

CALL TO ORDER

Chairman Ed Gallo called the meeting to order at 1:03 p.m.

ROLL CALL OF BOARD MEMBERS

Ed Gallo (City of Escondido); Julianne Nygaard (City of Carlsbad); Dave Druker (City of Del Mar); Jerome Stocks (City of Encinitas); Hal Martin (Alternate, City of San Marcos); Lesa Heebner (Alternate, City of Solana Beach); Bob Campbell (City of Vista).

Bill Horn (County of San Diego) arrived at 1:30 pm. Rocky Chavez (City of Oceanside) arrived at 1:35 pm.

CLOSED SESSION

The Board went into Closed Session at 1:04 p.m. to discuss:

- i. Closed Session Pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Existing Litigation – Elizabeth Luke, Paul Shick and Michael Ward v. NCTD, Consolidated Superior Court Case No. GIN 051359
- ii. Closed Session Pursuant to Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Two Potential Cases

The Board returned from Closed Session at 2:26 p.m. Michael Cowett, General Counsel, stated that the Board met in Closed Session to discuss item i and had nothing to report. He said that in the matter of two cases of anticipated litigation, with respect to one of those items, the Board directed the Executive Director to deny all claims filed in the flooding cases pursuant to which NCTD has received claims.

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PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Lesa Heebner led the Board, staff and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

None

PRESENTATION OF COMMENDATIONS

Presentation of February 2008 Employees of the Month Commendations: Brian Graham, Director of Bus Operations and Maintenance, recognized Mr. Marty P. Mayors, Facility Maintenance Worker, and Mr. Thomas D. Arvin, Coach Operator, as the February 2008 Employees of the Month, with the Board's congratulations.

PUBLIC COMMUNICATIONS

Ms. Samantha Ewing, Oceanside, CA spoke on her concerns regarding changes to Routes 302 and 315, and the SPRINTER horn.

Mr. Fred Troost, Escondido, CA spoke on his concerns regarding the SPRINTER schedule coordination with the BREEZE schedules, and the need for crossing assistance at the Palomar SPRINTER station.

Ms. Lorraine Leighton, El Cajon, CA spoke on her concerns regarding the SPRINTER.

Ms. Dina Smith, Oceanside, CA spoke on her concerns regarding the BREEZE schedules and she asked if the Board can accept donations for things such as bathrooms, trash containers and a mini-bus to the Oceanside Harbor.

APPROVAL OF MINUTES

MOTION BY JULIANNE NYGGARD TO APPROVE THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 21, 2008, SECONDED BY DAVE DRUKER. ABSTAIN: MARTIN AND HEEBNER. MOTION CARRIED.

CONSENT ITEMS

1. Old Town ADA Ramp Relocation – Flag Protection
2. Procurement Policy and Executive Director's procurement Authority
3. Drainage and Trackbed Repairs at Milepost 252 on Miramar Hill of the COASTER Corridor
4. Bridge 225.4 Deck Replacement – Rail and Flagging
5. Bridge 225.4 Deck Replacement Project – Busing
6. Bridge Replacement Project Geotechnical Investigation
7. Quarterly Financial Report for Six Months Ended December 31, 2007
8. FY 2008 2nd Quarter Performance Report

9. Moody's Upgrade of NCTD Debt

10. College Pass Program Agreement for Cal State University San Marcos (CSUSM)

MOTION BY JULIANNE NYGAARD TO APPROVE AGENDA ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10, SECONDED BY BOB CAMPBELL. MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS

11. Award: Contract for Installation of Stormwater Best Management Practices (BMP's) on the SPRINTER Project Site

Tom Lichterman, Director of Rail Services, reviewed the staff report.

Hal Martin asked where Ground Science Technology, Inc. is located and if the West Coast Rail Constructors (WCRC) contractor would be paying for the cost of this item.

Don Bullock, Manager of Capital Construction, responded that they are located in Escondido, CA. He stated that the contract is set up as a unit price contract for all implementation, whether NCTD pays WCRC to install them, or this company, it would be by installation price.

Jerome Stocks said that this item shows that this Board and this agency is taking very seriously the commitment to clean water and to protecting the water and the environment and the ocean. He stated that he is concerned that the bids are based on unit pricing and since NCTD estimated the units, what degree of confidence do we have that the correct numbers of units were estimated.

Don Bullock responded that the consultant we hired to oversee the implementation of this contract quantified this amount and it was a best guess on their part because it's difficult to estimate how many linear feet will be needed.

Jerome Stocks asked if their per-unit price was less in the event we should need more.

Don Bullock responded that it would be significantly less and that staff is confident that they are competent to do the work.

MOTION BY JULIANNE NYGAARD TO APPROVE AGENDA ITEM 11, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

12. Increase Purchase Order: Right-Of-Way Consulting Services SPRINTER Light Rail Project

Ed Singer, Real Estate Assets Administrator, provided an overview of the staff report.

MOTION BY BOB CAMPBELL TO APPROVE AGENDA ITEM 12, SECONDED BY HAL MARTIN. MOTION CARRIED UNANIMOUSLY.

13. Paratransit Service Overview and Trends Workshop

Alane Haynes, Accessible Services Administrator, reviewed: paratransit requirements; contracted services; certifications; Paratransit Improvement Study; estimated cost increase; service and contractual changes; cost-saving strategies; individual mobility/travel training; no-show policy; medi-cal reimbursement; free fare results; contracted paratransit costs FY 07 vs. 08; potential annualized savings under current programs; future cost savings strategies; potential cost savings with new programs; and FACT update.

Ms. Lorraine Leighton, El Cajon, CA spoke on her concerns regarding drivers not calling out ADA's or streets.

Bob Campbell, speaking as Chairman of FACT, thanked Ms. Haynes for her service to FACT.

Dave Druker asked if paratransit included commuter service and he suggested that NCTD should work with the cities to remove barriers and to possibly help pay for their removal because it would reduce NCTD's costs in terms of providing that type of service.

Ms. Haynes responded that it did not include commuter service and she agreed that it would be good to work with the cities to remove barriers.

HAL MARTIN LEFT AT 3:20 PM.

14. FY 2009 Budget Discussion

Richard Hannasch, Director of Fiscal and Support Services, stated that the Planning Committee suggested that a discussion be held with the full Board on some of the options relating specifically to the BREEZE and FAST services.

Kurt Luhrsen, Senior Planner, reviewed general ways that we can prioritize how we do service cuts.

Julianne Nygaard stated that she thought it would be appropriate for the full Board to have a half-day budget workshop.

Karen King said that there is a Planning Committee workshop scheduled for March 26 at 8:30 am if the rest of the Board wished to attend.

Bill Horn suggested that the Board Chair should write a letter to the Governor requesting a moratorium on all penalties to any state agency given the budget crisis that he has put us into.

Dave Druker stated that the workshop should include what can be cut and the actual cost of those cuts.

Ms. Lorraine Leighton, El Cajon, CA spoke on her concerns regarding cutting the Rail-2-Rail Program and COASTER service.

MOTION BY LESA HEEBNER TO TABLE THIS AGENDA ITEM TO MARCH 26, 2008 AT 8:30 AM AND TO AUTHORIZE THE CHAIRMAN TO SEND A LETTER TO THE GOVERNOR, SECONDED BY JEROME STOCKS. MOTION CARRIED UNANIMOUSLY.

15. Monthly SPRINTER Update Report

Tom Lichterman, Director of Rail Services, reviewed: first day of revenue service (March 9th); on-time performance; performance trends; fare enforcement; ridership demographics; trip lengths; and outlook.

Ms. Lorraine Leighton, El Cajon, CA spoke on her concerns regarding SPRINTER weekend service, bikes on the train, and Rider's Guide missing pages.

Bob Campbell stated that the comments he has received from the public is that the Vista Village Drive signalization needs some work and that the horn is not loud enough.

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

Ellen Roundtree, Intergovernmental Affairs Officer, reviewed: the SANDAG agenda; federal activity and stated that Board members Nygaard and Stocks and herself, attended the APTA Legislative Conference in Washington, D.C., which included visits to NCTD's Legislative Delegation, to discuss transportation issues and funding problems; SANDAG and other agencies are working on the \$3 billion trade corridor improvement fund; CTA lawsuit; and SANDAG bill for additional tax for beach sand replenishment.

Bob Campbell requested that Board members receive a copy of Ms. Roundtree's notes, from today's meeting, to share with their staff.

ROCKY CHAVEZ LEFT AT 4:25 PM

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

Julianne Nygaard provided a report on her visit to Congressman Darrell Issa's office and stated that he is committed to go after funding for the San Luis Rey transit center.

Dave Druker stated that the COASTER fairground temporary stop will not happen for this year because they do not have the funds to do that.

• **EXECUTIVE DIRECTOR'S REPORT**

Karen King stated that: NCTD received a \$10K grant to make a safety video for the SPRINTER; and staff is gearing up for Padre service.

• **REMAINING PUBLIC COMMUNICATIONS**

None.

• **ADJOURNMENT**

The meeting adjourned at 4:28 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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