

CALL TO ORDER

Chairman Bob Campbell called the meeting to order at 12:05 p.m.

ROLL CALL OF BOARD MEMBERS

Mark Packard (City of Carlsbad); Carl Hilliard (City of Del Mar); Sam Abed (City of Escondido); Rocky Chavez (City of Oceanside); Chris Orlando participating via conference phone for Closed Session (City of San Marcos); Dave Roberts (City of Solana Beach); Bob Campbell (City of Vista); Absent: Bill Horn (County of San Diego).

Jerome Stocks (City of Encinitas) arrived at 12:10 pm.

CLOSED SESSION

The Board went into Closed Session at 1:06 p.m. to discuss items i, ii, iii, and iv.

- i. Closed Session Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiators – Location of Property is Assessor Parcel Number 183-060-55, 183-060-82, 183-060-83, 184-024-05, 184-024-06, 184-040-51, 184-040-53 in the County of San Diego. NCTD Negotiators: Tom Lichterman and Ed Singer. Negotiating Party: County of San Diego.
- ii. Closed Session Pursuant to Government Code Section 54956.9(b) - Anticipated Litigation – One Potential Case
- iii. Closed Session Pursuant to Government Code Section 54956.9(c) – Anticipated Litigation – One Potential Case
- iv. Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiators Agency Designated Representative: Matthew Tucker  
Employee Organization: Teamsters Local 542 Unrepresented Employees: All

The Board returned from Closed Session at 2:21 pm. Michael Cowett, General Counsel, stated that the Board met in Closed Session to discuss item i, and the Board voted unanimously to approve an agreement with the County of San Diego for the sale of a long narrow parcel of real property along the SPRINTER line. He said that in regards to item ii, the Board voted unanimously to direct the Executive Director to sign an agreement between NCTD and the City of Oceanside concerning several matters regarding flooding along the SPRINTER line. Mr. Cowett stated that in regards to items iii and iv, there was nothing to report.

ROLL CALL OF BOARD MEMBERS

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); Hal Martin (Alternate, City of San Marcos); Dave Roberts (City of Solana Beach); Bob Campbell (City of Vista); Bill Horn (County of San Diego).

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Board member Carl Hilliard led the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

Chair Campbell requested agenda item 13 be reviewed after item 9. The Board concurred.

PRESENTATION OF COMMENDATIONS

Chair Campbell read the NCTD Proclamation supporting the 2009 Dump the Pump Day.

MOTION BY DAVE ROBERTS TO ADOPT THE PROCLAMATION, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

Richard Hannasch, Director of Administration and Finance, stated that NCTD received the Distinguished Budget Presentation Award from the Government Finance Officers Association

The Board recognized the May 2009 Employees of the Month: Mr. Edward J. Seckendorf, Facility Maintenance Worker; Mr. David E. Campsall, Coach Operator; Mr. Steve Vigil, Human Resource Specialist.

PUBLIC COMMUNICATIONS

None

Mr. Mark Watts provided a State Budget and State Legislative Quarterly update.

APPROVAL OF MINUTES

MOTION BY DAVE ROBERTS TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 21, 2009 TO INCLUDE THE VERBATIM MINUTES OF AGENDA ITEM 8, SECONDED BY HAL MARTIN. ABSTAIN: HORN. MOTION CARRIED.

**CONSENT ITEMS**

1. Contract Award for 14 Cutaway Buses Plus 34 Options for LIFT Paratransit Service
2. Extend Contract with ADARide for Web-Based Paratransit Certification
3. Contract Award for Armored Transport Services
4. MOU with SANDAG for Construction of the Santa Margarita Bridge Replacement and Second Track Project
5. San Dieguito River Restoration Project – Railroad Bridge Retrofit Design and Construction Services, Del Mar

6. Transit Security Grant Program: Resolution and Application
7. FY 2010 Transportation Development Act Claims Under Articles 4.0 and 4.5
8. Mobility Plan: Public Participation Process
9. Interim Agreement between SANDAG, MTS and NCTD for Compass Card Back Office Costs

MOTION BY DAVE ROBERTS TO APPROVE AGENDA ITEMS 1, 2, 3, 4, 5, 6, 7, 8 AND 9, SECONDED BY SAM ABED. MOTION CARRIED UNANIMOUSLY.

### **OTHER BUSINESS**

13. Alcohol Consumption on NCTD Transit Services

Jerome Stocks provided background information on the Planning Committee's recommendation.

Ms. Kathleen Lippitt, San Diego, CA spoke on the importance of having an alcohol policy.

Ms. Barbara Gordon, La Jolla, CA spoke on her concerns about the message we give young people by allowing drinking on the train.

Ms. Robyn Wallace, Encinitas, CA spoke in support of no drinking on the COASTER.

Ms. Judi Strang, Carmel Valley, CA spoke in support of an alcohol-free environment.

Mr. Scott Preece, Oceanside, CA spoke on his concerns regarding liability issues.

Ms. Erica Leary, Oceanside, CA, Program Manager for North Coastal Prevention Coalition, urged the Board to look at this item with a prevention focus.

Mr. Lawson Chadwick, Oceanside, CA stated that he was not in support of a ban.

Mr. Kinney Hines, Vista, CA spoke in support of an alcohol ban.

Mr. Miguel Pinedo, Vista, CA spoke in support of an alcohol ban.

Mr. Rick Von Ivkovich, Oceanside, CA suggested the ordinance be re-drafted to have cars designated alcohol free.

Mr. Aaron Byzak, Oceanside, CA stated he was in support of a complete alcohol ban.

Supervisor Pam Slater-Price, San Diego, CA spoke in support of an alcohol ban and requested General Counsel address liability issues.

Ms. Elaine Barton, Oceanside, CA spoke on her concerns about activities occurring on the COASTER.

There was a lengthy discussion by Board members.

MOTION BY JEROME STOCKS TO APPROVE AGENDA ITEM 9, SECONDED BY ROCKY CHAVEZ.

There was further discussion by Board members.

DAVE ROBERTS CALLED FOR THE SECOND MOTION AFTER THE FIRST.

MOTION BY JEROME STOCKS TO ADOPT THE FOLLOWING POLICY APPROACH AS A FIRST STEP: NO OPEN CONTAINERS OF ALCOHOL ON THE TRAIN AFTER 9:00 PM ON ALL NIGHTS OF THE YEAR; SEAT DROPS BE PLACED ON SPECIAL EVENT TRAINS TO HELP EDUCATE CUSTOMERS REGARDING THIS POLICY. EMPHASIZE THAT PASSENGERS WILL BE DE-BOARDED FOR FAILURE TO COMPLY WITH THIS POLICY; DIRECT STAFF TO CONTINUE TO EXPLORE OPPORTUNITIES TO HAVE CONTROLLED SALES OF ALCOHOLIC BEVERAGES ON-BOARD BY A PRIVATE VENDOR AS A REVENUE OPPORTUNITY AS WELL AS EXPLORE FURTHER WAYS TO CURB EXCESSIVE CONSUMPTION, SECONDED BY ROCKY CHAVEZ. AYES: STOCKS, CHAVEZ, ABED, HILLIARD, CAMPBELL. NOES: HORN, PACKARD, ROBERTS, MARTIN. MOTION PASSES.

MOTION BY DAVE ROBERTS THAT WE BAN ALCOHOL CONSUMPTION ON ALL NCTD PUBLIC TRANSIT VEHICLES AND PROPERTY TO INCLUDE THE COASTER AND WOULD CLARIFY THE CURRENT POLICY WHICH DOES ALLOW ALCOHOL ON THE BUSES AND SPRINTERS, ACCORDING TO THE WAY IT IS WRITTEN, SECONDED BY HAL MARTIN. AYES: ROBERTS, MARTIN, PACKARD, HORN. NOES: HILLIARD, STOCKS, CHAVEZ, ABED, CAMPBELL. MOTION FAILED.

10. Conduct Public Hearing and Adopt FY 2010 Budget and FY 2010-2014 Capital Improvement Program

Chair Campbell opened the Public Hearing.

Richard Hannasch reviewed the agenda item.

There were no requests to speak.

Chair Campbell closed the Public Hearing.

MOTION BY ROCKY CHAVEZ TO APPROVE AGENDA ITEM 10, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

11. SANDAG Evaluation of Possible Short-Term Funding Alternatives

Matthew Tucker, Executive Director, reviewed the agenda item.

MOTION BY SAM ABED TO APPROVE AGENDA ITEM 11, SECONDED BY DAVE ROBERTS.  
MOTION CARRIED UNANIMOUSLY.

JEROME STOCKS LEFT AT 4:20 PM.

12. Extend Labor Agreement with Coach Operator Teamsters Local #542

Matthew Tucker reviewed the agenda item.

MOTION BY DAVE ROBERTS TO APPROVE AGENDA ITEM 12, SECONDED BY ROCKY  
CHAVEZ. MOTION CARRIED UNANIMOUSLY.

**INFORMATION ITEMS**

14. Monthly Revenue Service Performance Report

No action required.

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

Dave Roberts thanked Mr. Tucker for providing a budget presentation to Solana Beach City Council and for meeting with a subcommittee on a potential project for their property.

Bob Campbell provided a report on the APTA Rail Conference he attended in Chicago, IL. He informed the public that the July 16 Board meeting has been moved to July 2, 2009.

- **EXECUTIVE DIRECTOR'S REPORT**

No report.

- **REMAINING PUBLIC COMMUNICATIONS**

None

• **ADJOURNMENT**

The meeting adjourned to July 2, 2009 at 4:25 pm . Submitted by Jill McNaughton, Clerk of the Board for North County Transit District.

CHAIRMAN: \_\_\_\_\_

CLERK OF THE BOARD: \_\_\_\_\_

DATE: \_\_\_\_\_

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