

CALL TO ORDER

Chairman Jerome Stocks called the meeting to order at 1:22 p.m.

ROLL CALL OF BOARD MEMBERS

Jerome Stocks (City of Encinitas); Bob Campbell (City of Vista); David Druker (City of Del Mar); Ed Gallo (City of Escondido); Dave Roberts (City of Solana Beach); Chris Orlando (City of San Marcos); Norine Sigafoose (City of Carlsbad).

Jim Wood (City of Oceanside) arrived at 1:35 pm.

Absent: Bill Horn (County of San Diego).

CLOSED SESSION

The Board went into Closed Session at 1:23 p.m. to discuss agenda item A.

- A. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators – Location of Property is portion of Assessor Parcel Numbers 263-340-02 through 263-340-07, and 298-520-03 in Solana Beach. Negotiator: NCTD: Rick Howard and Lance Schulte – Negotiating Party: Shea Properties.

The Board returned from Closed Session at 2:00 pm. C. Michael Cowett, General Counsel, stated that the Board met in Closed Session, discussed Agenda Item A and had nothing to report.

ROLL CALL OF BOARD MEMBERS

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Absent: Bill Horn (County of San Diego)

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Jill McNaughton, Clerk of the Board, led the Board, staff and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

Karen King, Executive Director, stated that staff was pulling item 13 and that it would be brought back at a later date.

B. Presentation of December 2006 Employees of the Month Commendations

Brian Graham, Director of Bus Operations and Maintenance, recognized Mr. Juan C. Rendon, Mechanic II, and Ms. Rowena K. Kerns, Coach Operator, as the December 2006 Employees of the Month, with the Board's congratulations.

Chair Stocks recognized new Board Members: Councilman Chris Orlando, City of San Marcos; Councilman Dave Roberts, City of Solana Beach; Mayor Jim Wood, City of Oceanside; Councilwoman Teresa Barth, Board Alternate from the City of Encinitas; and Deputy Mayor Rocky Chavez, Board Alternate from the City of Oceanside..

PUBLIC COMMUNICATIONS

Ms. Lu Ann Hall, Carlsbad, CA spoke on her concerns regarding issues of trespassing with the SPRINTER contractor.

Chair Stocks thanked Ms. Hall for bringing it to the Board's attention. He stated that her issue is not agendized so the Board can not respond directly and he requested that staff get involved and report back to the Board.

Mr. Paul Cline, San Marcos, CA spoke on his concerns regarding the NCTD eminent domain policy. He requested that the minutes of December 21, 2006 be corrected to reflect that the tree he referred to at the December 2006 meeting was not on his property.

APPROVAL OF MINUTES

MOTION BY NORINE SIGAFOOSE TO ADOPT THE MINUTES OF THE REGULAR MEETING OF DECEMBER 21, 2006, SECONDED BY BOB CAMPBELL, TO INCLUDE THE CHANGE REQUESTED BY MR. CLINE. ABSTAIN: ORLANDO AND ROBERTS. MOTION CARRIED.

*CONSENT ITEM 7 WAS PULLED BY THE BOARD AND WAS HEARD AT THE END OF THE AGENDA.*

**CONSENT ITEMS**

1. Adopt: Calendar Year 2007 Legislative Goals
2. Award: Purchase Order for Project Design Consultants for Surveying Support Service
3. Award: On-Call Engineering Contracts for Category 1 (Railroad Related Capital and MOW) and Category 3 (Facilities Maintenance)
4. Extend: Contract for Amtrak On-Call Engineering
5. Award: Purchase Orders for Del Mar Bluffs Project 2 Slope Stabilization Project

6. Approve: Memorandum of Understanding for System Maintenance of the Regional Scheduling System
8. Receive: Quarterly Financial Report for Quarter Ended September 2006
9. Adopt: Resolution 07-01 Accepting \$612,000 in State Transportation Improvement Program Funds for Capitalized Maintenance Along the Surfliner Corridor

MOTION BY DAVE DRUKER TO APPROVE AGENDA ITEMS 1, 2, 3, 4, 5, 6, 8 AND 9, SECONDED BY JIM WOOD. MOTION CARRIED UNANIMOUSLY.

<b>REPORT OF GOVERNANCE COMMITTEE</b>
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10. Elect: Board Chair and Vice-Chair

MOTION BY DAVE DRUKER TO NOMINATE ED GALLO AS CHAIR AND NORINE SIGAFOOSE AS VICE-CHAIR, SECONDED BY BOB CAMPBELL. MOTION CARRIED UNANIMOUSLY.

Mr. Paul Cline, San Marcos, CA spoke on his concerns that Mr. Stocks not be re-elected as Board Chair.

Newly elected Chair Ed Gallo requested that Mr. Stocks conduct the remainder of the meeting.

11. Appoint: Board Committees and External Committee Assignments

Jerome Stocks stated that the procedure is that an individual is not supposed to vote on their own appointments, so the individual will leave the room and the Board will go through the appointments in line for that individual, looking for a motion and a second.

Dave Roberts asked if these were two year assignments.

Jerome Stocks clarified that they are annual assignments.

MOTION BY JEROME STOCKS, SECONDED BY NORINE SIGAFOOSE, TO APPOINT BOB CAMPBELL TO THE MONITORING COMMITTEE. MOTION CARRIED UNANIMOUSLY.

MOTION BY JEROME STOCKS, SECONDED BY NORINE SIGAFOOSE, TO APPOINT DAVE DRUKER TO THE MONITORING COMMITTEE AS CHAIR, GOVERNANCE COMMITTEE, SANDAG REGIONAL PLANNING COMMITTEE, SANDAG TRANSPORTATION COMMITTEE (ALTERNATE), SANDAG BOARD (ALTERNATE) AND JCRT. MOTION CARRIED UNANIMOUSLY.

MOTION BY JEROME STOCKS, SECONDED BY NORINE SIGAFOOSE, TO APPOINT ED GALLO TO THE GOVERNANCE COMMITTEE, SANDAG TRANSPORTATION COMMITTEE, SANDAG BOARD, SANDAG REGIONAL PLANNING COMMITTEE (ALTERNATE) AND JCRT. MOTION CARRIED UNANIMOUSLY.

MOTION BY JEROME STOCKS, SECONDED BY BOB CAMPBELL, TO APPOINT NORINE SIGAFOOSE TO THE PLANNING COMMITTEE, GOVERNANCE COMMITTEE, LOSSAN, SANDAG TRANSPORTATION COMMITTEE (ALTERNATE) AND SANDAG BOARD (ALTERNATE). MOTION CARRIED UNANIMOUSLY.

MOTION BY JEROME STOCKS, SECONDED BY NORINE SIGAFOOSE, TO APPOINT BILL HORN TO THE PLANNING COMMITTEE AND JCRT (ALTERNATE). MOTION CARRIED UNANIMOUSLY.

MOTION BY JEROME STOCKS, SECONDED BY NORINE SIGAFOOSE, TO APPOINT CHRIS ORLANDO TO THE MONITORING COMMITTEE. MOTION CARRIED UNANIMOUSLY.

MOTION BY JEROME STOCKS, SECONDED BY NORINE SIGAFOOSE, TO APPOINT DAVE ROBERTS TO THE PLANNING COMMITTEE. MOTION CARRIED UNANIMOUSLY.

MOTION BY JEROME STOCKS, SECONDED BY NORINE SIGAFOOSE, TO APPOINT JIM WOOD TO THE MONITORING COMMITTEE. MOTION CARRIED UNANIMOUSLY.

MOTION BY ED GALLO, SECONDED BY NORINE SIGAFOOSE, TO APPOINT JEROME STOCKS TO THE PLANNING COMMITTEE AS CHAIR, GOVERNANCE COMMITTEE, SANDAG TRANSPORTATION COMMITTEE (ALTERNATE), SANDAG BOARD (ALTERNATE) AND JCRT. MOTION CARRIED UNANIMOUSLY.

## **REPORT OF PLANNING COMMITTEE**

### 12. Review: Cedros Crossing Project Status Report

Lance Schulte, Economic Development Administrator, provided a status update on the project, reviewed NCTD's real estate policy, project history, objectives and description of the project, funding issues and the next steps for this project.

Dave Druker said that he understands construction has to begin in the fall and he asked Mr. Schulte to provide information on that.

Mr. Schulte responded that the \$6 million STIP funding requires that certain progress be made, so NCTD would be looking to start construction as soon as possible. He said that there is a very complicated project schedule that lists all the critical dates and that list is updated every month.

Dave Druker asked if there were Coastal Commission reasons.

Mr. Schulte said NCTD met with Coastal Commission staff, on an informal basis, to let them know what the project is and how it relates to coastal issues and they have been very generous in allowing the applicant to early submit some studies and to start working on the permit process even before it's been formally submitted.

Rick Howard, NCTD Deputy Director, added that NCTD needs to start in the fall because we can not do beach replenishment in the summer time.

Dave Roberts stated that he is pleased that the Solana Beach City Council funded the remainder of the Cliff Street Bridge piece. He said that over 200 community comments were submitted and that they had to be addressed. Mr. Roberts added that he understands that community members can continue to make comments up until the moment the City approves the EIR. He clarified that the City of Solana Beach is not going to pick the dates for the EIR approval until January 24, 2007 and that the City Council has to get through the document, and they will get to it as soon as they can. Mr. Roberts said that the City Council book will be released today and that there is supposed to be proposed dates in the book that the City can decide on when to have the public hearings. He stated that the Council assumes it's going to take at least two EIR public hearings, but that they are probably going to pick four dates because of the amount of interest in this project.

Jerome Stocks stated that the minutes should not reflect that the City of Solana Beach will be doing anything in February other than what ever they can get done. He added that the NCTD Board needs to establish an Ad-Hoc Committee to work with the City of Solana Beach, staff and the developer to help move this project along.

Bob Campbell, Dave Druker and Jerome Stocks volunteered to be on the Ad-Hoc Committee.

## **REPORT OF MONITORING COMMITTEE**

### **1. Review: North County Pilot Project (FACT) CTAA Final Report**

Alane Haynes, Accessible Services Administrator, explained that the mission of Full Access & Coordinated Transportation (FACT) is to develop a coordinated transportation system in San Diego County, using existing resources. She said that the idea of coordination is to have a centralized dispatching system and a one call number for consumers to book a ride and that the vehicle closest to the person that needs a ride would then pick them up. Ms. Haynes stated that the first step is a North County pilot project and that NCTD, in partnership with FACT, secured a grant from the Community Transportation Association of America in January of 2006. She said that FACT subsequently became a non-profit organization, and that NCTD is providing in-kind support, office space for FACT for one year. Ms. Haynes added that FACT has a seven person Board of Directors and that SANDAG designated FACT as the consolidated transportation service agency for San Diego County. She said that Judith Norman Consultants were hired to do outreach to the stakeholders in the North County pilot project area to identify potential partners and to assess the available resources and what the actual needs are in the pilot project area.

Ms. Judith Norman, Principal of Judith Norman Transportation Consultants, reviewed key project findings, recommendations, project accomplishments and next steps.

Bob Campbell, Dave Roberts and Jim Wood thanked Alane Haynes and Rob Carley, FACT Executive Director, for their passionate, dedicated service.

Karen King stated that under SAFETEA-LU, there is a mandate that the County have a coordinated plan and that SANDAG is just now beginning the development of that and is a participant in the advisory group for the development of that plan.

Norine Sigafoose thanked Karen King, Alane Haynes and Rob Carley for their guidance and passion.

**D. Update: SPRINTER Project (No Staff Report)**

Bob Campbell asked for an update on the status of the FTA Funding for 2005 and/or NCTD's relationship with SANDAG to this point, and what major challenges remain in the project.

Jerome Stocks replied that NCTD has an excellent relationship with SANDAG and that the FTA has approved NCTD's amended recovery plan and that they are releasing funds.

Tom Lichterman, Director of Rail Services, stated that the major focus of the work is rapidly going to change from being heavy construction to being signal systems and communication systems, and that will be a challenging piece to get completed this year. He said that in addition to that, NCTD needs to gear up for the actual operations because there are a lot of internal organizational changes that NCTD will need to make to get ready.

Bob Campbell said that the retaining walls are becoming an opportunity for graffiti artists and that it must be a challenge for the contractor who is responsible for maintaining them. He said that the City of Vista has an art commission that is anxious to start painting and do things that discourage graffiti.

Karen King stated that she has met with the Vista City Manager and they have mapped out a timeline that is achievable and targeting to be able to have some work in progress by summer 2007.

Dave Druker asked for comment on the ability to start up the SPRINTER by December 2007.

Tom Lichterman responded that one of the things NCTD is required to do, as a result of the amended recovery plan, is to have an independent project control oversight function. He said that is being provided by SANDAG, and that in addition, we are required to have a continually updated estimate to complete and service implementation date. He stated that those are updated every month and there are a number of reports that are filed with the FTA and SANDAG. Mr. Lichterman said that there are a number of areas, particularly systems, which is a main focus, where the contractor is going to have to take some significant steps to improve their productivity. He stated that the contractor is still very committed to making that implementation date.

No action required.

**CONSENT ITEM PULLED FOR DISCUSSION**

7. Receive: FY 07 1<sup>st</sup> Quarter Performance Report (July to September 2006)

Bob Campbell questioned the ridership fluctuation on the COASTER.

Stefan Marks, Manager of Service Development, responded that it could be due to changes related to the number of monthly passes being sold in zones 3 and 4.

Bob Campbell responded that there has been anticipation relating to the SMART CARD implementation and that might have an impact on fare recovery and on the SPRINTER.

Stefan Marks replied that the SMART CARD will help NCTD to track ridership more accurately, particularly on the monthly passes.

MOTION BY BOB CAMPBELL TO APPROVE AGENDA ITEM 7, SECONDED BY NORINE SIGAFOOSE. MOTION CARRIED UNANIMOUSLY.

#### E. NCTD Chairman's Report on SANDAG Committees and Board Actions

Jerome Stocks thanked the Board and staff for their assistance during his term as Chairman.

#### BOARD MEMBER REPORTS, COMMENTS AND CORRESPONDENCE

Ed Gallo, Norine Sigafoose, Bob Campbell, Dave Roberts, Dave Druker, and Jim Wood thanked Jerome Stocks for his excellent leadership as the Board Chairman and for getting the SPRINTER funding resolved.

Bob Campbell requested that staff address Ms. Lu Ann Hall's concerns and report back to the Board in February 2007. He asked Karen King to tell the Board about the state budget implications on what has been projected.

#### EXECUTIVE DIRECTOR'S REPORT

Karen King responded to Board Member Campbell's question regarding the Governor's budget proposal by saying it's troubling because transit has to fight for every dollar every year. She said that there will be an impact unless there is a significant change, because it changes the balance of operating and capital dollars, and it essentially supplants the bond monies rather than supplementing them. Ms. King stated that the funding for the SPRINTER project is not in jeopardy because of the budget proposal.

Bob Campbell asked if the Board could get a white paper that they could bring back to their cities so they could go to work on their Assembly people and Senators.

Karen King said that she would provide the Board with that information. She said that she has a concern that, because of the timing of the SANDAG Transportation Committee meetings, it is difficult for the NCTD Board to be able to collectively discuss what is going forward, and that there are frequently things that take staff by surprise because we thought they were in February and they got moved up to January.

Dave Druker stated that the Board can add items to the agenda at the last minute, with majority vote, so we should start thinking about that.

Karen King informed the Board that they have received a copy of the Comprehensive Annual Financial Report (CAFR), and that it is an excellent source for new Board members to learn more about NCTD.

REMAINING PUBLIC COMMUNICATIONS

None

ADJOURNMENT

The meeting adjourned at 3:55 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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