



BOARD OF DIRECTORS

Chairman Ed Gallo
Vice-Chair Dave Roberts
Bob Campbell
David Druker
Bill Horn
Julianne Nygaard
Chris Orlando
Jerome Stocks
Jim Wood

Karen King, Executive Director
C. Michael Cowett, General Counsel

AGENDA

GOVERNANCE COMMITTEE

Chairman Ed Gallo, Vice-Chair Dave Roberts,
Chair of the Monitoring Committee, Dave Druker
Chair of the Planning Committee, Jerome Stocks
Staff Committee Liaison: Ellen Roundtree

Wednesday, December 5, 2007 – 8:30 a.m.
311 South Tremont St., Oceanside, California

1. Open Meeting
2. Changes to the Agenda
3. 2008 Investment Policy (Attachment 3A)
4. Construction Contract for Replacement of Deck on Bridge 225.4
5. SPRINTER Security Start-Up Augmentation
6. Follow-up from the November 8, 2007 Board of Directors Workshop
7. Legislative Status Update
8. Proposed Legislative Agenda for Calendar Year 2008 (Attachments 8A and 8B)
9. SANDAG Committee Agenda Review (No Staff Report)
10. Draft Board Agenda for December 20, 2007 Board Meeting
11. Future Board Agendas (Master Board Agenda)
12. Other Matters
13. Public Comment
14. Next Meeting: Wednesday, **January 2, 2008**, 8:30 a.m., 311 South Tremont, Oceanside, CA
15. Adjournment

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**STAFF REPORT TO THE
GOVERNANCE COMMITTEE**

**Agenda Item #
3**

TITLE: 2008 INVESTMENT POLICY

Time Sensitive Consent

**STAFF
RECOMMENDATION:**

That the Board approve the 2008 Investment Policy.

**BACKGROUND
INFORMATION:**

California Government Code section 53646(a) calls for the Board to annually review the District's investment policy. The proposed policy for 2008 (Attachment 3A) provides for prudent investment of District funds. There are no proposed changes from the 2007 Investment Policy.

ATTACHMENT: 3A – 2008 Investment Policy

FISCAL IMPACT: None

**COMMITTEE
REVIEW:**
12/5/07

STAFF CONTACT: **Richard Hannasch**
Director of Fiscal & Support Services
E-mail: rhannasch@nctd.com Phone: 760/967-2809



STAFF REPORT TO THE GOVERNANCE COMMITTEE

Agenda Item # 4

TITLE: CONSTRUCTION CONTRACT FOR REPLACEMENT OF DECK ON BRIDGE 225.4

Time Sensitive [X] Consent []

STAFF RECOMMENDATION:

That the Governance Committee, as given authority by the NCTD Board of Directors, approve the award of a construction contract for the replacement of the deck on Bridge 225.4 (San Luis Rey River) to the lowest responsive and responsible bidder, Herzog Contracting Corporation, in the amount of \$2,320,890.

BACKGROUND INFORMATION:

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

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. Complete plans and specifications have been prepared and environmental clearance obtained from the applicable resource agencies.

An IFB (Invitation for Bid) number 08019 was published on October 9, 2007 for the construction and an item was placed on the November Monitoring Committee and Board meeting agendas. In response to bidder requests, the bid opening was extended to November 29, 2007. Because this project is time sensitive, the Board authorized the Governance Committee to approve the award of the construction contract to the lowest responsive bidder and granted the Executive Director authorization to sign the contract. Three bids were received as follows:

- 1. Herzog Contracting Corporation \$2,476,590 (\$2,320,890*)
2. Kiewit Pacific Company \$2,539,000 (\$2,297,000*)
3. FCI Constructors, Inc. \$2,520,725 (\$2,357,825*)

* = Price excluding add alternate (Soldier Pile retaining walls)

Herzog Contracting Corporation's bid was the lowest responsive and responsible bid for the entire work solicitation, which is the required basis of award. NCTD will not be pursuing the bid alternate (soldier pile retaining walls) at this time. Therefore, staff recommends award of the contract to Herzog Contracting Corporation for an amount not-to-exceed \$2,320,890.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this item is \$2,320,890. A total of \$2,700,000 has been budgeted in JB# 508018 for replacement of the deck of Bridge 225.4, of which \$92,813 has been expended and an additional \$183,668 has been encumbered for design and construction support services leaving an available balance of \$2,423,519 for construction and passenger train busing during construction.

**COMMITTEE
REVIEW:**
12/5/07

STAFF CONTACT: **Mitch Alderman**
Chief Rail Engineer
E-mail: malderman@nctd.org Phone: 760/967-2852



STAFF REPORT TO THE GOVERNANCE COMMITTEE

Agenda Item # 5

TITLE: SPRINTER SECURITY START-UP AUGMENTATION

Time Sensitive Consent

STAFF RECOMMENDATION:

That the Board authorize \$515,000 to augment SPRINTER start-up security and law enforcement services.

BACKGROUND INFORMATION:

The SPRINTER Implementation Team Leaders have been working on many plans and initiatives to ensure a successful start-up of the SPRINTER light rail system. In the course of this effort, staff has been working with local law enforcement agencies throughout the corridor and have also been reviewing current security operating plans.

Earlier this year, the Board approved a Security Plan for the SPRINTER as part of the budget process. That plan provides for on-board security officers, officers in vehicles to cover station patrols, increased Sheriff Deputy staffing, and a Security Control Center with Closed Circuit Television monitoring systems manned by NCTD Control Center Technicians. In reviewing these plans and drawing on past start-up experience at NCTD and elsewhere, staff believes it is critical that an initial high level of security coverage be visible upon service start-up. This security presence will set the tone and minimize problems by addressing security issues quickly and by establishing a high visibility deterrent throughout the SPRINTER system. This will also create a heightened sense of security for the public and our employees, and will emphasize that safe public transportation is NCTD's top priority.

Accordingly, during the SPRINTER start-up, staff is proposing to augment the security and law enforcement plan already in place. This additional security augmentation would be accomplished through the addition of contract security services officers under the existing security contract, as well as through a possible increase in Sheriff deputy coverage. It is anticipated that the augmentation would be for a period of approximately 90 days, at which time NCTD would be able to establish ongoing enforcement and security levels that can be maintained within the budgeted security and law enforcement budget.

ATTACHMENT: None.

FISCAL IMPACT: The fiscal impact of this item is \$ 515,000. This amount would be covered in the Operating Budget using funds freed up by the transfer of other start-up related funds to the SPRINTER capital project.

COMMITTEE

REVIEW:

12/5/07

STAFF CONTACT:

Tom Lichterman

Director of Rail Services

E-mail: tlichterman@nctd.org Phone: 760/967-2885



STAFF REPORT TO THE GOVERNANCE COMMITTEE

Agenda Item # 6

TITLE: FOLLOW-UP FROM THE NOVEMBER 8, 2007 BOARD WORKSHOP

Time Sensitive [X] Consent []

STAFF RECOMMENDATION:

- 1. To review the Board's statement of purpose and key focus areas to be forwarded to the full Board for adoption, and
2. To determine if another workshop is warranted.

BACKGROUND INFORMATION:

On November 8, 2007 the NCTD Board of Directors conducted a workshop to initiate discussions regarding the development of a clear and specific strategic focus for NCTD, to identify critical success factors and establish a direction for the next five years.

Based upon feedback from the Board, there was not agreement whether there are other issues that did not get vetted at the workshop.

To be considered for adoption at the December 20, 2007 meeting is the following statement of purpose for the Board of Directors crafted at the workshop:

"The NCTD Board of Director's purpose is to use our diverse perspectives, knowledge, leadership and community sensitivity to provide advocacy and guidance that enables NCTD to deliver the highest quality intermodal public transportation for our region."

Also to be considered for adoption by the Board is the following statement of strategic focus: "Make public transit better than driving a car." The following strategic initiatives were also developed and are to be considered by the Board:

- 1. Solve revenue shortfall problems.
2. Develop a plan/program for maintaining viable infrastructure.
3. Develop formal strategic alliances.

The Governance Committee may wish to review and refine these work products before forwarding them to the Board on December 20, 2007 and discuss next steps, e.g. scheduling a workshop to develop a Board Charter.

ATTACHMENT: None

FISCAL IMPACT: None

COMMITTEE

REVIEW:

12/5/07

STAFF CONTACT: **Karen King**
Executive Director
E-mail: kking@nctd.org

Phone: 760/967-2867



STAFF REPORT TO THE GOVERNANCE COMMITTEE

Agenda Item # 7

TITLE: LEGISLATIVE STATUS UPDATE

Time Sensitive [] Consent [X]

STAFF RECOMMENDATION:

That the Governance Committee receive the legislative status report.

BACKGROUND INFORMATION:

Periodic status reports on federal and state legislative activities are provided to the Governance Committee and NCTD Board of Directors during the year. This status report provides an update on federal legislative activities.

FY 2008 Budget Process

On November 8, 2007, Speaker of the House of Representatives, Congresswoman Nancy Pelosi (D-CA), appointed conferees to the Transportation, Housing and Urban Development (THUD) Appropriations Act of 2008. The Conferees met and agreed to file a conference report. On November 14, 2007, the measure passed the House by a vote of 270-147.

The bill provides \$105.6 billion for Transportation and Housing and Urban Development, of which \$9.65 billion is specifically for public transit, two percent higher than the President's proposal, however 1 % lower than the amount authorized for FY 2008 in Safe, Accountable, Flexible, Efficient Transportation Act: a Legacy for Users (SAFETEA-LU). The Conference report is now before the Senate and is awaiting further action. At this time, it still remains unclear if the President will sign the spending measure.

The Conference Committee approved funding for the following north county transit related projects:

- San Luis Rey Transit Center \$250,000
- Regional Bus Replacements \$500,000
- Leucadia At-Grade Safety Improvement \$500,000

AMTRAK

The Conference report includes \$1.45 billion for Amtrak, 17% higher than the President's budget proposal of \$900 million. The bill also includes \$75 million for a new grant program that will match state contributions for intercity passenger rail operations.

Other Highlights

The Conference Report includes a request for a study on the rail modernization program and what it would cost to bring rail infrastructure up to a state of good repair.

Continuing Resolution

The federal government operates on a fiscal year cycle, which starts on October 1 and continues through September 30. By the end of the fiscal year, if Congress fails to pass regular appropriations, a continuing resolution is necessary in order for federal departments and programs to continue. The most recent action to extend federal spending was taken on November 8, 2007 when the Senate approved the Department of Defense Appropriations Act of 2008 which included a continuing resolution that funds the government at FY 2007 levels through December 14, 2007.

ATTACHMENT: None

FISCAL IMPACT: None

**COMMITTEE
REVIEW:**
12/05/07

STAFF CONTACT: Ellen Roundtree
Intergovernmental Affairs Officer
E-mail: eroundtree@nctd.org Phone: 760/967-2881



STAFF REPORT TO THE GOVERNANCE COMMITTEE

Agenda Item # 8

TITLE: Proposed Legislative Agenda for Calendar Year 2008

Time Sensitive [X] Consent []

STAFF RECOMMENDATION:

That the Governance Committee develop the Calendar Year 2008 Legislative Goals and forward to the NCTD Board for approval.

BACKGROUND INFORMATION:

On an annual basis, the NCTD Board of Directors adopts the Districts federal, state, and local legislative goals for the next calendar year. The timing of the goals is based on the beginning of the new federal and state legislative sessions as well as the early deadline for introducing bills and funding request submittals. As directed, by Board policy, the Governance Committee is tasked with initiating this process.

A legislative agenda provides the Board and staff a roadmap to follow and provides a mechanism to enable responses to issues as they arise throughout the course of the year. It also provides a framework for the annual SANDAG/MTS/NCTD Joint Federal Agenda. The agenda and associated goals may be modified as so directed by the Governance Committee and/or Board throughout the year.

Attachment 8A provides a draft proposal of legislative goals for the upcoming year. These proposed goals are consistent with last years' goals and/or included in NCTD's Capital Improvement Program. It should be noted that staff proposes to delete certain priorities that are either fully funded, are no longer needed, other solutions have been identified, or did not prove to be an attainable goal. For comparison purposes, last year's goals are attached to this report as Attachment 8B and proposed changes are notated.

Two new proposed local goals that are consistent with the Board direction at the November 2008 workshop are also recommended. The proposals shown in bold italics are:

- Actively educate our communities about the benefits of transit and develop formal strategic alliances.
Actively participate in local activities that bring more funding and recognition to the region.

ATTACHMENT: 8A - Draft Calendar 2008 Legislative Agenda
8B - Approved Calendar 2007 Legislative Agenda

FISCAL IMPACT: None

COMMITTEE

REVIEW:

10/31/07 In preparation for the development of next year's Legislative Agenda, staff provided the Governance Committee with a status report on the activities related to the Calendar Year 2007 Legislative program. The Committee discussed the update and directed staff to bring back a draft proposal for their consideration at the December Governance Committee meeting.

12/5/07

STAFF CONTACT: Ellen Roundtree
Intergovernmental Affairs Officer
E-mail: eroundtree@nctd.org Phone: 760/967-2881

December 5, 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 Governance Committee was posted as follows:

Meeting Date and Time:	December 5, 2007; 8:30 am
Posted At:	810 Mission Avenue, Oceanside, CA and 311 So. Tremont, Oceanside, CA
Date & Time of Posting:	November 30, 2007; 5:00 p.m.
Posted By:	Clerk of the Board