



NORTH COUNTY TRANSIT DISTRICT

Board Members

David Roberts
Chair
City of Solana Beach

Mark Packard
City of Carlsbad

Carl Hilliard
City of Del Mar

Jerome Stocks
City of Encinitas

Sam Abed
City of Escondido

Rocky Chavez
City of Oceanside

Chris Orlando
City of San Marcos

Bob Campbell
City of Vista

Bill Horn
County of San Diego

Executive Director/ Chief Executive Officer

Matthew O. Tucker

General Counsel

C. Michael Cowett

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

www.gonctd.com

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

**THURSDAY
January 22, 2009
2:00 P.M. – Regular Meeting**

NCTD's Mission

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

***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.***

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

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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.



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

AGENDA

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
 - Presentation of December 2008 Employees of the Month Commendations to:
 - * Mr. Frank Romero, Bus Servicer I
 - * Ms. Petra B. Sjogren, 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.

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.

	RECOMMENDED ACTION
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B. MINUTES FOR REGULAR MEETING FOR DECEMBER 18, 2008 (Pages 5 – 10)	Approve
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- | | |
|--|---------|
| 1. Board Chair and Vice-Chair Election (S) | Approve |
|--|---------|

All matters listed under CONSENT 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

	RECOMMENDED ACTION
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C. CONSENT ITEMS (Tabs 2 – 7)	
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Items reviewed and recommended for approval by the Governance Committee (G), Planning Committee (P), Monitoring Committee (M), Staff (S) or Board (B)

- | | |
|---|---------|
| 2. 2009 Investment Policy (G) (Attachment 2A) | Approve |
|---|---------|

- | | | |
|----|--|---------|
| 3. | Amendment to Voice Over Internet Protocol (VOIP) Telephony Agreement (M) | Approve |
| 4. | On-Site Information Technology Support Services (M) | Approve |
| 5. | COASTER Wireless Mesh Network (M) | Approve |
| 6. | Simon Wong Engineering Supplemental Agreement for Construction Management Services on the SPRINTER Project (M) | Approve |
| 7. | Ratification of the Executive Director's Exigent Circumstance Declaration Regarding Landscape Maintenance on the Inland Rail Trail Areas (M) | Approve |

OTHER BUSINESS (Tabs 8– 13)

- | | | |
|-----|---|---------|
| 8. | Board Committees and External Committee Assignments (G) (Attachment 8A) | Approve |
| 9. | Rail Safety Film (P) | Receive |
| 10. | FY 09 Transportation Development Act (TDA) 4.0 and 4.5 Amended Claims and Resolution (P) (Attachment 10A) | Approve |
| 11. | Proposed Capital Improvement Program FY 2010 – 2014 and Regional Transportation Improvement Program (P) (Attachments 11A, 11B, 11C, 11D, 11E) | Approve |
| 12. | Future Strategic Workshop (G) | Approve |
| 13. | SPRINTER Revenue Service Report (M) | Receive |

- **SANDAG AGENDA REVIEW AND LEGISLATIVE ACTIVITIES UPDATE**

- **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.

- **ADJOURNMENT**

- **CERTIFICATIONS AND RULES (FOR BOARD AND PUBLIC INFORMATION)**

- Posting of Board Agenda (Page 36)
- Rules for Public Speakers at meetings of the North County Transit District (Page 37)

***The next regularly scheduled Board meeting will be held at
2:00 p.m. on Thursday, February 19, 2009
at 810 Mission Avenue, Oceanside, CA***

**MINUTES OF THE SPECIAL MEETING/CLOSED SESSION AND THE REGULAR MEETING
OF NORTH COUNTY TRANSIT DISTRICT HELD DECEMBER 18, 2008** **PAGE 1**

CALL TO ORDER

Chairman David Roberts called the meeting to order at 1:34 p.m.

ROLL CALL OF BOARD MEMBERS

David Roberts (City of Solana Beach); Mark Packard (City of Carlsbad); Carl Hilliard (City of Del Mar); Jerome Stocks (City of Encinitas); Sam Abed (City of Escondido); Rocky Chavez (City of Oceanside); Bob Campbell (City of Vista).

Bill Horn (County of San Diego) arrived at 1:45 pm. Chris Orlando (City of San Marcos) arrived at 1:55 pm.

CLOSED SESSION

The Board went into Closed Session at 1:35 p.m. to discuss items i and ii.

- i. Closed Session Pursuant to Government Code Section 54956.9(b) – Conference with Legal Counsel - Anticipated Litigation – Claim of Bryan Hendrix
- ii. Closed Session Pursuant to Government Code Section 54956.9(b) – Conference with Legal Counsel - Anticipated Litigation – Two potential cases

The Board returned from Closed Session at 2:10 pm. Michael Cowett, General Counsel, stated that the Board met in Closed Session to discuss items i and ii and had nothing to report.

ROLL CALL OF BOARD MEMBERS

David Roberts (City of Solana Beach); Mark Packard (City of Carlsbad); Carl Hilliard (City of Del Mar); Jerome Stocks (City of Encinitas); Sam Abed (City of Escondido); Rocky Chavez (City of Oceanside); Chris Orlando (City of San Marcos); Bob Campbell (City of Vista); Bill Horn (County of San Diego).

INTRODUCTION OF NEW BOARD MEMBERS

Chairman David Roberts introduced new Board members Mark Packard (City of Carlsbad), Carl Hilliard (City of Del Mar), and Sam Abed (City of Escondido).

RECOGNITION OF OUTGOING BOARD MEMBERS

Chairman David Roberts and the Board recognized outgoing Board members Julianne Nygaard (City of Carlsbad), Dave Druker (City of Del Mar) and Ed Gallo (City of Escondido).

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Ed Gallo, Julianne Nygaard and Dave Druker led the Board of Directors, staff, and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

Ray Patchett, Interim Executive Director, requested that the Legislative Update be heard prior to Agenda item 10.

PRESENTATION OF COMMENDATIONS

Lane Fernandes, Manager of Commuter Rail, recognized the Community Resource Center and presented Executive Director Ms. Laurin Pause with a check for donations from the Third Annual Santa Train.

Presentation of November 2008 Employees of the Month Commendations: Mr. Tom Gallagher, Manager of Facilities Maintenance, recognized Mr. Daniel L. Hardie, Facility Maintenance Mechanic; Ms. Kim Stone, Manager of Bus Operations, recognized Mr. James R. Foreman, Coach Operator, as the November 2008 Employees of the Month, with the Board's congratulations.

PUBLIC COMMUNICATIONS

Ms. Betsy Courtney, Carlsbad, CA spoke on her concerns regarding difficulties reaching 5-1-1, discontinuation of route 365, and flooding of bus stop in Leucadia.

APPROVAL OF MINUTES

MOTION BY BILL HORN TO APPROVE THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 20, 2008, SECONDED BY BOB CAMPBELL. ABSTAIN: ABED, HILLIARD, PACKARD. MOTION CARRIED.

Bob Campbell requested Consent Item 5 be pulled for discussion at the end of the meeting.

CONSENT ITEMS

1. Legislative Status Update
2. California Strategies and Advocacy, LLC Contract
3. Purchase Order to Willis Risk and Insurance Services of San Diego to Extend SPRINTER Completed Operations Insurance Coverage
4. Purchase Order for SANDAG Staff Assistance on the SPRINTER Project
6. FY 2009 1st Quarter Performance Report
7. Amendments to State Transit Assistance Fund Claim for FY 2008 and Prior Periods

8. Grant of Easement to the City of Escondido for a Portion of the Inland Rail Trail

MOTION BY JEROME STOCKS TO APPROVE AGENDA ITEMS 1, 2, 3, 4, 6, 7 AND 8,
SECONDED BY BILL HORN. MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS

9. FY 2008 Financial Audit Results

Senior Partner Gary Caporicci and Partner Kenneth Pun from Caporicci & Larson, NCTD's independent auditors, reviewed: their background; audit approach; financial statement and management responsibilities; 2008 Peer Review; 2008 and 2007 audit results; financial statements overview; summary statement of net assets; summary statement of activities and changes in net assets; summary statement of cash flow; summary of risk areas; control deficiencies; new GASP pronouncements. Mr. Pun spoke on NCTD's relationship with FACT.

Bob Campbell stated that NCTD no longer has employees on the FACT Board and FACT has moved out of the NCTD facilities at 810 Mission, Oceanside, CA.

Bill Horn stated that he didn't think that an NCTD Board Member should be Chair of the FACT Board, that he is all for a Board member being on the FACT Board, just not as the Chair. He suggested that the Board should discuss this item.

Chris Orlando asked Mr. Caporicci how many public agencies his firm has reviewed financial statements for and how does the strength of NCTD's policies, procedures, reporting and controls stack up against these other agencies.

Mr. Caporicci said they have over 400 clients in the State of California and that NCTD's internal controls are excellent.

Bob Campbell requested that the Board receive a copy of the Single Audit Report.

MOTION BY BILL HORN TO APPROVE AGENDA ITEM 9, SECONDED BY ROCKY CHAVEZ.
MOTION CARRIED UNANIMOUSLY.

• **LEGISLATIVE ACTIVITIES UPDATE**

Ellen Roundtree, Intergovernmental Affairs Officer, stated that the State Legislature is expected to pass a budget proposal on December 18, 2008 that, if signed by the Governor, would be effective April 1, 2009. She said that the transportation elements of the proposal change the current structure significantly, including eliminating the gas excise tax at the pump and replacing it with a user fee of 39 cents per gallon and eliminating the Proposition 42 dollars that were, by formula, going to the cities, counties, state transportation improvement programs and transit.

Ms. Roundtree said this 39 cents has a clause to be automatically indexed in three years based on the CPI, that it's supposed to be a benefit to the transportation program by having stronger protection, it would be allocated to local governments, cities and counties to at least match Proposition 42, and probably exceed it. She stated that transit does not benefit from this proposal which includes a cap of \$150 million annually for transit, about half of what NCTD received last year. Ms. Roundtree added that the proposal was determined to be revenue-neutral, it would need a majority vote of the legislature, which is easier to obtain than two-thirds, and would significantly help the general fund problem. She said that since this is a user fee, it's supposed to be protected by Article XIX and thus protected against borrowing, and the funds have to go to highways, roads, and transit capital. She stated that funds pursuant to Article XIX couldn't be used for rolling stock or transit operations.

NO ACTION REQUIRED.

10. Budget Issues for FY 09 and FY 10 Operating Budgets

Richard Hannasch, Director of Administration and Finance, reviewed issues related to fuel costs, state funding and local revenues related to sales tax. He stated that the two most important operating revenue sources for NCTD, TransNet and Transportation Development Act, are both tied to sales taxes, and NCTD will be monitoring how the fourth quarter results look. He stated that the projections from SANDAG are conservative and we will get them in February 2009. Mr. Hannasch said that the fuel savings will roughly offset the impact of reduced sales tax revenue, but if the state money goes down, that's an additional hit.

Sam Abed asked what the budget projections are for June 30, 2009.

Mr. Hannasch said NCTD puts together a balanced budget and if the projection for sales tax holds up, and if we have about the same savings in fuel, those should roughly offset each other and that would keep us in balance. He added that if the State funding is cut in half, as being proposed, that's a \$2 million hit to NCTD that would put the current year \$2 million in jeopardy.

NO ACTION REQUIRED.

11. Sorrento Valley COASTER Connection Service Update

Tom Lichterman, Director of Operations, provided an overview on: COASTER north and southbound boardings; connection services; service trends; on-board survey; passengers per revenue hour for October and November 2008; next steps. He stated that Sorrento Valley is a destination station for about one-third of the COASTER passengers. Mr. Lichterman said that the next step is that the three agencies staff will continue to look at the options, look at current ridership, see if we can get any employers to have some further interest in supporting this service or provide private shuttle service, restructure by preserving the most productive routes, or consider vanpool options.

Chris Orlando asked if this change goes through, would NCTD seek a re-negotiation of the COASTER revenue share.

Mr. Lichterman responded that we would because \$110,000 is supporting this service.

Bill Horn suggested that SANDAG needs to address this issue because it's a hole in the transportation system.

NO ACTION REQUIRED.

12. Mid-Year COASTER Service Report

Lane Fernandes reviewed: ridership; on-time performance percentage; fare revenue per passenger; customer satisfaction; parking lot counts; improvements and additions; Santa Train ridership.

NO ACTION REQUIRED.

13. SPRINTER Revenue Service Report

Tom Lichterman reviewed: weekday ridership trends; ridership by trip, east and westbound; daily boardings by station; parking lot counts; performance trends; activities and observations; fare enforcement.

NO ACTION REQUIRED.

5. Quarterly Financial Report for Three Months Ended September 30, 2008

Bob Campbell stated that his question was regarding fuel costs and forecast and that has been addressed.

NO ACTION REQUIRED.

• **SANDAG AGENDA REVIEW AND LEGISLATIVE ACTIVITIES UPDATE**

Ellen Roundtree reviewed the December 19, 2008 SANDAG agenda, items 5, 6, 8, 11, 12 and 14.

NO ACTION REQUIRED.

• **BOARD MEMBER REPORTS, COMMENTS AND CORRESPONDENCE**

Bob Campbell provided an update on the Airport Ad Hoc Committee. He stated that the Committee is on schedule but they have not heard yet what the cost would be to do a consolidated transit center on the northeast corner of the airport. He said that the Marine Corps is not willing to assist in improving circulation within the airport for aircraft taxi ways so this will probably have to move to a higher level. Mr. Campbell said it's a long-term vision and they aren't expecting to see anything occur before 2015-2020.

- **INTERIM EXECUTIVE DIRECTOR’S REPORT**

Ray Patchett, Interim Executive Director, thanked the Board for their great job and stated that they should be very proud of the staff as they all believe in their mission, they are focused on that mission and work long into the night on delivering on that mission.

- **REMAINING PUBLIC COMMUNICATIONS**

Ms. Dina Smith, Oceanside, CA spoke on her concerns regarding when the public would be notified of upcoming service cuts.

- **ADJOURNMENT**

The meeting adjourned at 4:21 p.m. Submitted by Jill McNaughton, Clerk of the Board for North County Transit District.

CHAIRMAN: _____

CLERK OF THE BOARD: _____

DATE: _____

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**STAFF REPORT TO THE
BOARD OF DIRECTORS**

**Agenda Item #
1**

TITLE: BOARD CHAIR AND VICE-CHAIR ELECTION

Time Sensitive Consent

STAFF RECOMMENDATION: **That the Board of Directors elect a Board Chair and Vice-Chair for 2009.**

BACKGROUND INFORMATION: In accordance with California statute, Public Utilities Code 125100¹, the NCTD Board must elect a Chair and a Vice-Chair in January of each year to serve a one-year term. The statute does not prescribe the process for the selection of a Chair and Vice-Chair and the Board has not adopted a specific policy regarding the selection process.

ATTACHMENT: None

FISCAL IMPACT: None

STAFF CONTACT: **C. Michael Cowett**
General Counsel, Best Best & Krieger
E-mail: Michael.cowett@bbklaw.com Phone: 619/525-1354

¹ The Board at its first meeting, and thereafter annually at the first meeting in January, shall elect a chairman who shall preside at all meetings, and a vice chairman who shall preside in his absence. In the event of their absence or inability to act, the members present, by an order entered in the minutes, shall select one of their members to act as chairman pro tem, who, while so acting, shall have all of the authority of the chairman.



GOVERNANCE COMMITTEE REPORT

TITLE: 2009 INVESTMENT POLICY

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors approve the 2009 Investment Policy.

**BACKGROUND
INFORMATION:**

California Government Code section 53636(a) calls for the Board to annually review NCTD's Investment Policy.

For several years, NCTD's investment policy has been more conservative than required by law. NCTD's counsel Best Best & Krieger (BB&K) suggested it would be helpful to review those areas where the Board has the option to revise the investment policy. Accordingly, BB&K determined those areas of the investment policy that may be revised because the law allows a more liberal approach to investing surplus funds.

POTENTIAL REVISIONS:

A. Government Instruments.

Currently, Section VIII of the policy (see page 5 of the attachment) permits investment only in Treasury obligations and Federal agencies/U.S. government sponsored enterprises. However, section 53601 of the California Government Code allows for investment in a wider array of government instruments. These include: Bonds issued by NCTD; State instruments; Other states' instruments; and Other local agency instruments. If the Board approves these investment instruments, the appropriate language may be added to the investment policy.

B. Repurchase Agreements.

The current investment policy contains numerous restrictions on repurchase agreements that are not required by law (see page 5 and 6 of the attachment). The policy restricts the term to 90 days; NCTD can revise the policy to include a term up to one year. The policy limits investments to no more than 40% of NCTD's funds; however, section 53601 does not limit investment in repurchase agreements. The restrictions on page 6 of the attachment relating to dealers and banking institutions are also not required by section 53601.

In addition, section 53601 permits investments in reverse repurchase agreements. If the Board would like to permit this type of investment, the appropriate language may be added to the investment policy.

C. Bankers Acceptances.

Section 53601 does not require the current restriction noted on page 6 of the attachment, "which are eligible for purchase by the Federal Reserve System, the short-term paper of which is rated in the highest rating category by a nationally recognized statistical rating organization."

Also, the current investment policy limits investments to 10% of NCTD's surplus funds. Section 53601 allows up to 30% of surplus to be invested in bankers acceptances.

D. Commercial paper.

The current investment policy (see pages 6 and 7 of the attachment) requires a maturity rate of no more than 180 days. Section 53601 allows up to a 270-day maturity rate.

The current policy includes a limit of no more than 10% of the outstanding paper of an issuing corporation. This limitation is not required by law.

The policy limits NCTD investment to no more than 15% of NCTD's surplus funds. Section 53601 allows up to 25% of surplus funds to be invested in commercial paper.

E. Medium Term Notes.

The policy (see page 7 of the attachment) requires a rating of AA or better. Section 53601 requires only A or better.

The policy limits NCTD investment to no more than 10% of NCTD's surplus funds. This limitation is not required by law.

F. Negotiable Certificates of Deposit.

The policy (see page 7 of the attachment) requires the senior debt obligations of the issuing institution to be rated AA or better. This limitation is not required by law.

G. Local Agency Investment Fund (LAIF).

The policy (see page 7 of the attachment) includes a limit of \$40 million. This restriction is not required.

H. Mortgage and Asset-Backed Obligations.

The policy (see page 8 of the attachment) requires a rating of AA or higher by two national rating agencies. Section 53601 only requires one rating agency, not two.

If the Governance Committee would like to authorize any of the above potential changes to the NCTD investment policy, the appropriate language can be added.

ATTACHMENT: 2A – 2009 Investment Policy

FISCAL IMPACT: None

**COMMITTEE
REVIEW:**

12/3/08

The Governance Committee reviewed this item at its December 3, 2008 meeting and recommended adding the following language: "consistent with the standards adopted by the NCTD Board", to the policy which is shown in red on page 5 of 9 of Attachment 2A. The purpose for this addition would be to ensure that any external investment advisor follow NCTD standards. Subsequent to the December 3, 2008 Governance Committee meeting, a further review of the Investment Policy was recommended.

1/7/09 The Governance Committee recommends no change to the existing investment policy.

STAFF CONTACT: Richard Hannasch
Director of Administration & Finance
E-mail: rhannasch@nctd.org Phone: 760/967-2809



MONITORING COMMITTEE REPORT

TITLE: AMENDMENT TO VOICE OVER INTERNET PROTOCOL(VOIP) TELEPHONY AGREEMENT

Time Sensitive Consent

COMMITTEE RECOMMENDATION:

That the Board of Directors authorize the Executive Director to issue a Supplemental Agreement to RFQ 8058 to add additional VOIP services up to a maximum cost of \$200,000, and to add long distance and other services that may be required up to a maximum cost of \$100,000, for a total cast of \$300,000.

BACKGROUND INFORMATION:

In February 2008, the Information Technology team began an evaluation of telephony solutions to replace the leased Centrex system provided by AT&T. Based on an extensive business case analysis, staff determined that a Voice Over Internet Protocol (VOIP) system could provide the agency with a much more cost-effective telephony solution.

In July 2008, staff issued an RFQ for an initial installation of a VOIP system for the Administrative Offices at 810 Mission Avenue, Oceanside, CA since the scope of work was valued at less than \$100,000. Four qualified vendors provided proposals and AT&T was awarded the contract. The installation of the initial system was completed in December 2008.

The system has proven successful, significantly reducing operating costs and support time and providing the District with more flexibility and functionality in the telephony system. Based on this success, staff recommends proceeding with installation of the VOIP technology at other District sites.

AT&T's proposal for VOIP was based on pricing from their State of California CALNET2 agreement which also allows the District to utilize preferential pricing for long distance and other services.

Staff recommends that the Board authorize the Executive Director to revise the existing AT&T VOIP contract to add scope and costs not-to-exceed \$200,000 to complete installation at all District sites and to allow the District to utilize the agreement for additional telephony services as budgeted for up to an additional \$100,000.

This request would increase the current contract value of \$95,899 by \$200,000 through December 2009 and \$100,000 through September 2013. The \$200,000 would be funded from an existing capital improvement project (320.109042) and a planned future capital project (320.510404). Additional costs not-to-exceed \$100,000 for long distance or other services would be secured out of each FY operating budget.

The VOIP project provides a significant reduction in operating costs, with an estimated one year return-on-investment.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this item is \$300,000. A total of \$405,605 has been budgeted in two IT capital projects (JB#'s 109042 and 510404), for this purpose, including \$155,000 from NCTD's preliminary capital project budget for FY10. Of the total amount budgeted, \$7,829 has been expended and an additional \$29,114 has been encumbered, leaving an available balance of \$368,662.

Although none of the capital funding for FY 10 is immediately available, pre-award authority is applicable, which would allow NCTD to award contracts now and seek reimbursement for costs incurred in the near future. These funds are expected to be available by August 2009.

Operating costs for this item are/will be provided for in the IT department's current and future operating budgets.

The financial analysis demonstrated that the investment in VOIP would have a payback period of less than three years, and a result in savings estimated at \$533,500 by the end of FY 2012.

**COMMITTEE
REVIEW:**

1/08/09 Staff reviewed NCTD's efforts to reduce ongoing operating costs by implementing the VOIP (Voice Over Internet Protocol) project. The Monitoring Committee recommended approval on the Board's consent calendar.

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

Key Staff Contact: **Angela Miller, Chief Information Officer**
E-mail: amiller@nctd.org Phone: 760/966-6582



MONITORING COMMITTEE REPORT

TITLE: ON-SITE INFORMATION TECHNOLOGY SUPPORT SERVICES

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors authorize the Executive Director to issue a Supplemental Agreement to increase the value of the Agreement (6057-OS) with Datel Systems by an additional \$400,000.

**BACKGROUND
INFORMATION:**

In August 2006, the Board authorized a contract for on-call Information Technology (IT) network support services for a value of \$1,000,000 and for a five-year period ending in August 2011. In April 2007, the Board authorized the increase in the agreement value by \$350,000 due to the necessity for additional SPRINTER IT support services.

The agreement supports the on-going evaluation of cost-effectively balancing internal IT staff with contracted on-call support. Available on-call services include, but are not limited to: design services; recommendations for upgrades and equipment; troubleshooting equipment; configuration; hardware and software replacement strategies.

The IT team appropriately leveraged this agreement to complete a variety of projects, including updating the network infrastructure, upgrading workstations, and installing a fiber network. The agreement had previously been revised to add maintenance associated with SPRINTER network devices, as the SPRINTER has tripled the number of devices on the NCTD network.

Primarily due to the successful expansion of SPRINTER-related network devices and the role the IT team has now undertaken with the regional IT systems, staff recommends that the Board authorize the Executive Director to increase the existing Datel Systems agreement by an additional \$400,000.

If approved, this action will increase the cost of this agreement from \$1,350,000 to \$1,750,000.

ATTACHMENT: None

FISCAL IMPACT:

This request would increase the authorized contract amount by \$400,000 through August 2011. The additional funding required to supplement this contract would come from the operating account 320.503316 budgeted in the amount of \$190,000 for FY 2009, and existing CIP funds from projects 109042 (Fiber Optic Project), 109043 (Network Monitoring), and 109044 (IT Backup Project). There is no additional anticipated impact to the current operating budget.

COMMITTEE REVIEW: Staff reviewed NCTD's efforts to appropriately balance internal IT staffing and external contract support services based on cost and expertise required to support key systems that are critical to NCTD operations. The Monitoring Committee recommended approval of the item on the Board's consent calendar.
1/08/09

STAFF CONTACT: **Richard Hannasch**
Director of Administration & Finance
E-mail: rhannasch@nctd.org Phone: 760/967-2809

Key Staff Contact: **Angela Miller, Chief Information Officer**
E-mail: amiller@nctd.org Phone: 760/966-6582



MONITORING COMMITTEE REPORT

TITLE: COASTER WIRELESS MESH NETWORK

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors authorize the Executive Director to issue a Supplemental Agreement to increase the value of the agreement (6057-OS) with Datel Systems by an additional \$750,000.

**BACKGROUND
INFORMATION:**

In 2006, NCTD issued a RFP and contract for the installation of a wireless mesh network along the coastal right-of-way (ROW). The first contract for the COASTER mesh network was authorized for \$300,000, with additional contract extensions to be issued as funds became available. The first contract authorized the installation of the wireless mesh network on ten miles of the coastal rail right-of-way, as well as nodes at all rail stations. In April 2008, an increase of \$600,000 was authorized by the Board for the completion of the mesh network infrastructure and the installation of cameras on the locomotives

NCTD was awarded a new grant by the US Department of Homeland Security in December 2008 in the amount of \$775,000. The purpose of this funding is to install fixed cameras attached to the wireless mesh infrastructure along the COASTER Right-of-Way for security monitoring, and to install wireless cameras within the COASTER vehicles for remote security monitoring.

If approved, this action will increase the cost of this agreement from \$900,000 to \$1,675,000.

ATTACHMENT: None

FISCAL IMPACT: There is no impact to the NCTD CIP capital budget as a result of this project because all costs are covered by a grant from the US Department of Homeland Security. All funds must be used for this project or returned to the Department of Homeland Security.

There will be an increase to the IT operating budget of approximately \$30,000 for ongoing maintenance of the equipment, after installation, beginning in FY 2010. These funds will be included in the FY 2010 recommended budget.

**COMMITTEE
REVIEW:**

1/08/09 Staff reviewed the status of the wireless mesh network along the coastal right of way. Since 2006, NCTD structured the contract so that the network could be extended as available funding permitted. In December 2008, NCTD was awarded a new Homeland Security grant, permitting NCTD to use the newly available funding to extend the capability of the network. The Monitoring Committee recommended approval on the Board's consent calendar.

STAFF CONTACT: Richard Hannasch
Director of Administration & Finance
E-mail: rhannasch@nctd.org Phone: 760/967-2809

Key Staff Contact: Angela Miller, Chief Information Officer
E-mail: amiller@nctd.org Phone: 760/966-6582



MONITORING COMMITTEE REPORT

TITLE: SIMON WONG ENGINEERING SUPPLEMENTAL AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES ON THE SPRINTER PROJECT

Time Sensitive Consent

COMMITTEE RECOMMENDATION:

That the Board of Directors authorize the Executive Director to approve an extension of the existing Construction Management (CM) services contract with Simon Wong Engineering through completion of project close-out, at a cost not-to-exceed \$800,000.

BACKGROUND INFORMATION:

NCTD contracts with consultant engineering firm Simon Wong Engineering (SWE) to provide comprehensive construction management services for the SPRINTER project, including:

- Owner’s representative in all official dealings with the Contractors
- Field construction inspection, testing, and quantity verification
- Design constructability reviews
- Construction contract management, including issuance of Field Work Directives and negotiation of Change Orders
- Estimating, scheduling, and cost analysis and forecasting
- Payment application analysis and processing
- Review of Time Impact Analyses (TIA’s) and other support documentation in determining merit of payments on global settlement to WCRC.

As previously reported in prior Construction Management contract amendment requests, the level of effort of the services provided by SWE is based on both core contractual management issues (i.e. pay application processing, inspections, testing, etc.) as well as specific issue management. Since the beginning of the project, a significant amount of their resources have been devoted to tasks related to managing scope changes.

Of particular note is the need to track, analyze and negotiate force account work. Payment by force account analysis is a method provided for in the contract which allows previously unidentified scope to be monitored in the field, then evaluated for merit and cost after the fact. Much of the current effort being expended by the CM staff is related to the processing of this force account work.

Additionally, in the last few months, a great deal of effort has been devoted to negotiating close out issues with the prime contractor and many of the sub contractors. This process has taken longer than expected due to the volume of issues to resolve. The CM/NCTD team is currently attempting to conclude remaining contractual issues by April of 2009.

Another vital CM task, which has required more effort, is that of claim mitigation. Considerable effort has been put forth by the CM team to meticulously maintain project schedule data and to develop "issue" files used for analysis and response to requests for additional compensation or impact claims. Continuing this effort until final close out is a necessary task to mitigate potential risk.

Simon Wong Engineering has submitted a cost proposal of \$760,300 (after taking into account current remaining funds) to complete the projected remaining tasks to close out the project. This amount is based on a position-by-position build-up of CM staffing levels and durations, and uses existing contractual hourly rates and multipliers. Staff has reviewed this proposal and finds it acceptable. In addition, staff is recommending that the Board authorize a total of \$800,000 to allow for some contingency, such as claims-related follow-up work.

Simon Wong Engineering's latest contract supplement took the contract through December 2008. Staff is proposing an extension through June 2009, in the event the Mainline Contractor's submittals come in more slowly and require a longer processing time. In that event, the CM contract staffing level would be reduced, and spread out over the longer time period, to stay within budget.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this action is \$800,000. A total of \$35,984,538 has been budgeted in the revised SPRINTER project budget under JB# 709508 for construction management, of which \$35,614,121 has been expended and an additional \$245,256 has been encumbered, leaving an available balance of \$125,161. The remainder will be funded from the contingency account, which has a sufficient balance to cover this item.

COMMITTEE

REVIEW:

1/08/09 Staff reviewed the contract close out activities and the estimated costs remaining for construction management. The Committee recommended approval on the Board's consent calendar.

STAFF CONTACT: **Tom Lichterman**
Director of Operations
E-mail: tlichterman@nctd.org Phone: 760/967-2855

Key Staff Contact: Don Bullock, Sprinter Project Manager
E-mail: dbullock@nctd.org Phone: 760/737-8625 ext 257



MONITORING COMMITTEE REPORT

TITLE: RATIFICATION OF THE EXECUTIVE DIRECTOR'S EXIGENT CIRCUMSTANCE DECLARATION REGARDING LANDSCAPE MAINTENANCE ON THE INLAND RAIL TRAIL AREAS

Time Sensitive Consent

COMMITTEE RECOMMENDATION:

That the Board of Directors ratifies the Executive Director's action of declaring an exigent circumstance and issuing a Supplemental Agreement to DOC 9012-OS (Marina Landscape) in an amount not-to-exceed \$35,000 for the purpose of temporarily maintaining landscape along the San Marcos Inland Rail Trail.

BACKGROUND INFORMATION:

Marina Landscaping was the landscaping subcontractor for West Coast Rail Constructors on the Mainline SPRINTER contract. They were responsible for the installation and maintenance for the landscaping for the entire contract, including the work along the Inland Rail Trail (IRT). Their contract work and required maintenance period has been concluded for over six months.

NCTD has accepted their work as complete, but the transfer of the rail trail responsibilities to the City of San Marcos has not yet taken place. An initial sole source contract was issued to Marina for the purpose of maintaining the landscape from July 2008 until December while this transfer of ownership was taking place. An extension cannot be executed without Board approval as the contract value will now exceed \$100,000.

Due to the need to immediately continue the landscape maintenance while we await transfer of the IRT to San Marcos, on December 31, 2008, the Executive Director declared an exigent circumstance and used the Board-granted authority to authorize the issuance of a Supplemental Agreement to Marina Landscaping, increasing their contract value from \$99,500 to \$134,500. Work under this Supplemental Agreement will be used only as needed to ensure landscaping is maintained until the transfer to the City is finalized.

Since the IRT is not a part of the SPRINTER project for budgetary purposes, costs associated with the IRT are the responsibility of SANDAG. SANDAG has been informed of this issue and the costs of this addendum will be included in the cost of the IRT.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this action is not to exceed \$35,000. These costs are to be funded by the capital project budget for the IRT (which is being managed by NCTD on behalf of SANDAG), and are expected to be reimbursed by SANDAG.

**COMMITTEE
REVIEW:**

1/08/09 Staff indicated that the transfer of rail trail responsibilities to the City of San Marcos has not yet taken place. The Executive Director declared an exigent circumstance on December 31, 2008 to authorize a supplemental agreement for landscape services. The costs are to be reimbursed by SANDAG as part of the Inland Rail Trail project. The Committee recommended approval of the item on the Board's consent calendar.

**STAFF CONTACT: Tom Lichterman
Director of Operations**

E-mail: tlichterman@nctd.org

Phone: 760/967-2855

Key Staff Contact: Don Bullock, Sprinter Project Manager

E-mail: dbullock@nctd.org Phone: 760/737-8625 ext 257



GOVERNANCE COMMITTEE REPORT

TITLE: BOARD COMMITTEES AND EXTERNAL COMMITTEE ASSIGNMENTS

Time Sensitive Consent

COMMITTEE RECOMMENDATION:

That the Board of Directors approve NCTD Committee and External Committee assignments.

BACKGROUND INFORMATION:

Board Resolution 02-06, adopted April 4, 2002, places responsibility on the Board Chair to appoint Board members to NCTD Board Committees, with consent of the Board of Directors. Historically, Board appointments to external Committees have also been made at this same time. As the Board Chair for 2009 would not be appointed until the January 22, 2009 Board meeting, postponement of committee assignments until February was suggested. The Governance Committee did not believe a delay was necessary.

Pursuant to Resolution 02-06, Board members who have served two years consecutively on either the Planning or Monitoring Committee should transition to the other Committee. The resolution requires that the Governance Committee be comprised of the Board Chair, Vice-Chair and the Chairs of the Planning and Monitoring Committees and Committee Chairs are selected by their respective Committee.

The current schedule of NCTD Board meetings and external committee meetings are presented below:

MEETINGS OF THE NCTD BOARD

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

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

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

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

EXTERNAL COMMITTEE MEETINGS

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

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

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

Joint Committee On Regional Transit (JCRT): Meets quarterly, or as needed, to provide policy guidance on transit operating matters that are of concern to NCTD and MTS and to review the implementation of the Transition Plans for agency consolidation.

LOSSAN: The Los Angeles to San Diego Rail Corridor Agency Joint Powers Board meets quarterly in Los Angeles to further the development of rail service in the coastal corridor from San Diego to San Luis Obispo. (Meetings for 2009 are scheduled for Wednesdays as follows)

February 11, 2009	LAMTA
April 29, 2009	LAMTA
September 09, 2009	Oceanside
December 09, 2009	LAMTA

Airport Regional Planning Committee: Meets every three weeks, between April 2008 and February 2009, the multi-agency advisory committee was formed to assist in the development of a vision for San Diego International Airport (Lindbergh Field). The Airport Regional Policy Committee is led by San Diego Mayor Jerry Sanders and is comprised of policy makers from the San Diego County Regional Airport Authority, San Diego Association of Governments (SANDAG), County of San Diego, U.S. Department of Defense, Port of San Diego, Metropolitan Transit Systems (MTS) and North County Transit District (NCTD). The goal of the Committee's work effort is to develop a vision, goals and objectives for the future that will optimize Lindbergh Field, integrate multimodal ground transportation options, and enhance community development.

ATTACHMENT: 8A – North County Transit District Board Committees and External Committee Assignments

FISCAL IMPACT: None

**COMMITTEE
REVIEW:**

1/7/09 The Governance Committee discussed this item and recommended that the Board Chair make the assignments subject to Board approval at the January 22, 2009 Board meeting. To assist with the assignments, the Committee recommended providing the Board with a list of the 2008 appointments which is included as Attachment 8A.

STAFF CONTACT: **C. Michael Cowett**
General Counsel, Best Best & Krieger
E-mail: Michael.cowett@bbklaw.com Phone: 619/525-1354



PLANNING COMMITTEE REPORT

TITLE: Rail Safety Video

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors present a Certificate of Appreciation and recognize the combined contributions of Supervisor Bill Horn of the County of San Diego and its Cable Television Network Grant Program; the Transit Alliance for a Better North County (TABNC); and KOCT television in the making of a Rail Safety video

**BACKGROUND
INFORMATION:**

As part of NCTD's ongoing effort to educate and inform the public about the importance of rail safety in San Diego, a video was recently completed and will be broadcast on KOCT and County Television Network (CTN). The making of the video grew out of a need discovered prior to opening the SPRINTER. Outreach efforts during that time involved making joint rail safety presentations to every school in the SPRINTER corridor, many times in tandem with Operation Lifesaver volunteer presenters.

NCTD's rail safety efforts go back to the early 1990's when the railroad was initially acquired and plans were established to start the COASTER service. Earlier this year NCTD learned of a grant available to local non-profit organizations from the County of San Diego to promote safety in the region. With the support of Supervisor Horn and partnering with TABNC a grant was secured and KOCT was contracted to make a rail safety video. Today, we would like to preview a short segment of the video for the Board and recognize Supervisor Horn, San Diego County's Cable Television Network Grant Program, TABNC and KOCT in making this video possible.

It should also be noted the video will continue airing regularly on both KOCT and CTN. NCTD will distribute it locally in DVD format to interested schools, Operation Lifesaver volunteer presenters and local community organizations to further encourage rail safety education throughout San Diego.

ATTACHMENT: None

FISCAL IMPACT: None

**COMMITTEE
REVIEW:**

1/8/09

Staff described the background on the funding for, and creation of, this Rail Safety video. The Committee agreed that TABNAC, the County of San Diego, and KOCT should be recognized for their efforts on the video and that the Board should view a short excerpt during the meeting.

STAFF CONTACT:

Richard Hannasch
Director of Administration and Finance
E-mail: rhannasch@nctd.org Phone: 760/967-2809

Key Staff Contact: Tom Kelleher, Manager of Marketing & Communications E-mail: tkelleher@nctd.org Phone: 760/967-2862



PLANNING COMMITTEE REPORT

TITLE: FY 09 TRANSPORTATION DEVELOPMENT ACT (TDA) 4.0 AND 4.5 AMENDED CLAIMS and RESOLUTION

Time Sensitive Consent

COMMITTEE RECOMMENDATION:

That the Board of Directors approve the Amended TDA claims and attached resolution authorizing the Executive Director to file the FY 09 amended applications for Transportation Development Act (TDA) Articles 4.0 and 4.5 funds in the amounts of \$29,764,636 and \$1,535,859, respectively.

BACKGROUND INFORMATION:

In April of each year, NCTD is required to file the Transportation Development Act (TDA) and State Transit Assistance Funds (STA) claims with the San Diego Association of Governments (SANDAG) for the subsequent fiscal year. Earlier in 2008, NCTD did file its TDA claims for FY 09 based on the revenue estimates provided by SANDAG.

The original TDA Article 4.0 claim for FY 09 was in the amount \$31,317,000 to support operations of the BREEZE fixed-route bus service, LIFT ADA paratransit service, COASTER commuter rail service, SPRINTER light rail service and capital projects. The total claim amount also included \$524,560 to cover the cost of functions transferred to SANDAG and \$27,170 for capital construction of the East Division Maintenance Facility, which SANDAG is constructing on behalf of NCTD.

The original TDA Article 4.5 claim for FY 09 was in the amount \$1,591,000 to support continuing operations of LIFT ADA paratransit service and capital projects.

At its November 21, 2008 meeting, the SANDAG Board of Directors approved a 4.96% reduction in the FY 09 TDA apportionment, due to reduced sales tax revenue estimates caused by the ongoing economic downturn in the national and local economies. As a result, SANDAG has requested that NCTD file amended TDA claims reflecting the lower revenue estimates. In conjunction with the amended claims, the NCTD Board is requested to reassert specific findings as detailed in the attached resolution (Resolution 09-01).

TDA Article 4.0 Claim

The revised TDA Article 4.0 claim for FY 09 is in the amount \$29,764,636, a decrease of \$1,552,364 from the original claim. These funds will be used to support continuing operations of the BREEZE fixed-route bus service, LIFT ADA paratransit service, COASTER commuter rail service, and SPRINTER light rail service. The total claim amount also includes \$498,558 to cover the cost of functions transferred to SANDAG which will be paid directly to SANDAG.

TDA Article 4.5 Claim

The revised TDA Article 4.5 claim for FY 09 is in the amount of \$1,535,859, a decrease of \$55,141 from the original claim. This amount will be used to support both continuing operations of LIFT ADA paratransit service and capital projects.

ATTACHMENT: 10A – Resolution 09-01

FISCAL IMPACT: The fiscal impact of this action is to reduce TDA Article 4.0 and 4.5 operating revenues for FY 09 by \$1,552,364 and \$55,141, respectively.

**COMMITTEE
REVIEW:**

1/8/09 Staff explained that this action is being brought forward as a result of the revised, lower level of anticipated TDA money for FY 09 based on estimates from SANDAG, which resulted in a SANDAG request that NCTD file these amended claims. Due to the serious impact of this reduction on our current-year operating budget, the Committee recommended that the Board review and approve this item on the discussion calendar.

STAFF CONTACT: **Richard Hannasch**
Director of Administration & Finance
E-mail: rhannasch@nctd.org Phone: 760/967-2809

Key Staff Contact: Diane Hessler, Chief Management Accountant
E-mail: dhessler@nctd.org Phone: 760/966-6550



PLANNING COMMITTEE REPORT

TITLE: PROPOSED CAPITAL IMPROVEMENT PROGRAM FY 2010 – 2014 AND REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

Time Sensitive Consent

COMMITTEE RECOMMENDATION:

That the Board of Directors:

- a) approve the submittal of proposed CIP and operating expenses for updates in the 2008 Regional Transportation Improvement Program (RTIP), and
- b) approve the list of projects proposed to be funded with TransNet monies with a pledge that NCTD will expend the funds in compliance with the requirements of the TransNet Ordinance and Expenditure Plan.

BACKGROUND INFORMATION:

Capital Improvement Program (CIP)

Each year, NCTD prepares a five-year CIP, which is a multi-year plan of capital projects for facility construction, capital improvements and capital acquisitions, along with estimated costs and proposed funding. The proposed CIP, covering the five-year period from 2010-2014 has been prepared by staff and is summarized in Attachment 11A. A detailed schedule of the FY10 capital projects is included as Attachment 11B. A summary of NCTD's proposed major capital projects can be found in Attachment 11C.

As discussed in the prior Agenda Item # 10 (TDA Claim Amendment) and previously reported to the Planning Committee in conjunction with ongoing budget and service level discussions, due to reduced sales tax revenues caused by the ongoing economic downturn in the national and local economies, NCTD is experiencing a substantial reduction in funding levels compared to previous estimates. These reductions range from \$7.3 million to \$10.6 million annually for fiscal years FY10-14. To minimize the impact these funding reductions will have on service, staff is recommending the following:

- (i) decrease (by approximately \$5 million annually from NCTD's historical levels of capital funding) the CIP for FY10-14, and
- (ii) maximize the amount of federal funding that is programmed for operations.

The proposed CIP FY 2010-2014 is based on preliminary estimates of funding levels provided by SANDAG. In February 2009, SANDAG is scheduled to provide final estimates of transit revenues available for fiscal years 2010-2014. Based on the final revenue estimates, NCTD staff may recommend minor modifications to the proposed CIP. As part of the annual CIP development process, NCTD completed a rating and ranking process for its capital projects. If funding for the CIP is not sufficient to fully fund the proposed program, projects would be funded on a priority basis, based upon their ranking. If funding exceeds the estimated levels, priority projects that did not receive all requested funding could receive additional funding.

The proposed CIP is scheduled for formal Board approval in June 2009 in conjunction with the annual Operating Budget, following a 30-day public comment period and public hearing.

Should the financial outlook change in the future such that NCTD wishes to modify the proposed CIP, it can do so by amending the RTIP as appropriate.

Regional Transportation Improvement Program (RTIP)

Every two years, SANDAG must develop and adopt an RTIP, as required by State and Federal laws. The RTIP is a multi-year funding program of proposed major highway, arterial, transit, and bikeway projects, including the TransNet Program of Projects. To be eligible for certain types of federal, state, and transportation sales tax funding, NCTD must have its projects included in an approved RTIP. In addition to its capital projects, certain operating expenses, such as preventive maintenance, associated capital maintenance, and some ADA paratransit services, are eligible for federal capital funding and must also be included in the RTIP. The approved RTIP is amended periodically as necessary until the next biennial RTIP is prepared and adopted.

NCTD typically submits capital projects to SANDAG for inclusion in the RTIP at the beginning of the calendar year in conjunction with its annual five-year CIP and Operating Budget development process. The 2008 RTIP was approved by the SANDAG Board on July 25, 2008. NCTD is requesting amendment of the 2008 RTIP to update funding levels of projects included in the RTIP.

With its RTIP submittals, SANDAG also recommends that the Transit Boards take an action to support the projects proposed to be funded with TransNet monies and a statement that NCTD will expend the funds in compliance with the requirements of the TransNet Extension Ordinance and Expenditure Plan. With Planning Committee approval, we will submit updates to these projects and operating expenses for the 2008 RTIP in the format required by SANDAG and summarized in Attachments 11D and 11E, subject to NCTD Board approval.

ATTACHMENT: 11A – Summary Proposed Constrained Baseline CIP FY 2010-2014
11B – Proposed FY 10 Constrained Baseline CIP
11C – Proposed Major Capital Projects – Multi-Year
11D – Proposed Federal Funding Program
11E – ProjecTrak Programming Report

FISCAL IMPACT: There is no direct fiscal impact associated with this action. Inclusion of projects in the RTIP and approval thereof is a requirement for approval of federal and state grant applications and the use of TransNet funds.

COMMITTEE REVIEW: The Committee reviewed the proposed five-year capital improvement program (CIP) for the years FY10 – FY14, which must be updated and submitted to SANDAG annually. Due to the significant reduction in operating revenues following adoption of the FY 09 Operating Budget, CIP funding will be significantly lower than in past years, with funds shifted when possible into the operating program.
1/8/09

By doing this, NCTD can minimize the impact the operating revenue reductions would otherwise have on service levels. The reduction in the CIP constitutes roughly a one-third reduction compared to historical spending levels, from a normal annual average of \$15 - \$16 million, to the proposed \$10 million per year

for five years. The most significant reductions were for Right-of-Way Improvements and for the purchase of replacement buses (see Attachment 11A for more detailed information).

The Committee noted that this is not an approach that can be sustained for multiple years, but is a short-term measure to offset reduced revenues. The Committee also noted that NCTD may revise these projections at the next annual update if conditions permit.

STAFF CONTACT: Richard Hannasch
Director of Administration and Finance
 E-mail: rhannasch@nctd.org Phone: 760/967-2809

Key Staff Contact: Diane Hessler, Chief Management Accountant
 E-mail: dhessler@nctd.org Phone: 760/966-6550

EXTENDED BACKGROUND INFORMATION: Capital Improvement Program (CIP)

At the Committee Meeting, the Committee requested that staff provide summary information on the historical level of baseline CIP funding for the previous five years. That information is as follows:

		Historical Budget Data				
Asset Class	Asset Description	2005	2006	2007	2008	2009
104	Revenue Vehicles	\$ 6,318,962	\$ 967,411	\$ 875,670	\$ 1,319,382	\$ 1,229,193
223	Service Vehicles	399,247	78,662	1,026,231	112,500	1,152,320
337	Buildings & Structures	3,253,162	1,350,000	-	-	-
338	Bldg & Structure Improvements	403,771	1,057,083	1,245,375	2,454,178	5,090,285
431	Transit Way Equipment	-	125,000	-	60,000	70,000
433	Right of Way Improvements	6,722,008	6,405,648	5,829,297	7,719,898	7,775,350
434	Operating Yard Equipment	132,768	-	-	-	-
435	Shop & Garage Equipment	102,902	139,116	181,500	106,668	215,750
438	Vehicle Movement Control Equipment	-	376,768	-	-	80,625
439	Revenue Collection and Fare Equipment	-	9,000	4,000	-	361,400
440	Data Processing Equipment	77,714	296,517	675,000	666,500	1,813,450
500	Office Furniture & Equipment	6,168	93,839	100,000	30,000	24,565
600	Land	-	1,350,000	30,000	329,500	-
601	Land Improvements	-	1,330,000	-	-	-
TOTALS - Constrained CIP		\$ 17,416,702	\$ 13,579,044	\$ 9,967,073	\$ 12,798,626	\$ 17,812,938

The Committee also discussed NCTD's unfunded baseline capital needs. This information has been submitted to SANDAG as part of a regional SANDAG Transportation Committee agenda item for the near future, and is expected to be reviewed by the SANDAG Transportation Committee and the NCTD Board at that time.



GOVERNANCE COMMITTEE REPORT

Agenda Item #
12

TITLE: FUTURE STRATEGIC WORKSHOP

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors approve Saturday, February 28, 2009 at 10:00 am for the NCTD Board Workshop .

**BACKGROUND
INFORMATION:**

Given the successful implementation of the SPRINTER, changing leadership from federal, state, local and organization perspective, and other key considerations related to funding, the environment, and our economy, it is time for the NCTD to take a comprehensive look at where have been and chart a direction for future success.

Accordingly, the Executive Director is recommending that the Board set a one-day workshop to receive a briefing and provide feedback related to the purpose, need, process, key outcomes along with the cost and schedule of conducting a strategic review and a comprehensive operations analysis of NCTD to support the development of future annual business plans and an update of the long range strategic business plan, ***Fast Forward: A Strategic Business Plan*** that was adopted in 2001.

The strategic review will assess NCTD's performance since the adoption of the 2001 business plan based on a review of our mission statement and the Board's adopted goals. The comprehensive operations analysis will assess our current services (bus, rail, and ADA paratransit) and provide recommendations to increase efficiency and ridership.

Prior to the start of the Workshop, a one-hour orientation will be conducted that will provide an introduction to public transportation for new Board Members and Alternates, as well as any returning Board members that would like to participate.

The Executive Director will solicit additional feedback from the Board regarding other potential topics for the workshop and will also be responsible for the development of the final agenda including inviting guests and or speakers.

ATTACHMENT: None

FISCAL IMPACT: Unknown

**COMMITTEE
REVIEW:**

1/7/09 Staff provided the Governance Committee with an overview of the focus, format and goals for a strategic workshop proposed to be held in February 2009. The Governance Committee concurred that a focused and concise workshop in February is an important step in the development of the agency's goals for the future including achieving financial sustainability. This is also an opportunity for new Board members to obtain a basic understanding of public transportation.

Based on input from the Board and Alternates, February 28, 2009 has been identified as the date to have the workshop. New Board members, as well as any other returning Board members and Alternates, are invited to attend an orientation at 9:00 am, with the Workshop beginning at 10:00. Both sessions will be held in the Board Room at 810 Mission Avenue, Oceanside, CA.

STAFF CONTACT: Matthew O. Tucker
Executive Director/Chief Executive Officer
E-mail: mtucker@nctd.org Phone: 760/967-2867



MONITORING COMMITTEE REPORT

TITLE: SPRINTER REVENUE SERVICE REPORT

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors accept the SPRINTER revenue service report as an Information item.

BACKGROUND INFORMATION: Each month, staff provides the Board an update on the status of the SPRINTER, following inauguration of service on March 9, 2008.

Staff will provide a PowerPoint presentation to the Board on the SPRINTER based on December 2008 information.

ATTACHMENT: None

FISCAL IMPACT: Not applicable

**COMMITTEE
REVIEW:**

1/8/09 Staff provided an overview of December 2008 performance on the SPRINTER using a PowerPoint presentation. The Committee recommends that the full Board receive this report.

STAFF CONTACT: **Tom Lichterman**
Director of Operations
E-mail: tlichterman@nctd.org Phone: 760/967-2855

January 22, 2009

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

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

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

Meeting Date and Time:	January 22, 2009; 2:00 p.m.
Posted At:	810 Mission Avenue, Oceanside, CA
Date & Time of Posting:	January 15, 2009; 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.