



Chairman Ed Gallo
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Rocky Chavez
David Druker
Bill Horn
Julianne Nygaard
Chris Orlando
Jerome Stocks

Raymond Patchett, Interim Executive Director
C. Michael Cowett, General Counsel

AGENDA

MONITORING COMMITTEE

Chairman Chris Orlando, Dave Druker, Rocky Chavez, Bill Horn
Staff Committee Liaison: Richard Hannasch

Thursday, November 6, 2008 - 8:30 AM
311 South Tremont Street, Oceanside, California

1. Open Meeting
2. Changes to the Agenda
3. Conservation Easement Agreement at the Harmony Grove Mitigation Site (Attachments 3A & 3B)
4. Bombardier Coach Refurbishment Contract Value Increase
5. Rain for Rent for Groundwater Discharge System at Stuart Mesa Maintenance Facility
6. Expansion of Mobility/Travel Training Program
7. Add Storm Water Pollution Prevention Compliance Work to the Contract for SPRINTER and COASTER Environmental Maintenance and Monitoring
8. Public Hearing to Expand Route 388 Service (Attachments 8A and 8B)
9. Quarterly Capital Project Report (Attachments 9A)
10. SPRINTER Revenue Service Report (No Written Staff Report)
11. Other Matters
12. Public Comment
13. Next Meeting: Thursday, **December 4, 2008**, 8:30 a.m., 311 South Tremont, Oceanside, CA
14. Adjournment

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 Clerk of the Board at (760) 967-2808.

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

Any writings or documents provided to a majority of the members of the NCTD Board of Directors regarding any item on this agenda will be made available for public inspection in the department of the Clerk of the Board located at 810 Mission Avenue, Oceanside, CA 92054, during normal business hours.



**STAFF REPORT TO THE
MONITORING COMMITTEE**

**Agenda Item #
3**

**TITLE: Conservation Easement Agreement at the Harmony Grove
Mitigation Site**

Time Sensitive Consent

STAFF RECOMMENDATION: **That the NCTD Board of Directors authorize the Interim Executive Director to enter into an in-perpetuity management agreement with the Escondido Creek Conservancy for the management of the Conservation Easement at the Harmony Grove Mitigation Site.**

BACKGROUND INFORMATION:

The Harmony Grove conservation easement is a 5.63 acre wetland restoration project, which was required as part of the mitigation for construction of the NCTD SPRINTER line. The project converted an abandoned trailer park in the Harmony Grove area of the County into a high-value wetland. This environmental project has previously received recognition as an outstanding project by the American Public Works Association.

Per the requirements of the permits with the Army Corps of Engineers, United States Fish and Wildlife Service, and California Department of Fish and Game, once the site has been established, NCTD is required to transfer a conservation easement covering the site to an independent conservancy. NCTD has negotiated an agreement with the Escondido Creek Conservancy for management of the site in perpetuity as a conservation easement. The negotiated fee of \$186,000 is established to create an endowment to cover on-going maintenance costs in perpetuity.

Staff is recommending approval of the management agreement with Escondido Creek Conservancy to implement this transfer upon completion of required NCTD monitoring and maintenance. Once the transfer becomes effective, NCTD will have no further obligations for the site.

ATTACHMENT: 3A - Conservation Easement Agreement
3B - Property Appraisal Report

FISCAL IMPACT: The fiscal impact of this item is \$186,000. A total of \$12,094,257 has been budgeted in the SPRINTER capital project under JB# 709501.741000.13230302 for environmental mitigation, of which \$9,566,874 has been expended and an additional \$1,231,467 has been encumbered, leaving an available balance of \$1,295,916.

COMMITTEE REVIEW:
11/6/08

STAFF CONTACT: **Tom Lichterman**
Director of Operations
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Key Staff Contact: **Kristin Thomas, Environmental Project Planner**
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STAFF REPORT TO THE MONITORING COMMITTEE

Agenda Item # 4

TITLE: BOMBARDIER COACH REFURBISHMENT CONTRACT VALUE INCREASE

Time Sensitive [X] Consent [X]

STAFF RECOMMENDATION:

That the NCTD Board of Directors authorize the Interim Executive Director to execute an increase in the contractual value of RFP 03063, Bombardier Coach Refurbishment Contract, to allow for the continued exterior refurbishments of the COASTER fleet.

BACKGROUND INFORMATION:

In August 2003, a contract for the refurbishment of twenty-two COASTER coaches was awarded to Bombardier Corporation. The original intent was to have all work under this contract completed and the contract closed by August 2008. Due to initial delays associated with the originally unplanned construction of a paint booth at the Stuart Mesa Facility and subsequent District directed work slow downs due to previous budgetary constraints, the period of performance of this contract has been extended to December 2009.

The successful goal of this project has been to maximize asset life and improve the appearance of these vehicles by replacing all floor covering and upholstery, as well as mitigating corrosion with new exterior paint. At the time of contract award, in 2003, it was hoped that four of the twenty-two coaches may not require exterior re-painting by the expected end of this project in August 2008.

The toll taken on these four coaches by the past six years of weather and elements has caused staff to recognize that this is not the case. As a result, the Board-adopted District FY 09 Operating Budget includes the exterior painting of three of these additional coaches, with the last one scheduled for FY 10.

The addition of these four coaches requires a contract increase in an amount based upon the fixed prices of the contract.

This recommendation changes the RFP 03063 contract value which allows the already-allocated and budgeted funds to be spent on this contract.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this item increases the contract value of RFP 03063 \$247,700 from \$3,302,300 to \$3,550,000. The exterior refurbishments are included in the Board adopted District FY 09 Operating Budget under account 150.503314. This action is procedural and will allow the expenditure. The final contractual work inclusive in this value will be included in the FY 10 budget.

COMMITTEE REVIEW: 11/6/08

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**STAFF REPORT TO THE
MONITORING COMMITTEE**

**Agenda Item #
5**

**TITLE: RAIN FOR RENT FOR GROUNDWATER DISCHARGE SYSTEM AT
STUART MESA MAINTENANCE FACILITY**

Time Sensitive Consent

**STAFF
RECOMMENDATION:**

That the Board authorize the Interim Executive Director to issue a Change Order increasing the purchase order value to Rain for Rent by the not-to-exceed amount of \$4,000.00 for extended work on the Stuart Mesa ground water pumping system.

**BACKGROUND
INFORMATION:**

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

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

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

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

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

and removal of the temporary was delayed by the completion of the permanent system. The changes to the original contract amount have exceeded the Executive Directors authority and Board approval is required to increase the contract amount of Rain for Rent by the NTE amount of \$4,000 in order to pay final invoices and close the contract.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this item is not-to-exceed \$4,000. A total of \$1,156,860 has been budgeted for the Stuart Mesa Ground Dewatering project under JB#s 506024 and 508015, of which \$884,149 has been expended and an additional \$179,451 has been encumbered, leaving an available balance of \$93,260.

COMMITTEE

REVIEW:

11/6/08

STAFF CONTACT: Tom Lichterman

Director of Operations

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Key Staff Contract: Mitch Alderman, Chief Rail Engineer

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**STAFF REPORT TO THE
MONITORING COMMITTEE**

**Agenda Item #
6**

TITLE: EXPANSION OF MOBILITY/TRAVEL TRAINING PROGRAM

Time Sensitive Consent

**STAFF
RECOMMENDATION:**

That the NCTD Board of Directors approve hiring an additional Mobility/Travel Trainer on a limited-term basis to expand the Mobility/Travel Training Program.

**BACKGROUND
INFORMATION:**

At its October 2005 meeting, the Board approved the hiring of a full-time Mobility/Travel Trainer to train seniors and persons with disabilities to use NCTD's fixed route services. The Mobility/Travel Trainer began work in February 2006.

Since January 2008, about 1,000 individuals have participated in either group or one-on-one trainings, and eleven LIFT-certified individuals have received training. If one LIFT-certified individual were to switch from five days per week of LIFT service to five days per week of fixed-route service, the cost savings would be almost \$18,000 annually. Studies have indicated that seniors who learn to use fixed-route remain mobile and independent for a longer period of time.

Demand for the mobility/travel training services is greater than one person can perform. In October 2006, NCTD applied for New Freedom funds to reimburse 50% of the program. The grant was approved. NCTD also applied for TransNet Senior Mini-Grant funds to expand the program and to provide matching funds to the New Freedom grant. At its September 2008 meeting, the SANDAG Transportation Committee approved NCTD's application for \$116,043. With approval of the New Freedom and Senior Mini-grants, the program can be funded to fully support two Mobility/Travel Trainer positions.

The expansion of the Mobility/Travel Training program would enable NCTD to hire an additional trainer on a three-year, limited-term basis. The second trainer will provide additional trainings to seniors and people with disabilities, as well as providing back-up in case of emergencies or conflicts. The expansion will also allow staff to develop the Senior Transit Buddy program, to provide increased opportunities for seniors to experience and use NCTD's services.

ATTACHMENT: None

FISCAL IMPACT: The payroll and benefits cost of an additional Mobility Travel Trainer will be about \$50,000 annually. The Mobility/Travel Training program will be fully funded by the Senior TransNet Mini-Grant, with the New Freedom grant providing the matching funds.

COMMITTEE

REVIEW:

11/6/08

STAFF CONTACT: Name Richard Hannasch
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Key Staff Contact: Alane Haynes, Accessible Services Administrator
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STAFF REPORT TO THE MONITORING COMMITTEE

Agenda Item # 7

TITLE: ADD STORM WATER POLLUTION PREVENTION COMPLIANCE WORK TO THE CONTRACT FOR SPRINTER AND COASTER ENVIRONMENTAL MAINTENANCE AND MONITORING

Time Sensitive [X] Consent [X]

COMMITTEE RECOMMENDATION:

That the NCTD Board of Directors authorize the Interim Executive Director to issue a Change Order adding a new scope of work to the contract with our environmental maintenance and monitoring contractor HRS Inc. at the NTE value of 200K for the supply and installation of additional Storm Water Pollution Prevention (SWPP) measures for the SPRINTER construction project.

BACKGROUND INFORMATION:

The maintenance of SWPP measures along the SPRINTER alignment has been an on-going effort since construction work was completed in March 2008. While substantial progress has been made in installation of temporary and permanent "Best Management Practices", staffs feels that we need increased resources as the rainy season approaches.

Staff is proposing to have the environmental maintenance and monitoring contract awarded to HRS Inc on August 12, 2008, operate and maintain the ROW irrigation system in such a manner to maximize the potential for seeds to germinate. We are required to have 70% vegetative cover, or other permanent BMP's in place under the Regional Water Quality Control Board permit, to obtain the Notice of Termination. Staff is also proposing to have HRS provide additional hydroseeding service, and to supply, install and maintain SWPP Best Management Practices (BMP). In addition, they will assist in emergency measures as necessary during and after storm events as they do for our mitigation sites.

Staff recommends that the Board authorize the HRS, Inc. contract value of \$546,556 to be increased by an amount not to exceed \$200,000 so that they may take immediate steps to maintain the ROW in compliance with the general permit requirements regarding discharge of Construction Storm Water. This action would make the new value of the contact \$746,556.00.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this action is \$200,000. A total of \$12,094,257 has been budgeted in the SPRINTER capital project under JB# 709501.741000.13230302 for environmental mitigation, of which \$9,566,874 has been expended and an additional \$1,231,467 has been encumbered, leaving an available balance of \$1,295,916 for this item and the previous agenda item (#3).

COMMITTEE REVIEW:

11/6/08

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STAFF REPORT TO THE MONITORING COMMITTEE

Agenda Item # 8

TITLE: PUBLIC HEARING TO EXPAND ROUTE 388 SERVICE

Time Sensitive [X] Consent []

STAFF RECOMMENDATION:

That the NCTD Board of Directors hold a Public Hearing on November 20, 2008 to hear public comment regarding a proposed expansion of Route 388 service using special grant funding.

BACKGROUND INFORMATION:

Currently, Route 388 operates bi-directionally every three hours between Escondido and Pala via Valley Center, seven days a week. Service is directly provided to Harrah’s Rincon Casino and Pala Casino.

Staff is recommending that the Board hold a Public Hearing on a proposed Route 388 alignment and schedule change, tentatively planned to go into effect January 25, 2009. Working with the Reservation Transportation Authority (RTA) and SANDAG, last year the RTA successfully applied for and was granted a 5311(c) Federal Tribal Transit Program grant for \$425,101 to enhance access to tribal employment areas. The intent of RTA’s grant application was to improve Route 388 service by reducing travel times and providing more trips to tribal employment areas. A final grant amendment must be processed between the RTA and the Federal Transit Administration’s Region IX in the next 30-45 days. If this amendment is processed in time, NCTD may begin the expanded service on January 25, 2009. If there is a delay, this service would start once the grant funding is in place.

Under the proposed plan, Route 388 would be modified into a loop route, with each direction operating every two hours, seven days a week. This proposal would reduce travel times to Pala Casino from 65-minutes to 32-minutes, and expand the total number of trips serving these areas from six to sixteen each day. Under this plan, service to Valley View Casino would begin immediately. Service to Casino Pauma would begin once that Tribe has constructed previously-agreed-upon improvements to the SR-76 & Pauma Reservation Road intersection and development of an ADA-compliant bus stop location near their casino.

NCTD’s existing Public Hearing Policy states that the District must conduct a public hearing for “any proposal which would increase or decrease ten (10) percent or more of the one-way route miles of an existing route”.

ATTACHMENT:

Attachment 8A - Existing Route 388 map & schedule effective August 10, 2008
Attachment 8B - Proposed Route 388 schedule effective January 25, 2009

FISCAL IMPACT: No net fiscal impact. The 5311(c) grant will pay for the net cost of the additional Route 388 service, minus the projected farebox revenue, as well as design/permitting/construction/maintenance of two temporary bus stops near the I-15/SR-76 Park & Ride lot, and marketing of the new service.

COMMITTEE

REVIEW:

11/6/08

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**STAFF REPORT TO THE
MONITORING COMMITTEE**

**Agenda Item #
9**

TITLE: QUARTERLY CAPITAL PROJECT REPORT

Time Sensitive Consent

STAFF RECOMMENDATION: That the NCTD Board of Directors receive a status report on major NCTD and third-party projects affecting NCTD services

BACKGROUND INFORMATION: The Quarterly Project Status Report is provided to give the Board a brief synopsis regarding the current status of major capital projects that are currently under development by NCTD. In addition to NCTD projects, others which are being conducted by third parties affecting NCTD property or facilities are also reviewed.

ATTACHMENT: 9A - Quarterly Project Report

FISCAL IMPACT: None

**COMMITTEE
REVIEW:**
11/06/08

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November 6, 2008

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 Monitoring Committee was posted as follows:

Meeting Date and Time:	November 6, 2008; 8:30 a.m.
Posted At:	810 Mission Avenue, Oceanside, CA and 311 So. Tremont, Oceanside, CA
Date & Time of Posting:	October 31, 2008; 5:00 p.m.
Posted By:	Clerk of the Board