cost of service where there may be a specific issue that makes it difficult for us to serve, and where there is a particular interest in ensuring there is service to a location. She said NCTD would be happy to discuss this with the City.

Dave Roberts said he likes Mayor Wood's motion to defer this one item to see if there are other options, and that it's going to have to be a share the pain type thing, but our goal is public transit.

Jim Wood said he can't speak for the entire Council or the City Manager, but deferring it or continuing it for the time being, for looking at other options, would be an option today. He said that he would prefer we keep it and try to find some options. He said he doesn't know about subsidizing the route, but they have had vouchers for taxis for seniors and they have had difficulties with that.

Dave Roberts said he is also concerned with the Carlsbad Village COASTER Connection.

Bill Horn said that route 316 has an average of 10 riders, which averages out to \$800 per month per rider. He suggested that the City of Oceanside look at another way to transport people in this neighborhood.

**MOTION BY BILL HORN TO ACCEPT STAFF RECOMMENDATION, SECONDED BY
JEROME STOCKS.**

Julianne Nygaard stated that ridership criteria is very important to running the system and that if we don't abide by using some criteria that looks at how much it actually costs, we are going to be in a whole lot of trouble. She said she likes the idea of going forward with these cuts today and sending letters off to the cities of Oceanside and Carlsbad, engaging them in the notion that there are problems in the community with our bus service and we need their help.

Jerome Stocks stated that he thinks Ms. Nygaard's suggestion is very reasonable and fair. He said that we have an obligation to try to maximize the amount of service to riders with the tax payer dollars.

Bob Campbell clarified that these changes would be effective August 12, 2007. He said this would give the cities time to respond to this suggestion.

Dave Druker asked what would be the last possible date that changes could be made to these routes.

Stefan Marks responded that the date would be the June 21, 2007 Board meeting.

Chris Orlando questioned the farebox recovery for the Carlsbad Village COASTER Connection.

Stefan Marks responded that NCTD typically does not look at farebox recovery specifically as performance criteria. He said that the main performance criteria we look at is the number of riders and the ridership per hour, and we look at how many riders are on a per trip basis and an hourly basis in terms of weekday, Saturday and Sunday. Mr. Marks said that in the case of the COASTER Connections, it's about the number of riders for the number of trips we are operating.

Chris Orlando said the criteria is a good guide, but one thing that doesn't show up in the numbers is the geographic location and questioned if there are other options for folks who live in a particular area. He said in the case of route 316, there are no other options. Mr. Orlando said that he would be supportive of Mayor Wood's request to take a little more time to look at that route.

Bob Campbell asked if there was a precedent for premium service, where we have a defined service area that is not working, but the people have very little options, where we could maintain some level of service but at a premium cost that would bring our subsidy down.

Karen King responded that our focus typically is trying to simplify fares not complicate them. She said that NCTD regularly looks at that, but that has not been considered on this route as a way of defraying the cost.

Dave Roberts asked for a point of order. He stated that Mayor Wood made a motion and that he seconded the motion before Supervisor Horn made a motion.

Ed Gallo stated that he wanted to hear from all the Board members first.

Dave Druker suggested we make the changes at this point, look at route 316 and the Carlsbad Village COASTER Connection, see if there is some way we can go to the Cities of Oceanside and Carlsbad to see if there is a way for them to subsidize some of the cost if they truly believe these routes are important parts of their communities. He said that we have until the June 21, 2007 Board meeting to finalize the decision.

Julianne Nygaard said that she likes Board member Druker's suggestion to see if there is a way to solve this issue by a joint effort.

Bill Horn questioned if the route times could be combined for the Carlsbad Village COASTER Connection and have just one bus in the morning and one in the evening. He said that as a maker of the motion, he is okay with having staff look at route 316 to see if there is another solution before the June 21 meeting, but that he thinks the Board should go ahead and approve this.

Jim Wood stated that he thinks there are alternatives and that it's not for him or the staff to make a decision in five seconds. He said that he is concerned about subsidizing by cities. Mayor Wood said with staff meeting with the neighborhood, he thinks we could resolve some, if not all, of this. He stated that he would look at the city regarding the subsidies.

Jerome Stocks stated that the motion can stand with the understanding that staff would look at alternative scheduling and solutions and that we have a motion and a second.

Jim Wood stated that he would support the motion with the understanding that staff would get back with the neighborhood regarding scheduling and cost and that he would follow-up with the city regarding subsidy aspects, but he knows the city does not want to do that, but he would support that motion.

Ed Gallo said that his main issue would be with the 353/355, but the report states that the County is putting in sidewalks to provide for a safe pedestrian route to Rincon Middle School.

Kurt Luhrsen, Principal Planner, stated that he spoke with the Project Manager for the County and they have this project programmed for the third week in June, after school is out for the summer. He said it is their intent to have the project wrapped up before school starts.

Karen King clarified that the motion was to move to adopt staff recommendation that all these changes be implemented, but that over the course of the next 30 days, staff would look at route 316 and the Carlsbad Village COASTER Connection to see if there are service alternatives that could be implemented rather than what has been proposed here, including contacting the cities about possibly underwriting those services.

Julianne Nygaard said that she would like it to be a formal request from the NCTD Board to the cities that are impacted, not just staff passing it along.

Bill Horn suggested we put out a form and ask the riders if they would be willing to take one bus time if we cut back.

Ed Gallo clarified that everyone understood the motion.

MOTION CARRIED UNANIMOUSLY.

Chris Orlando said he does not want the Board to get in a precedent where we are asking the cities to throw in on this.

Jerome Stocks stated that we have a formal letter from the Oceanside City Council expressing absolute support for a non-performing route so it's only fair for NCTD to say if you are really that hot on keeping this service, at \$800 per rider, per month, we need to see if there's financial support to go along with it because it so misses the performance standards that it's very difficult to justify spending that kind of money on this one route.

Dave Druker said that there are times where the cities should be belying up to the bar to subsidize some of the service that they would like to see that is special for their citizens.

Karen King stated that in regards to Agenda Item 7 on the Consent Calendar, the Board has received an added attachment that did not go with the agenda item, that it's a resolution that is necessary for the Board to adopt it to allow NCTD to submit for these grant funds.

CONSENT ITEM 8 WAS PULLED BY CHRIS ORLANDO AND WAS HEARD AT THE END OF THE AGENDA.

CONSENT ITEMS

2. Approve: Purchase Order Increase to Heritage Security Services, Inc., for Supplemental Security at SPRINTER Construction Sites
3. Award: Five-Year Contract to Alliant Insurance Services for Insurance Brokerage and Risk Management Consulting Services
4. Approve: Retainage from SPRINTER Vehicle Maintenance Facility Construction Contract
5. Update: HDR Engineering for Design of Bridge 207.6
6. Adopt: Resolution #07-05 for the FY 08 Transportation Development Act 4.0 and 4.5 and State Transit Assistance Funds
7. Approve: Submission of FTA Section 5311 Application
9. Award: Contracts with Infinity Wireless Solutions and San Diego County Regional Communications System (RCS) Board to become an RCS Member Agency

MOTION BY JEROME STOCKS TO APPROVE AGENDA ITEMS 2, 3, 4, 5, 6, 7 AND 9, SECONDED BY DAVE ROBERTS. MOTION CARRIED UNANIMOUSLY.

REPORT OF GOVERNANCE COMMITTEE
Ed Gallo, Committee Chair

Ed Gallo stated that we need to start reassessing our mission and goals since SANDAG holds the purse strings and that we may have to re-look at how we function and operate as a transit district since we are out of the planning business.

REPORT OF PLANNING COMMITTEE
Jerome Stocks, Committee Chair

10. Review: FY 08 Proposed Budget

Richard Hannasch, Director of Fiscal and Support Services, stated that FY 08 is a significant year for NCTD with the completion of the SPRINTER construction and the beginning of SPRINTER operations. He said that the Planning Committee has already reviewed the detailed assumptions for the budget in its previous committee meetings and at the two budget workshops in March and April. Mr. Hannasch stated that at the April 2007 Budget Workshop, the Planning Committee approved the referral of the draft budget to the full Board. He added that since the draft budget was prepared and sent to the Board, NCTD received notice from SANDAG that they would be revising downward their estimates of the revenues available to both NCTD and to MTS. Mr. Hannasch said it is always distressing to get bad news about revenues at any time, but that it is particularly distressing to receive news this late in the budget process when it's too late to modify the draft budget.

Mr. Hannasch stated that the draft budget document the Board has uses the revenue estimates that were received from SANDAG in February 2007. He said that before we can accurately determine the changes that will be necessary for the FY 08 budget, NCTD will need final estimates from SANDAG on the TDA revenues, which are expected to be received in June. Mr. Hannasch added that the other significant figures for NCTD is the state budget and whether or not there will be something more available for transit in the final budget from the legislature, which may help to partially offset the reductions from TDA. He stated that we would expect to hear that from the state in June or July, so we anticipate that it will be necessary to amend the FY 08 budget during the first quarter of the new fiscal year. Mr. Hannasch said that NCTD would need to convene another Budget Workshop, as soon as it's practical, to review the updated estimates.

Dave Druker noted an error in the draft budget regarding the "Fare Revenue Per Passenger for the SPRINTER" and requested that the number be changed from \$9.29 to \$0.92. He requested that the Board receive a copy of the five-year outlook after it is updated and an analysis of the TDA carryover reserve.

No action required.

REPORT OF MONITORING COMMITTEE
Dave Druker, Committee Chair

11. Approve: Rail 2 Rail Program and COASTER Weekend Padre Service Trial Demonstration

Tom Lichterman, Director of Rail Services, reviewed the Committee recommendation.

Dave Roberts suggested we increase the COASTER fare by \$1.50 per ride as a premium to ride Amtrak.

Tom Lichterman responded that we have had a pass and fare increase approximately every two years. He stated that the current (original) ticket vending machines would be problematic to having a premium only to be used on Amtrak.

MOTION BY JEROME STOCKS TO APPROVE AGENDA ITEM 11, SECONDED BY BOB CAMPBELL. MOTION CARRIED UNANIMOUSLY.

12. Update: Customer Information Systems/511

Tom Kelleher, Manager of Communications and Marketing, reviewed the staff report.

No action required.

Receive: Claim Settlement Agreement with West Coast Rail Constructors (WCRC) on the SPRINTER Project

Michael Cowett stated that the Board has met in Closed Session for the last few months to negotiate an agreement with the SPRINTER contractor, WCRC, and considered a concept of an agreement at the last special meeting in Closed Session, and directed the Executive Director to sign an agreement once it was finalized. He said that the agreement was finalized and both the Executive Director and WCRC have signed it. Mr. Cowett added that the agreement settles all claims with WCRC and provides an incentive to them to complete the project by December 1, 2007.

Tom Lichterman added that we have been able to reach agreement with WCRC on all the outstanding claim issues that have been in discussion for approximately four months, and that this resolves the number of inefficiency and schedule delay issues that have arisen in the course of the project, principally related to design issues and it addresses all of the resequencing of work and impacts that the contractors encountered in order to be able to complete the project. He stated that they determined it would be in the best interest of the project, the district's and the public's to be able to resolve this before the project is complete and provides the contractor an incentive to complete the project on schedule rather than facing what could have been an extremely costly claim after the project. Mr. Lichterman added that the agreement calls for a not-to-exceed value of \$12.2 million for the impact and inefficiency

claim and that the \$12.2 million is subject to documentary verification and final documentation per contract requirements. He said that the incentive is \$3.3 million to accelerate construction activities in order to meet the December 1, 2007 completion date and that amount is spread out over a number of milestones that have been established in this new agreement. Mr. Lichterman stated that the Board has a copy of the legal portion of the agreement and that NCTD could provide 50 pages of exhibits if the Board wishes to review that. He said it is a very proactive step to get the project completed on time, with a very predictable budget, and that takes away a lot of the risk that we have been facing for about two years.

Jerome Stocks asked if NCTD would have to increase the budget on the SPRINTER as a result of this settlement.

Tom Lichterman responded we would not.

Ed Gallo added that we would have recourse on the design issues that caused this agreement.

Tom Lichterman responded that was correct.

No action required.

E. Update: SPRINTER Project

No action required.

F. Review: SANDAG Agenda

Ellen Roundtree, Intergovernmental Relations Officer, reviewed the SANDAG Transportation Committee agenda.

CONSENT ITEMS PULLED FOR DISCUSSION

8. Receive: Transportation Development Act Triennial Performance Audit

Chris Orlando asked for further explanation of the audit.

Karen King stated that NCTD has multiple audits every year and several triennial audits and that the audit of the TDA funds was recently concluded. She said that the compliance audit looked at the period 2004 through 2006 and that they look at 13 specific items to determine whether we are in compliance with the requirements to receive TDA funds. Ms. King added that these are state funds and that we view this report, even though there are some findings in it, as a very excellent report. She said that the findings are very minor, mostly having to do with recordkeeping or reporting.

Chris Orlando asked Ms. King to address the operating cost per hour and the increase that they noted in the executive summary.

Ms. King stated that operating costs have been growing more rapidly than revenues and that is not just NCTD, that's all transit agencies. She said that for the period, NCTD's was just a little more than 2% greater than revenues and that was primarily due to the cost of fuel, insurance revenues and other things that we don't necessarily have control over, such as competitively bid contracts for services such as the COASTER contract. Ms. King said contracts, such as the one with the sheriff's department, have gone up greater than the CPI. She added that the auditor that worked on this audit has audited us previously, and continues to tell us it is amazing how much we are able to accomplish with such constrained resources. Ms. King stated that is gratifying to staff, and hopefully to the Board, to know we are stretching the dollars to go as far as we possibly can.

Bob Campbell asked, if at a future meeting, would Ms. King come back and review the three recommendations as to what we can do.

Karen King said staff is already working on them, they are primarily reporting issues, we are working on modifying that, and we can bring back specific information.

MOTION BY BOB CAMPBELL TO APPROVE AGENDA ITEM 8, SECONDED BY CHRIS ORLANDO. MOTION CARRIED UNANIMOUSLY.

BOARD MEMBER REPORTS, COMMENTS AND CORRESPONDENCE

Dave Roberts requested a report be brought to the Board on NCTD's WiFi system versus what the cities are doing and how they tie in together.

Karen King asked if he would like that as a report to the Board.

Dave Roberts responded "yes". He said that the City of Solana Beach will be holding their 28th annual Fiesta Del Sol and that the City has their final two EIR meetings on June 14 and 19, 2007 at 5:00 pm and they have hired a fourth party reviewer from outside San Diego County to review the input to make sure it is good and that the EIR is valid.

Bob Campbell stated that he was at Sacramento for the League of Cities meeting.

Dave Druker said he was also in Sacramento and visited each Senator and Assembly people to ensure they understood it was important to fund transit.

Jerome Stocks stated that the City of Encinitas has been re-establishing dialog with NCTD regarding parking in the downtown area and he thanked staff for the level of cooperation. He said Encinitas recently approved a project next to the rail corridor that includes condos and commercial office space with underground parking. Mr. Stocks stated that the developer asked what it would cost to make E street into a quiet zone and that he might be willing to pay for it.

Bill Horn said he was approached by the Repertory Theatre in Solana Beach and they are waiting for the EIR to be done on the parking garage because they want the theatre on top of it. He stated that if they are not going to get it, they are going to move to Encinitas. He suggested the two cities should discuss this.

EXECUTIVE DIRECTOR'S REPORT

Karen King stated that she would be attending the APTA Commuter Rail Conference so she will not be in attendance at the June Committee meetings.

REMAINING PUBLIC COMMUNICATIONS

Mike Warner, La Mesa, CA, spoke on his concerns regarding the suggested price increase on the Rail to Rail agenda item.

Peggy Ramsing, Vista, CA, stated that she is on the Vista Art Commission. She said that she wants to make it clear that they are doing it in a marketing sense, they want to show off their community as a destination, they want to multiply the use of the SPRINTER to bring people in for fun activities and that there is no way they are going to be able to balance the NCTD budget with the arts.

ADJOURNMENT

The meeting adjourned at 4:40 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: Award: Contract to Parsons Incorporated to Implement Internet Connectivity on Board the COASTER Trains

STAFF CONTACT: Kirk Talbott Chief Information Officer E-mail: ktalbott@nctd.org Phone #: 760/966-6582 TIME SENSITIVE: YES [X] NO []

Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board award a five-year contract, with a five-year option, to Parsons Incorporated to implement Internet connectivity aboard the COASTER.

DESCRIPTION:

The District has completed a standard request for proposal (RFP) process for services to provide passenger Internet connectivity, including project installation on Board the COASTER for a five-year period. A mutually agreed-upon contract with Parsons Incorporated has been negotiated.

BACKGROUND

In June 2006, the Board directed staff to begin an RFP process to select a firm to provide, at no cost to the District, Internet connectivity on board COASTER trains. A statement of work was drafted and a standard RFP process was initiated. Four proposals were received, and following review and evaluation, Parsons Incorporated was selected as the highest ranked bidder.

Staff then began the process of drafting a contract for the implementation and management of the resulting network. Although this contract has no fiscal impact to the District, the contract development and negotiation process was longer than one would expect due to the innovation of this business service. Working with Parsons, staff has drafted a contract that is mutually agreeable and flexible enough to handle the complex options of this planned service

Salient points of the proposed contract are:

- An initial contract term is 5 years with a 5 year extension option, and the option to expand service to the SPRINTER if mutually desired.
• A fixed percentage of the gross revenues generated will be provided to NCTD
• Early termination contingencies have been negotiated to allow NCTD to buy out Parsons for unforeseen circumstances.
• A joint committee consisting of six members, 3 employees representing NCTD and 3 employees representing Parsons will be formed to address managerial issues and to oversee the operations of these services.
• Initial services will consist of Internet connectivity with future service additions to be approved by the joint committee.
• Pricing for all services will be determined by the joint committee.
• Marketing will be jointly executed by NCTD and Parsons.
• No funding, either capital or operating will be required by NCTD.

FISCAL IMPACT:

None

COMMITTEE DISCUSSION

6/06/07 After considerable discussion, the Committee voted 2-1 to recommend that the Board approve as a consent item a five-year contract, with a five-year option, to Parsons Incorporated to implement Internet Connectivity aboard the COASTER. Staff agreed to add a summary of the deal points to the agenda item to be presented to the Board. The salient points have been incorporated in the report.



GOVERNANCE COMMITTEE REPORT

TITLE: Receive: Update on Mesh Network Media Coverage

STAFF CONTACT: Kirk Talbott
Chief Information Officer
E-mail: ktalbott@nctd.org Phone: 760/966-6582
TIME SENSITIVE: YES [] NO [X]
Consent [] Action [] Information [X]

COMMITTEE RECOMMENDATION:

That the Board receive an update on the recent positive press coverage surrounding the District's deployment of our wireless mesh network and the associated CCTV deployments.

DESCRIPTION:

With the deployment of our new wireless mesh and CCTV network, the District has begun to receive a volume of very positive press coverage. Staff wishes to keep the Board apprised of the positive attention NCTD is receiving in this matter.

BACKGROUND

In June 2006, the Board approved expenditures of Department of Homeland Security funds to construct a ten-mile wireless mesh network along the COASTER right-of-way that would allow for the unfettered deployment of CCTV cameras in critical locations.

In October 2006, staff completed this project and began to analyze the results of the effort. Much to our surprise, the results were better than anticipated. In an effort to share these findings with other public agencies, the District began to externally communicate the results of this project. Since that time, a number of media outlets have interviewed District staff to better understand what has been accomplished and what it means for our industry as a whole. Samples of these media stories are attached for review (Attachment 1).

Given the unique nature of our project, staff is anxious to share our findings and to help other public agencies benefit from our investment. We believe this to be the first such installation of its kind in North America.

FISCAL IMPACT:

None.

COMMITTEE DISCUSSION

6/06/07 An information item on the recent positive press regarding the deployment of NCTD's new wireless mesh and CCTV (closed caption television) network was presented to the Committee. The Committee recommended presenting this item as information to the Board.



MONITORING COMMITTEE REPORT

TITLE: Award: Contract to Office Depot for U.S. Communities Office Supplies Contract

STAFF CONTACT: Barb Murray Executive Assistant E-mail: BMurray@nctd.org Phone: 760/966-6551
TIME SENSITIVE: YES [] NO []
Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board award a 4.5 year contract to Office Depot for office supplies, for an estimated total of \$318,992.

DESCRIPTION:

Award a contract for office supplies to Office Depot utilizing the non-Federalized U.S. Communities competitively bid office supplies contract. U.S. Communities is a national cooperative purchasing alliance for local government agencies.

BACKGROUND:

The U.S. Communities program was created in 1996 and is a non-profit organization that assists public agencies in reducing the cost of purchased goods through pooling the purchasing power of public agencies nationwide. This is accomplished through competitively solicited contracts for quality products through lead public agencies. The County of Los Angeles acted as the lead public agency for the procurement process for office supplies. All major competitors were asked to respond. Notices for Proposals were advertised nationally and by many state agencies.

After an evaluation by a national team of local government purchasing officials, Office Depot was awarded a four-year contract with two one-year extensions, effective January 2, 2006.

The solicitation contained language which advised all suppliers the subsequent office supplies contract may be used by other government agencies throughout the United States. Using the RFP process of the County of Los Angeles satisfies the competitive solicitation requirements of the District.

Based on NCTD's FY 06 expenses of \$74,910.00 under the current Office Depot contract, an approximate annual savings of \$4,023.00 is anticipated. The figure of \$4,023.00 was calculated by Office Depot using the discount structure of the U.S. Communities contract and comparing it to the discount structure of the current contract.

FISCAL IMPACT:

The fiscal impact of this action for the remaining 4.5 year term of the potential six-year contract is estimated to be \$318,992, including anticipated savings of \$18,104.

COMMITTEE DISCUSSION

6/7/07 Staff explained that, through a national cooperative purchasing alliance for local government agencies known as U. S. Communities, NCTD could obtain cost savings for its office supplies purchases vs. the cost of continuing with our current supplies contract. The Committee recommended Board approval on the Consent Calendar.



MONITORING COMMITTEE REPORT

TITLE: Award: Contract to Blair Rasmussen Construction for Refurbishment of Escondido Transit Center Colonnades and Shelters

STAFF CONTACT: Brian Graham Director of Bus Operations and Maintenance E-mail: bgraham@nctd.org Phone: 760/967-2854 TIME SENSITIVE: YES [X] NO [] Consent [X] Action [] Information []

COMMITTEE RECOMMENDATION:

That the Board award a contract to Blair Rasmussen Construction for the refurbishment of the Escondido Transit Center colonnades and shelters in an amount not-to-exceed \$249,400.

DESCRIPTION:

Consideration of a contract award to Blair Rasmussen Construction for the refurbishment of ETC colonnades and shelters.

BACKGROUND:

The Escondido Transit Center is designed with several colonnades providing a shaded walkway to various areas within the center. The colonnades are constructed of concrete pillars that support a wooden trellis-like structure that is capped with translucent polycarbonate panels. There are also other shade structures with the same polycarbonate panels scattered throughout the passenger areas.

The panels and wooden members are 17 years old. This is a maintenance project that will replace all of the weathered polycarbonate panels with new ones and replace those wooden members that have warped, split, shrunken, twisted, or otherwise become damaged due to time and weather.

In anticipation of the work, IFB 7033 titled Escondido Transit Center Canopy Replacement Project was developed and advertised. Two responses to the bid were received and the results are as follows:

Table with 2 columns: Contractor Name, Bid Amount. Blair Rasmussen Construction \$249,400.00; Dennis Patrick Construction \$294,500.48

Blair Rasmussen Construction was determined to be the lowest responsive and responsible bidder.

FISCAL IMPACT:

The fiscal impact of this item is \$249,400. A total of \$1,067,595 has been budgeted in various capital projects previously approved by the Board (JB#'s 105016; 102232; 198182; 106236; 106008 and 104008), of which \$214,384 has been expended and \$53,667 has been encumbered, leaving an available balance of \$799,544.

COMMITTEE DISCUSSION

6/07/07 Staff explained that the Escondido Transit Center is 17 years old, and that many of the polycarbonate roof panels and wooden trellis members in the Center's passenger waiting areas are heavily weathered and in need of replacement. Through a standard IFB process, Blair Rasmussen Construction was determined to be the lowest responsive and responsible bidder. The Committee confirmed that the District has had past good experience with this contractor, and that the bid cost is in line with the District's independent cost estimate. Staff also explained that more significant remodeling and enhancement of the Center would be a part of the current Transit Center Land Use studies. The Committee recommended approval of this item on the Consent Calendar.



MONITORING COMMITTEE REPORT

TITLE: Award: Purchase Order to HDR Engineering for Repair Design for Bridge 225.4

STAFF CONTACT: Tom Lichterman **TIME SENSITIVE:** YES NO
 Director of Rail Services
 E-mail: tlichterman@nctd.org Phone: 760/967-2855
 Consent Action Information

COMMITTEE RECOMMENDATION:

That the Board award a Purchase Order to HDR Engineering for \$93,899, for engineering and environmental permitting for replacement of the deck on Bridge 225.4, San Luis Rey River.

DESCRIPTION:

Issuance of a Purchase Order to HDR Engineering for engineering and environmental permitting for replacement of the deck on Bridge 225.4, San Luis Rey River.

BACKGROUND:

Bridge 225.4 is a 700-foot long steel girder, ballast-deck bridge which crosses the San Luis Rey River in Oceanside. The seven (7) 100-foot long bridge spans date back to 1916 and 1925, respectively. The bridge deck is comprised of deck “boards”, 8” thick timber boards which are fastened atop the longitudinal girders, perpendicular to the track.

Inspections over the past few years have shown that increasing numbers of these deck boards are failing. NCTD undertook interim repairs to the failing boards in 2004 but the problem has continued and presently, approximately 25% of the timber boards are split, broken, or through-bolted (previous repair). As a result, the bridge is currently slow-ordered due to its condition.

NCTD has tried for several years to obtain STIP or other funding for a full replacement of this bridge, which will likely cost about \$40 million. To date, Caltrans Division of Rail staff is recommending funding for preliminary engineering and environmental work in conjunction with double-tracking, but no construction funds have been identified, and any replacement is several years away, at a minimum.

Due to the deteriorating condition of the bridge deck, NCTD must proceed with the complete replacement of the timber deck, providing an additional 10 to 15 years of bridge life. To begin that process, staff solicited an engineering and environmental permitting proposal from its on-call bridge consultant, HDR Engineering, to develop all required plans and permitting for this repair. When completed, this work would produce all construction-ready documentation needed to put this repair project out to bid.

FISCAL IMPACT:

The fiscal impact of this design and environmental effort is \$93,899. A total of \$4,045,000 has been budgeted in the FY 08 Capital Improvement Program for Bridge and Infrastructure Replacement (JB #'s 508018, 508019, 508020 and 508102) that can be used for this purpose. Although none of the formula funding programmed for this project is currently in an approved grant, FTA has extended pre-award authority for formula funds. This would allow NCTD to proceed with the engineering and environmental work immediately. NCTD would seek reimbursement of these costs once the FY 2008 grant applications are approved.

COMMITTEE DISCUSSION

6/07/07 Staff provided the Committee a presentation on recent inspections of Bridge 225.4's timber deck, which indicate significant numbers of deck timbers are failing. Due to the increasing failures and advanced age of this bridge, a slow order has already been established and the deck needs to be replaced while the District continues to search for longer-term funding for complete replacement. The Committee suggested that key policy makers be included at future meetings where the opportunity to present issues such as this arises, and also raised the possibility that the military should have interest in the continued viability of this bridge for military shipments. They also requested follow-up information on key bridge replacement priorities. The Committee recommended approval of this item on the Consent Calendar.

EXTENDED BACKGROUND:

HDR's proposal for the design and environmental effort is divided into six task areas, as follows:

- Task 1: Project Management
- Task 2: Site Visit/Field Reconnaissance
- Task 3: Deck Design
- Task 4: Preparation of Construction Documents
- Task 5: Bid and Construction Support
- Task 6: Environmental Permitting Support

As noted above, this is a comprehensive proposal which includes all design work as well as procurement and construction support. Staff has evaluated the proposal and has found it to be fair and reasonable for the scope involved. All hourly rates for professional services are based on the existing on-call contract.

The actual construction of these repairs will entail significant expense. An order of magnitude estimate places the total project in the \$2.5 million range, which will be further refined during design. Much of the difficulty of the project will be developing a cost-effective and rapid means to replace the deck with relatively small "work windows" available at night and on weekends, without severely disrupting rail traffic.

The current speed restriction is 40 MPH for passenger trains, and 30 MPH for freight, and staff is monitoring the bridge to determine if further reductions are needed until the deck can be replaced. Because the bridge is located between Stuart Mesa Maintenance Facility and Oceanside Transit Center, a severe speed restriction could impact overall on-time performance for the corridor and could affect the morning departures for all COASTER and METROLINK trains that start at OTC.



MONITORING COMMITTEE REPORT

TITLE: Award: Contract to Metro Video Systems, Inc. for Closed Circuit Television (CCTV) Systems Upgrade at Station "O"

STAFF CONTACT: Tom Lichterman, Director of Rail Services, E-mail: tlichterman@nctd.org, TIME SENSITIVE: YES [X] NO [], Phone: 760/967-2855, Consent [X] Action [], Information []

COMMITTEE RECOMMENDATION:

That the Board award a sole-source contract to Metro Video Systems, Inc., for an amount not-to-exceed \$200,000, for the design, procurement, and installation of new equipment at NCTD's Security Control Center in Oceanside.

DESCRIPTION:

Award of a sole source contract to Metro Video Systems, Inc. for the design, procurement and installation of new equipment to upgrade the North County Transit District Control Center in Oceanside.

BACKGROUND:

In September 2006, North County Transit District was awarded a Grant under the Department of Homeland Security FY 2005 Transit Security Grant Program to upgrade the Control Center at the Oceanside Control Center.

In 1993, prior to the opening of the COASTER, the Oceanside Control Center was built. The surveillance system monitoring and system controls and work stations were installed for monitoring of the train stations from the Oceanside Transit Center to the Sorrento Valley station. Since this time, NCTD has considerably increased the demands of the control center and expanded its surveillance and train monitoring requirements, and emergency communications capability beyond the limits of the current equipment, console and workstation configuration and capabilities. Yet, the majority of the equipment currently being used is that which was installed in 1993 and not designed for our current level of operation. With anticipated future expansion and increased demands, it is vital to upgrade and reconfigure the Control Center to adequately meet current operational requirements and to allow for future expansion.

Metro Video Systems, Inc. designed and installed the original Oceanside Control Center equipment in 1993. In order to maintain system integrity and continuity, Metro Video has been sole sourced to add additional equipment over the past fourteen years. Metro Video has a comprehensive understanding of the intricacies of NCTD's system which include the District's fiber optic communications system which is the backbone of our surveillance and communication system. Metro Video currently has the maintenance contract to service all NCTD surveillance and other equipment at the Oceanside Control Center and all COASTER stations, as well as Vista Transit Center, the Escondido Transit Center and the West Division Operations and the COASTER Maintenance Facility at Stuart Mesa, Camp Pendleton.

In order to maintain system integrity and continuity and insure the continued safety of the NCTD's ridership and employees, it is critical to use a vendor that has an intimate knowledge of our system. Metro video has that knowledge. Awarding a sole source contract to Metro Video Systems will provide for a fast, seamless upgrade, which will keep the Control Center running with minimal interruptions in service and insure system integrity and continuity for public safety.

FISCAL IMPACT:

The fiscal impact of this action is not to exceed \$200,000. A total of \$245,000 has been budgeted in JB# 406047 for this purpose, none of which has been expended or encumbered, leaving an available balance of \$245,000. Costs of equipment maintenance will be absorbed into the current five-year CCTV maintenance contract. This monthly CCTV maintenance cost has been budgeted for in the Security Department's FY 2008 Operations Budget.

COMMITTEE DISCUSSION

6/07/07 Staff reviewed the history on the development on NCTD's Station "O" Security Control Center, which dates back to 1993. The District's security monitoring needs have significantly expanded during the past 14 years and we have out-grown our current facility and equipment. This project would provide expanded monitoring capability with new, modern equipment. The Station "O" facility is also being expanded to accommodate more equipment. Metro Video, as the original supplier and current maintainer of the equipment, is uniquely qualified to provide this upgrade, funded through a Department of Homeland Security Grant, in a manner which will maintain system integrity and service continuity with minimal interruptions. The Committee recommended approval of this item on the Consent Calendar.

EXTENDED BACKGROUND:

Through the DHS FY 05 Transit Security Grant, NCTD is planning to upgrade the Control Center by redesigning the current workstation and monitoring layout to facilitate current and future operational needs. This will require the removal of the current surveillance monitors, consoles, racks and workstations and the installation of new equipment. NCTD will purchase and install the following through this project:

24 hour phone monitoring and recording system

Sixteen 46" high definition monitors and associated mounting equipment

Four 19" LCD monitors with rack mounts

Four 19" racks for remounting fiber units, Digital Video Recorders, switchers and other video equipment

11 CM9760-VMC16 video cards, 1 CM9760-VMC12 monitor card, connectors and other associated hardware

Three independent work stations to allow full monitoring of all surveillance cameras in real time, DIGICON train monitoring system and TVM systems monitoring, operation of all radio communications, internal communications systems, Visual and Audio Public Address System and efficient dispatching of Security, law enforcement, fire and medical emergency first responders.



MONITORING COMMITTEE REPORT

TITLE: Receive: Quarterly Financial Report for Nine Months Ended March 31, 2007

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 the quarterly financial data for nine months ended March 31, 2007, for information purposes.
DESCRIPTION:
Receive and review the Quarterly Financial Report for the quarter ended March 31, 2007.
BACKGROUND:
The Quarterly Financial Report (Attachment 2) provides information on the District's financial position, as well as an overview of budgeted and actual revenues and expenses through the third 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

6/07/07 Staff reviewed the financial results for the first three quarters of FY 07. Overall, the District is looking good financially through March, with revenues about 3% higher than budget and expenses about 3% under budget. However, revenues will flatten out as the year is concluded, resulting in a more likely outcome of expenses 3% under budget at year-end.
Key variances in the report were reviewed by the Committee, with a positive variance in salaries and wages having resulted from vacancies, while a negative variance has occurred with regard to casualty and liability. Fare revenues were higher than last year for BREEZE and COASTER, but lower than the amounts the budget had projected. The Committee recommended the Board receive this as an Information Item.



MONITORING COMMITTEE REPORT

TITLE: Receive: FY 07 3rd Quarter Performance Report

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

COMMITTEE RECOMMENDATION:

That the Board receive the FY 2007 3rd Quarter Report and discuss trends.

DESCRIPTION:

The Quarterly Performance Report provides quarterly ridership, operating costs and revenues, and service quality data. It also includes performance indicators that track the District's performance for ridership, cost and revenue trends. It is used to identify trends that the Board may wish to further consider.

BACKGROUND:

The performance summary report (Attachment 3) and performance tables and graphs by services (Attachment 4) is presented for the Committee's consideration. For the quarter, system ridership grew by 1.1% and operating revenues grew by 8.5%. Operating costs rose 2.3% this quarter. This suggests that operating costs overall are slowing as a result of the absorption of mobilization costs for both COASTER and LIFT with the introduction of new contracts at the beginning of the current fiscal year.

The year-to-date trends through the third quarter provide a good indicator for the end-of-fiscal year. Based on year-to-date trends, system ridership may slightly increase over the previous year if ridership on both BREEZE and COASTER continue to improve.

FISCAL IMPACT:

Not applicable.

COMMITTEE DISCUSSION

6/7/07 Staff provided an overview of performance trends on the District's four services: BREEZE, COASTER, FAST, and LIFT. NCTD had a strong third quarter and based on current trends is hoping for a slight increase in overall ridership by year-end. LIFT ridership is increasing significantly with higher levels of service availability, which is good for ridership but has a cost impact due to the high subsidy per passenger for this service. The Committee noted the report's discussion on increased mechanical problems on LIFT, owing to its aging fleet, and also noted that the high subsidy costs for LIFT service need to be addressed in the long-term. Future potential cost savings from FACT, and a demonstration project providing ADA Certified Passengers free rides on BREEZE, were identified. The Committee requested that trend data over several years for ridership and costs be included in the year-end report, and recommended the Board receive this item as information.



PLANNING COMMITTEE REPORT

TITLE: Receive: SPRINTER Ridership Projections Report

STAFF CONTACT: Stefan Marks
Manager of Service Development
E-mail: smarks@nctd.org Phone: 760-966-6535
TIME SENSITIVE: YES [X] NO []
Consent [] Action [] Information [X]

COMMITTEE RECOMMENDATION:

That the Board receive the SANDAG report on ridership projections for the SPRINTER.

DESCRIPTION:

Receive presentation from SANDAG staff regarding SPRINTER ridership forecast.

BACKGROUND:

Over the last six months, SANDAG has worked with NCTD to model ridership projections for the SPRINTER and BREEZE network when the SPRINTER begins revenue operations later this year. The regional model provides a system level forecast of transit ridership by service and route. The purpose of this presentation is to brief the Committee about how the regional transportation model works, the 2008 forecast and it's assumptions. Of particular importance are the variables that play a role in determining ridership. These include:

- Land use forecasts
• Transit travel time compared with driving
• Transit costs (fares) compared with the cost of driving
• Transit service levels and frequency
• Transit Transfers
• Park and ride capacity
• Parking availability
• Attractiveness of transit services

SANDAG staff will identify which variables play the most important role in establishing a ridership forecast. (Attachment 5) The forecast is being used as the basis for developing fare revenue figures for NCTD's 2008 Operating Budget.

The current forecast for the SPRINTER's first full year of service in CY 2008 is 11,553 daily boardings, and 36,712 BREEZE daily boardings. This forecast assumes a detailed level of schedule optimization of the BREEZE and SPRINTER networks at critical stations. The previous 2003 Regional Transportation Plan forecast projected 10,300 daily boardings. Of course, model forecasts are projections so the results may be different once service begins. However, the new SPRINTER ridership forecast is within the same range as the previous regional forecast, suggesting that the region can have a reasonable level of confidence about future SPRINTER ridership as it opens.

FISCAL IMPACT:

There is no fiscal impact associated with reviewing the SANDAG model and related assumptions.

COMMITTEE DISCUSSION

6/07/07 SANDAG and the District have been working to update ridership projections for the SPRINTER and BREEZE network when the SPRINTER begins revenue operations later this year. The regional model provides a system level forecast of transit ridership by service and route. Staff noted that there are a number of variables that play a role in determining ridership. That ridership level is used as the basis for developing fare revenue figures for NCTD's 2008 Operating Budget. The current forecast for the SPRINTER's first full year of service in CY 2008 is 11,553 daily boardings, and 36,712 BREEZE daily boardings. This forecast assumes a detailed level of schedule optimization of the BREEZE and SPRINTER networks at critical stations and, of course, model forecasts are projections so the results may be different once service begins.



PLANNING COMMITTEE

CHAIRPERSON'S REPORT

TO THE NORTH COUNTY TRANSIT DISTRICT BOARD

May 24, 2007

Members in attendance were: Committee Chair Jerome Stocks, Dave Roberts, Julianne Nygaard, and Bill Horn.

SPECIAL PLANNING COMMITTEE MEETING ON BUDGET:

Today's meeting was a specially-called meeting to discuss budget issues which had recently occurred, following development of the draft FY 08 Operating Budget.

Staff explained that, subsequent to development of the draft budget, NCTD had received reduced funding estimates for Transportation Development Act (TDA) and TransNet funds, from SANDAG. The reduced estimates were continuing to change, but the most recent update, received just the previous day, projected a \$4.2 million reduction from the February estimates that SANDAG previously provided for budget development purposes. Also, there appeared to be an anomaly in the estimates, in that TDA is normally exactly half of TransNet (one-quarter cent sales tax vs. one half cent sales tax) but the differential was much greater this time.

A revenue loss of this magnitude is significant in NCTD's budget. Furthermore, this is not a one-time reduction, but rather is potentially an on-going reduction. Only significant service reductions and/or fare increases can address the budgetary impact of such a large reduction in revenue. It was also pointed out that, with the SPRINTER just starting up this coming year, NCTD's funding needs are increasing at greater than the normal rate.

The Committee reviewed the budget development process and action of the past several months, in which the District had ultimately arrived at a balanced budget, had released the budget for the public comment period, and was scheduled to hold a public hearing on the budget on June 21. SANDAG had asked that NCTD immediately reduce expenses and provide a revised budget and TDA claim by next Wednesday, May 30.

The Committee discussed the options available to address this problem. Discussion included concern for the drastic impact that such a large revenue reduction would have, recognition of the significant amount of time and process involved in developing and adopting a revised budget, and the difficulty of pursuing such a process when there is so much uncertainty about the revenue numbers and pending State budget action. Ultimately, it was the Committee consensus that NCTD should inform SANDAG that the District will proceed with adoption of the currently-developed FY 08 Operating Budget and related TDA Claim. NCTD will agree to amend its budget and TDA Claim when SANDAG completes its analysis of the anomaly in the funding levels between TDA and TransNet and provides final projection numbers, and when the outcome from budgetary action at the State level is known. The Committee asked that staff prepare a letter explaining this decision to SANDAG as soon as possible.



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

June 7, 2007

Members in attendance were: Committee Chair Jerome Stocks, Dave Roberts, Bill Horn, and Julianne Nygaard.

DISCUSSION AND ACTION ITEMS:

1. PUBLIC HEARING FOR DECEMBER 2007 BREEZE AND FAST SERVICE CHANGES

The Committee recommends that the Board conduct a public hearing at the June 21, 2007 meeting for the December 2007 proposed BREEZE and FAST service changes.

Staff provided an update on the proposed services changes and the outreach program that it has been conducting to ensure that the citizens of North San Diego County are aware of the proposed service changes.

2. PARTNERSHIP AGREEMENT WITH FULL ACCESS & COORDINATED TRANSPORTATION (FACT)

The Committee recommends that the Board authorize the Executive Director to execute the FACT Community Partnership Agreement and Operating Partnership Pledge.

Staff provided background information on NCTD's role as the lead agency in the formation of FACT. The partnership agreement and pledge of resources by NCTD would be seen as a commitment to other potential partners, expediting the process of coordination in the North County Pilot Project. The resulting benefit to NCTD could be considerable; coordination can significantly decrease the cost of para-transit, increase productivity and ridership, using existing resources. The fiscal impact of this action is not presently known and would be dependent upon the extent to which NCTD provides support and the extent to which NCTD realizes cost savings related to its para-transit program.

3. SMART PARKING PILOT PROJECT

The Committee recommends the Board proceed with the Smart Parking Pilot Project.

Staff noted that NCTD has been working in partnership with SANDAG and PATH/UC Berkeley to develop an implementation strategy aimed at introducing "Smart Parking" technologies at one or more COASTER stations. The Smart Parking concept will be integrated into the regional 511 system and will be accessible with the Compass Card for enhanced customer options. Additionally, this concept has been included as a project for additional funding through the Urban Partnership Agreement (UPA) program that was recently presented to the NCTD Board and has been short listed. The pilot project is estimated to begin later this summer, and last approximately three years.

4. FY 08 BUDGET ADOPTION

The Committee recommends that the Board receive updated FY 08 Budget information and approve the adoption of the FY 08 budget.

The draft budget has been updated as a result of expense transfers between departments, but the total budget amount of \$85,274,571 remains the same as the budget presented at the May 17, 2007 Board meeting. The Committee discussed the projected revenue shortfalls anticipated by SANDAG and felt that the full Board should adopt the budget as drafted and once SANDAG finalizes revenue projections than staff, along with the Planning Committee, will meet to discuss changes to the budget. The Committee further suggested that there be strong representation at SANDAG by the Board during budget discussions.

INFORMATION ITEMS:

5. SPRINTER RIDERSHIP PROJECTIONS

The Committee recommends that the Board receive the SANDAG report on ridership projections for SPRINTER.

SANDAG and the District have been working to update ridership projections for the SPRINTER and BREEZE network when the SPRINTER begins revenue operations later this year. The regional model provides a system level forecast of transit ridership by service and route. Staff noted that there are a number of variables that play a role in determining ridership. That ridership level is used as the basis for developing fare revenue figures for NCTD's 2008 Operating Budget. The current forecast for the SPRINTER's first full year of service in CY 2008 is 11,553 daily boardings, and 36,712 BREEZE daily boardings. This forecast assumes a detailed level of schedule optimization of the BREEZE and SPRINTER networks at critical stations and, of course, model forecasts are projections so the results may be different once service begins.

6. AUGUST 2007 SERVICE CHANGES FOLLOW-UP

The Committee recommends that the Board receive the follow-up information requested at the May 2007 Board meeting.

Staff provided the follow-up information requested at the May 2007 Board meeting concerning Route 316 and the Carlsbad Village COASTER Connection. Both the City of Carlsbad and the City of Oceanside have been notified by the District of the public hearing which was held that resulted in the elimination of these two routes. No official response had been received by the District at the time of the Committee meeting.



PLANNING COMMITTEE REPORT

TITLE: Conduct: Public Hearing on December 2007 BREEZE and FAST Service Changes

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

COMMITTEE RECOMMENDATION:
That the Board conduct a public hearing for the December 2007 proposed BREEZE and FAST service changes.

DESCRIPTION:
Review outreach activities for the Public Hearing scheduled for June 21, 2007 for the proposed December 16, 2007, service changes.

BACKGROUND:
Staff previously highlighted proposed service changes at the April 5, 2007 Planning Committee meeting for when the SPRINTER begins revenue operations . Staff will review with the Committee the outreach activities the District is conducting to obtain feedback from stakeholders and the community. Information has been posted on our website (www.gonctd.com) and Public Information Guides were placed on buses the week of May 21, 2007. Attachment 6 is a list of workshops and open houses that have been scheduled. Staff is available for presentations, as needed, over the next three weeks.

FISCAL IMPACT:
Not applicable.

COMMITTEE DISCUSSION

6/07/07 Staff provided an update on the proposed services changes and the outreach program that it has been conducting to ensure that the citizens of North San Diego County are aware of the proposed service changes.



PLANNING COMMITTEE REPORT

TITLE: Conduct: Public Hearing and Adopt FY 08 Budget and FY 2008 – 2012 Capital Improvement Program (CIP)

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

Consent [] Action [X] Information []

COMMITTEE RECOMMENDATION:

That the Board receive updated FY 08 Budget information and approve the adoption of the FY 08 budget and the FY 2008 - 2012 CIP.

DESCRIPTION:

Update the Committee on the status of the FY 08 budget and consider any public comments received to date.

BACKGROUND:

The FY 08 Draft budget is complete and is included here as Attachment 7. This second version of the draft budget has been updated as a result of expense transfers between departments, but the total budget amount of \$85,274,571 remains the same as the budget presented at the May 17, 2007 Board meeting.

The public comment period for the FY 08 Operating Budget and the FY 2008 - 2012 CIP began on May 23, 2007. The Board will be conducting a public hearing to receive comments on June 21, 2007 which will conclude the public comment period.

This brief update gives the Planning Committee an opportunity to consider any public comment received by the District and make recommendations to be forwarded to the Board at the June 21, 2007 meeting.

FISCAL IMPACT:

There is no fiscal impact until the FY 08 budget and the FY 2008 - 2012 CIP are adopted by the Board.

COMMITTEE DISCUSSION

6/07/06 The draft budget has been updated as a result of expense transfers between departments, but the total budget amount of \$85,274,571 remains the same as the budget presented at the May 17, 2007 Board meeting. The Committee discussed the projected revenue shortfalls anticipated by SANDAG and felt that the full Board should adopt the budget as drafted and once SANDAG finalizes revenue projections and the state finalizes its budget, then staff, along with the Planning Committee, will meet to discuss changes to the budget. The Committee further suggested that there be strong representation at SANDAG by the Board during budget discussions.



PLANNING COMMITTEE REPORT

TITLE: Authorize: Executive Director to Execute Partnership Agreement with Full Access and Coordinated Transportation (FACT) and Operating Partnership Pledge

STAFF CONTACT: Alane Haynes **TIME SENSITIVE:** YES NO
 Accessible Services Administrator
 E-mail: ahaynes@nctd.org Phone: 760/966-6607

Consent Action Information

COMMITTEE RECOMMENDATION:

That the Board authorize the Executive Director to execute the FACT Community Partnership Agreement and Operating Partnership Pledge.

DESCRIPTION:

NCTD is an official partner with FACT (Full Access & Coordinated Transportation) in development of the North County Pilot Project. The FACT Executive Director will describe the FACT Partnership Agreement (Attachment 8) and Operating Partnership Pledge (Attachment 9).

BACKGROUND:

NCTD has been the lead agency in the formation of FACT, a non-profit agency with a vision that all people living in San Diego County will have full mobility within their community by an accessible transportation system that meets their individual needs. 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 2006, the Board: 1) Endorsed submission of a planning grant application to the Community Transportation Association of America, on behalf of FACT; 2) Approved an NCTD application of 5310 grant funds on behalf of FACT; 3) Approved an NCTD partnership with FACT in submission of a proposal to be awarded the Consolidated Transportation Service Agency (CTSA) contract for San Diego County. There is a Memorandum of Agreement between NCTD and FACT outlining NCTD's contribution towards FACT's CTSA obligations for twelve months. Currently, NCTD is providing in-kind support for FACT with office space and staff support.

FACT is the registered owner of the vehicles used in the operation of NCTD's paratransit system. The vehicles were procured with 5310 funds only available to non-profit agencies or a CTSA. Discussions of coordination have assumed the use of the paratransit vehicles in coordination. Applications for grants under the new SAFETEA-LU program will only be approved if projects are in a coordinated plan.

The partnership agreement and pledge of resources by NCTD would be seen as a commitment to other potential partners, expediting the process of coordination in the North County Pilot Project. The resulting benefit to NCTD could be considerable; coordination can significantly decrease the cost of paratransit, increase productivity and ridership, using existing resources.

FISCAL IMPACT:

The fiscal impact of this action is not presently known and would be dependent upon the extent to which NCTD provides support and the extent to which NCTD realizes cost savings related to its paratransit program, if any.

COMMITTEE DISCUSSION

6/07/07 Staff provided background information on NCTD's role as the lead agency in the formation of FACT. The partnership agreement and pledge of resources by NCTD would be seen as a commitment to other potential partners, expediting the process of coordination in the North County Pilot Project. The resulting benefit to NCTD could be considerable; coordination can significantly decrease the cost of para-transit, increase productivity and ridership, using existing resources. The fiscal impact of this action is not presently known and would be dependent upon the extent to which NCTD provides support and the extent to which NCTD realizes cost savings related to its para-transit program.



PLANNING COMMITTEE REPORT

TITLE: Approve: Smart Parking Pilot Project

STAFF CONTACT: Rick Howard
Deputy Executive Director
E-mail: rhoward@nctd.org

TIME SENSITIVE: YES [] NO [X]

Phone: 760/966-6597

Consent [] Action [X] Information []

COMMITTEE RECOMMENDATION:

That the Board proceed with the Smart Parking Pilot Project.

DESCRIPTION:

NCTD, in partnership with SANDAG and PATH/UC Berkeley have been developing an implementation strategy aimed at introducing "Smart Parking" technologies at one or more COASTER stations. The Smart Parking concept will be integrated into the regional 511 system and will be accessible with the Compass Card for enhanced customer options. Additionally, this concept has been included as a project for additional funding through the Urban Partnership Agreement (UPA) program that was recently presented to the NCTD Board.

BACKGROUND:

The California Department of Transportation has awarded a research grant to "Partners for Advanced Transit and Highways" and UC Berkeley (PATH/UC Berkeley) to conduct a research project aimed at evaluating smart parking concepts at commuter rail stations. PATH/UC Berkeley has teamed with SANDAG to conduct a pilot project that would include one or more of NCTD's COASTER station parking facilities. The project will investigate smart parking technologies and other available techniques.

Currently, parking lots that serve the COASTER are at or near capacity. While staff continues to regularly monitor our parking facilities and explore opportunities to expand parking capacity, it is evident that parking availability at COASTER stations is a challenge. This is especially apparent at the Carlsbad Village, Carlsbad/Poinsettia, and Encinitas stations, three parking lots that consistently exceed their parking capacity.

The PATH/UC Berkeley pilot project is aimed at demonstrating how smart parking management technologies could provide a cost-effective tool to address near-term parking constraints at transit stations, while assisting with longer term strategies aimed at expanding parking options in these areas. This research project is designed to investigate smart parking technologies and behavior at transit stations and to assist in designing solutions that can increase parking, and add efficiency while increasing transit ridership. One example of Smart Parking provides the COASTER rider the opportunity to reserve their space in advance, for a fee, thereby guaranteeing them a parking space once they arrive at the station. A future phase of the program could include using a small percentage of parking spaces as paid parking as part of the pilot project, with the remainder being available free of charge. This would be brought back to the Board prior to implementation. The pilot project is designed to be cost and revenue neutral to NCTD.

The pilot project is estimated to begin later this summer, and last approximately three years. During the term of the project, data will be examined and, when the pilot project is complete, will be analyzed to determine its future in San Diego.

FISCAL IMPACT:

None.

COMMITTEE DISCUSSION

6/07/07 Staff noted that NCTD has been working in partnership with SANDAG and PATH/UC Berkeley to develop an implementation strategy aimed at introducing "Smart Parking" technologies at one or more COASTER stations. The Smart Parking concept will be integrated into the regional 511 system and will be accessible with the Compass Card for enhanced customer options. Additionally, this concept has been included as a project for additional funding through the Urban Partnership Agreement (UPA) program that was recently presented to the NCTD Board and has been short listed. The pilot project is estimated to begin later this summer, and last approximately three years.



GOVERNANCE COMMITTEE
CHAIRPERSON'S REPORT
NORTH COUNTY TRANSIT DISTRICT

June 6, 2007

Members in attendance were: Ed Gallo, Jerome Stocks, and Dave Roberts.

CONSENT CALENDAR ITEMS:

1. COASTER Internet Services Contract

After considerable discussion, the Committee voted 2-1 to recommend that the Board approve, as a consent item, a five-year contract, with a five-year option, to Parsons Incorporated to implement Internet Connectivity aboard the COASTER. Staff agreed to add a summary of the deal points to the agenda item to be presented to the Board.

2. Mesh Network Media Coverage

An information item on the recent positive press regarding the deployment of NCTD's new wireless mesh and CCTV (Closed Caption Television) network was presented to the Committee. The Committee recommended presenting this item as information to the Board.

ACTION/INFORMATION ITEMS:

3. Committee Meetings in August

The Committee discussed and recommends eliminating all Committee meetings in August and to keep the August Board meeting as scheduled.

4. NCTD Graffiti Removal and Wall Art Mural Procedures

The Committee reviewed this item and directed staff to revise it and the draft public arts policy and bring it back in July 2007. The Committee recommended keeping the policy simple but to ensure that any proposed projects receive formal endorsement by the City Council or Board of Supervisors as warranted by the proposed location of the art. The agenda item asked four questions of the Committee. The questions and the Committee's recommendations are as follows.

Is NCTD's current practice sufficient for addressing the removal of graffiti?

Yes, the current practice is sufficient

Should murals on NCTD structures be allowed as a strategy for managing/mitigating graffiti?

The Committee directed staff to remove the connection between graffiti mitigation and public art as a single issue.

Do we need a formal public arts policy to address this matter?

Yes, we need a formal public arts policy.

If we desire a public arts policy, how broad or how narrow should that policy be?

The public arts policy should be simple, cost neutral to NCTD, have no impact to NCTD transit operations, and in compliance with NCTD Property Access Procedures.

5. Vista Irrigation District Annexation Fees for SPRINTER Project Parcels

Staff reviewed the District's need to annex certain SPRINTER corridor parcels to the Vista Irrigation District in order to obtain needed water service. Due to a disagreement with the VID as to the appropriate amount of annexation fees, staff had proposed depositing the full amount requested by VID while we continue to negotiate an amount based on the actual acreage requiring water service. The Committee did not agree with staff's recommendation as proposed and requested that other options be presented. NCTD General Counsel, C. Michael Cowett agreed to provide alternative options in the Board report. The Committee then agreed to bring this item forward without a recommendation to the Board in June.

Staff Note: Subsequent to the Committee meeting, General Counsel has advised that, in order to facilitate negotiations, it would be best to try to reach an acceptable resolution with VID before coming back to the Board with options.

6. Progress Report on 2007 NCTD Board Priorities

The Committee reviewed the revised matrix of the Board Adopted Priorities for 2007 and found the format of information useful and at the appropriate level of detail. The recommendation was to review this information on a quarterly basis and to assign this responsibility of review to the Monitoring Committee. This current report will be forwarded to the Monitoring Committee in July.

7. Federal and State Legislative Update

Staff reviewed an informational report on Federal and State Legislative activities with the Committee, focusing on the Fiscal 2007-2008 State Budget as it relates to transit activities. As the report indicates, both the Senate and the Assembly rejected the Governor's proposal to divert \$1.3 billion in Public Transportation Account funds. Staff also reported on the passage of AB 901 by the Assembly Appropriations Committee, which outlines the allocation and processes, and oversight of the \$3.6 billion in bond funding for transit.

8. SANDAG Committee Agenda Review

The SANDAG Transportation Committee does not meet this week and therefore there were no items to discuss.

9. Draft Board Agenda for June 21, 2007 Board Meeting

The Board Agenda for June 21, 2007 was reviewed and changes were made consistent with the Governance Committee actions.

10. Future Board Agendas (Master Board Agenda)

There were no changes to the Master Board Agenda for July.

11. Other Matters

The Committee members toured the newly installed fare machines at the Oceanside Transit Center and the SPRINTER platform.

12. Public Comment

There was no public comment.

13. Next Meeting

The next Governance Committee meeting is scheduled for July 5, 2007 at 11:00 am. The Monitoring Committee is scheduled for 8:30 am and the Planning Committee is scheduled for 3:00 pm on the same day. The request was made to move the meetings closer together. The committee recommended changing the time of the Planning Committee meeting to accommodate this request. The effect of this change would be as follows: Monitoring - 8:30; AM; Governance - 10: 00 AM; Planning - 11:00 A.M.

Staff will revise the meeting schedules per this direction. Staff requested, and the Committee concurred, that some time flexibility might be needed depending upon the length of each Committee's agendas.

14. Closed Session Pursuant to Government Code Section 54957 Re: Personnel matter- Public Employee Performance Evaluation and Conference with Labor negotiators Regarding Unrepresented Employee (Section 54957.6) Title: Executive Director

There was nothing to report following the closed session.



MONITORING COMMITTEE

CHAIRPERSON'S REPORT

TO THE NORTH COUNTY TRANSIT DISTRICT

June 7, 2007

Members in attendance were: Bob Campbell, Chris Orlando, Jim Wood, and Ed Gallo substituting for David Druker.

CONSENT CALENDAR ITEMS:

1. U.S. Communities Office Supply Contract

The Committee recommends that the Board award a 4.5 year contract to Office Depot for office supplies, for an estimated total of \$318,992.

Staff explained that, through a national cooperative purchasing alliance for local government agencies known as U. S. Communities, NCTD could obtain cost savings for its office supplies purchases vs. the cost of continuing with our current supplies contract. The Committee recommended Board approval on the Consent Calendar.

2. Refurbishment of Escondido Transit Center Colonnades and Shelters

The Committee recommends that the Board award a contract to Blair Rasmussen Construction in the amount of \$249,400, to replace weathered roofing materials on Escondido Transit Center's Colonnades and Shelters.

Staff explained that the Escondido Transit Center is 17 years old, and that many of the polycarbonate roof panels and wooden trellis members in the Center's passenger waiting areas are heavily weathered and in need of replacement. Through a standard IFB process, Blair Rasmussen Construction was determined to be the lowest responsive and responsible bidder. The Committee confirmed that the District has had past good experience with this contractor, and that the bid cost is in line with the District's independent cost estimate. Staff also explained that more significant remodeling and enhancement of the Center would be a part of the current Transit Center Land Use studies. The Committee recommended approval of this item on the Consent Calendar.

3. HDR Engineering Repair Design for Bridge 225.4

The Committee recommends that the Board award a Purchase Order to HDR Engineering for \$93,899, for engineering and environmental permitting for replacement of the deck on Bridge 225.4, San Luis Rey River.

Staff provided the Committee a presentation on recent inspections of Bridge 225.4's timber deck, which indicate significant numbers of deck timbers are failing. Due to the increasing failures and advanced age of this bridge, a slow order has already been established and the deck needs to be replaced while the District continues to search for longer-term funding for complete replacement. The Committee suggested that key policy makers be included at future meetings where the opportunity to present issues such as this arises, and also raised the possibility that the military should have interest in the continued viability of this bridge for military shipments. They also requested follow-up information on key bridge replacement priorities. The Committee recommended approval of this item on the Consent Calendar.

4. CCTV Systems Upgrade at Station "O"

The Committee recommends that the Board award a sole-source contract to Metro Video Systems, Inc., for an amount not-to-exceed \$200,000, for the design, procurement, and installation of new equipment at NCTD's Security Control Center in Oceanside.

Staff reviewed the history on the development on NCTD's Station "O" Security Control Center, which dates back to 1993. The District's security monitoring needs have significantly expanded during the past 14 years and we have out-grown our current facility and equipment. This project would provide expanded monitoring capability with new, modern equipment. The Station "O" facility is also being expanded to accommodate more equipment. Metro Video, as the original supplier and current maintainer of the equipment, is uniquely qualified to provide this upgrade, funded through a Department of Homeland Security Grant, in a manner which will maintain system integrity and service continuity with minimal interruptions. The Committee recommended approval of this item on the Consent Calendar.

ACTION/INFORMATION ITEMS:

5. Executive Director's Change Order Authority Pool for SPRINTER Project

The Committee recommends that the Board reauthorize an additional \$5.0 million in change order authority for the Executive Director's delegated special procurement authority on SPRINTER construction contracts.

Staff reviewed the past action by the Board to establish a Change Order Authority Pool for the SPRINTER construction contracts to avoid potential time delays and cost impacts resulting from change order approval cycles. The pool allows the District to respond in a timely manner to change orders as they arise, with follow-up reporting to the Board. The Committee asked for clarification on this item in comparison with the Settlement Agreement approved by the Board last month. Staff explained that the Settlement Agreement covers impact and inefficiency claims from the Contractor for both past and known future changes due to design problems or other causes. However, the actual costs for labor, materials, and equipment for

changes which have yet to be negotiated must still be paid for as they become known. The Committee noted the significant budget impact of the past two months resulting from the settlement agreements and change orders, and recommended that the full Board review and approve this item.

6. Quarterly Financial Report for Nine Months Ended March 31, 2007

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

Staff reviewed the financial results for the first three quarters of FY 07. Overall, the District is looking good financially through March, with revenues about 3% higher than budget and expenses about 3% under budget. However, revenues will flatten out as the year is concluded, resulting in a more likely outcome of expenses 3% under budget at year-end.

Key variances in the report were reviewed by the Committee, with a positive variance in salaries and wages having resulted from vacancies, while a negative variance has occurred with regard to casualty and liability. Fare revenues were higher than last year for BREEZE and COASTER, but lower than the amounts the budget had projected. The Committee recommended the Board receive this as an Information Item.

7. FY 08 Disadvantaged Business Enterprise (DBE) Goals

Staff reviewed the District's proposed DBE goals for FY 08. These goals are re-established annually based on the anticipated contracting work the District will be doing. The goal must be advertised for 45 days, then brought back to the Board for final approval. The Committee recommended approval of this item on the Consent Calendar on the July 19, 2007 Board Agenda.

8. FY 07 3rd Quarter Performance Report

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

Staff provided an overview of performance trends on the District's four services: BREEZE, COASTER, FAST, and LIFT. NCTD had a strong third quarter and based on current trends is hoping for a slight increase in overall ridership by year-end. LIFT ridership is increasing significantly with higher levels of service availability, which is good for ridership but has a cost impact due to the high subsidy per passenger for this service. The Committee noted the report's discussion on increased mechanical problems on LIFT, owing to its aging fleet, and also noted that the high subsidy costs for LIFT service need to be addressed in the long-term. Future potential cost savings from FACT, and a demonstration project providing ADA Certified Passengers free rides on BREEZE, were identified. The Committee requested that trend data over several years for ridership and costs be included in the year-end report, and recommended the Board receive this item as information.



MONITORING COMMITTEE REPORT

TITLE: Reauthorize: Executive Director’s Change Order Authority Pool for the SPRINTER Project

STAFF CONTACT: Tom Lichterman
Director of Rail Services
Email: tlichterman@nctd.org

TIME SENSITIVE: YES [X] NO []

Phone: 760/967-2855

Consent [] Action [X] Information []

COMMITTEE RECOMMENDATION:

That the Board reauthorizes \$5.0 million in delegated contractual change order authority to the Executive Director solely for the construction contracts on the SPRINTER project.

DESCRIPTION:

Request to reauthorize an additional \$5.0 million in change order authority for the Executive Director’s delegated special procurement authority on SPRINTER construction contracts.

BACKGROUND:

Over the past two and a half years, the Board has awarded approximately \$234 million in construction contracts on the SPRINTER project. Due to the nature of large construction projects such as the SPRINTER, the potential exists for unforeseen field conditions to arise which may require an immediate response by the Contractor based on a Field Work Directive issued by the District. In order to ensure the District is able to respond quickly and efficiently to SPRINTER construction issues as they develop, the Board previously delegated a special procurement authority change order pool to the Executive Director solely for change orders on construction contracts on the SPRINTER project. To date, the Board has authorized additions to the pool as follows:

- December 2004 - \$2 million
November 2005 - \$2 million
July 2006 - \$3 million
September 2006 - \$3 million
November 2006 - \$5 million
February 2007 - \$5 million

At this time, the current balance remaining in the change order pool after processing recent change orders is approximately \$750,000, and a number of significant change orders are anticipated in the next two to three months. In order to keep the contractor moving and avoid processing-related delays, staff recommends a \$5 million reauthorization of the Executive Director’s change order pool authority.

FISCAL IMPACT:

This action has no direct fiscal impact in itself, but creates an administrative procedure for the approval of SPRINTER change orders in a manner that helps prevent project delays and potential delay claims. Based on the current SPRINTER budget, staff estimates that there will be sufficient budget available in the various SPRINTER project accounts to process the change orders contemplated under this item. It should be noted that not all change orders will be charged against the SPRINTER project budget; rather, some will be charged to reimbursable projects, while others will be charged against contract allowances in the existing construction contract.

COMMITTEE DISCUSSION

6/07/07 Staff reviewed the past action by the Board to establish a Change Order Authority Pool for the SPRINTER construction contracts to avoid potential time delays and cost impacts resulting from change order approval cycles. The pool allows the District to respond in a timely manner to change orders as they arise, with follow-up reporting to the Board. The Committee asked for clarification on this item in comparison with the Settlement Agreement approved by the Board last month. Staff explained that the Settlement Agreement covers impact and inefficiency claims from the Contractor for both past and known future changes due to design problems or other causes. However, the actual costs for labor, materials, and equipment for changes which have yet to be negotiated must still be paid for as they become known. The Committee noted the significant budget impact of the past two months resulting from the settlement agreements and change orders, and recommended that the full Board review and approve this item.

EXTENDED BACKGROUND:

The special change order pool is established and funded from the project contingency and other related SPRINTER project accounts that fund construction activities. The Executive Director, by delegated special authority, is authorized to approve any change orders on the project from that pool. When the pool nears exhaustion, it is proposed to be replenished with additional amounts pursuant to subsequent Board agenda reports. The Board is notified by email of any changes exceeding \$100,000, and receives periodic updates on the status of the change order activity via the SPRINTER Project Quarterly Report.

As clarification, the change orders that this pool covers involve the actual "hard construction" costs (i.e., labor, materials, equipment) of changes when negotiations are finalized. By comparison, the Mainline Contract Settlement Agreement approved by the Board in May covers contractor claims for impacts and inefficiencies that resulted from the numerous design changes and other factors that have affected the contractor's schedule and costs. In reaching the Settlement Agreement, the parties agreed that NCTD would not be subject to any impact claims due to these causes for past or known future changes, but rather would only be responsible for the hard construction costs in subsequently-negotiated changes.

The following significant change order issues are anticipated to require funding in the next two to three months:

Grade Crossing Revisions - The cost for construction of the Coast Highway, Melrose Avenue, El Camino Real, College Boulevard and Temple Heights grade crossings was increased because of general design problems that included track alignment optimization, addition of curb gutter and sidewalk details, increased roadway section, extension of pavement match lines and the use of rubberized paving materials that were not originally anticipated. These changes will result in a cost increase of approximately \$500,000.

San Marcos Reimbursable Fencing - The City requested a portion of the right-of-way fence be constructed using a decorative Ameristar fencing product in lieu of the standard chain link style fence. This change resulted in a cost increase of approximately \$385,000 (construction cost) that will be reimbursed by the City along with construction management costs after construction has been completed.

Canopy Revisions - The original canopy design lacked sufficient details for routing electrical wiring and roofing construction, and the painting specification contained conflicting information that was revised. The cost for this work is being negotiated and is anticipated to cost approximately \$300,000.

IRT and BFT Revisions - The original design for Inland Rail Trail and Bypass Freight Track located between Woodland Parkway and San Marcos Boulevard wasn't properly integrated and therefore required grading, drainage and track profile changes. These changes will result in a cost increase of approximately \$500,000.

Station Platform Construction - The original station platform design for 5 stations was revised to increase the depth of the concrete stem walls to compensate for adjoining surface grade changes that were not clearly shown, and the foundation details for the remote TVM canopies were omitted from the plans resulting in added cost. These changes resulted in a cost increase of approximately \$400,000.

Traffic Signal Modifications - The addition of a new traffic signal located at the intersection of Escondido Avenue and Phillips Street and modification of the Buena Creek Road and So. Santa Fe Avenue traffic signals will result in a cost increase of approximately \$325,000.

Export of Excess Material from Station Sites – As unsuitable material and other sub-surface unknown materials are discovered during excavation and construction, these materials are stockpiled at available station sites until they can be properly disposed. A change order for an estimated \$300,000 is anticipated for the export and disposal of these materials.

DMU Operational and Testing Support - During the DMU vehicle brake testing special static and electronic signage along with traffic control flagmen were located at each grade crossing within the Milestone 5 area (Escondido Transit Center to Woodland Pkwy) for public safety. These changes resulted in a cost increase of approximately \$350,000.

The anticipated change orders described above and other smaller known items will exceed \$3.5 million and there will be on-going unknowns which will need to be addressed through the pool. Therefore, staff is recommending that the Board authorize augmenting the pool by a total of \$5 million.

June 21, 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:	June 21, 2007; 1:30 p.m.
Posted At:	810 Mission Avenue, Oceanside, CA
Date & Time of Posting:	June 15, 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.