

CALL TO ORDER

Chairman Ed Gallo called the meeting to order at 1:22 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); Rocky Chavez (City of Oceanside); Chris Orlando (City of San Marcos); Dave Roberts (City of Solana Beach); Bob Campbell (City of Vista).

Bill Horn (County of San Diego) arrived at 1:30 p.m.

CLOSED SESSION

The Board went into Closed Session at 1:23 p.m. to discuss items i, ii and iii:

- i. Closed Session Pursuant to Government Code Section 54954.5 – Conference with Real Property Negotiators – Location of Property is Portion of Assessor Parcel Number 162-050-08. Negotiator: NCTD: Tom Lichterman and Paula C.P. de Sousa – Negotiating Party: Mark L. Collins Separate Property Trust
- ii. Closed Session Pursuant to Government Code Section 54954.5 – Conference with Real Property Negotiators – Property is the San Diego County Reserved Rail Freight Easement. Negotiator: NCTD: Tom Lichterman and C. Michael Cowett – Negotiating Parties: Burlington Northern and Santa Fe Railroad
- iii. 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 2:15 p.m. Michael Cowett, General Counsel, stated that the Board met in Closed Session to discuss items i, ii and iii and had nothing to report.

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PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chris Orlando led the Board, staff, and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

Karen King, Executive Director, referred the Board of Directors and the public to the revised agenda that was printed on pink paper.

PRESENTATION OF COMMENDATIONS

Presentation of May 2008 Employees of the Month Commendations: Ms. Kim Stone, Manager of Bus Operations, recognized Mr. Alberto Gastelum, Coach Operator and Ms. Gwendolyn M. Demerson-Hassen, General Services Worker (not in attendance) as the May 2008 Employees of the Month, with the Board's congratulations.

PUBLIC COMMUNICATIONS

Ms. Mary Leonard, Escondido, CA spoke on her concerns regarding the financial and operational state of the district.

APPROVAL OF MINUTES

MOTION BY BOB CAMPBELL TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF MAY 12, 2008, SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

MOTION BY BOB CAMPBELL TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 15, 2008, SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

MOTION BY BOB CAMPBELL TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF MAY 22, 2008, SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

MOTION BY BOB CAMPBELL TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF JUNE 5, 2008, SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

Bob Campbell requested agenda items 5 and 9 be pulled for discussion at the end of the meeting.

CONSENT ITEMS

1. Support for Bridge Replacement Project Geological Investigation
2. Replacement Upgrade of Three COASTER Road Channel Base Station Radios
3. Signal System and Grade Crossing Equipment Spare Parts for the Escondido Subdivision
4. Workers Compensation Litigation Legal Service Providers

6. FEMA Flood Plain Compliance and Map Revisions for SPRINTER Permitting and Mitigation
7. FY 2009 Annual Disadvantaged Business Enterprise (DBE) Goal
8. Customer Service Relocation
10. FY 2008 Regional Transportation Improvement Program and FY 2009-2013 Capital Improvement Program

MOTION BY DAVE ROBERTS TO APPROVE AGENDA ITEMS 1, 2, 3, 4, 6, 7, 8 AND 10, SECONDED BY BOB CAMPBELL. MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS

11. Conduct Public Hearing and Adopt FY 09 Budget and FY 2009-2013 Capital Improvement Program

Richard Hannasch, Director of Fiscal and Support Services, reviewed the FY 09 Budget and FY 2009-2013 Capital Improvement Program process. He stated that no written comments were received related to the budget. Mr. Hannasch said that in addition to the copies of the comments the Board received related to service changes, an additional ten comments were received on the Rail-2-Rail program and three comments were received on the FAST service. He reviewed the three main factors that affect fiscal year 2009: fuel costs, state funding and a decline in local sales tax revenue.

Kurt Luhrsen, Principal Planner, reviewed proposed modifications to Routes 347 and 386.

Chair Gallo opened the Public Hearing.

Mr. Robert Noche, Escondido, CA spoke on his concerns regarding Routes 350 and 354 and expansion of the LIFT service.

Mr. Al Radbell, Encinitas, CA spoke on his concerns regarding FAST service.

Mr. Rick Ivkovich, Oceanside, CA spoke on his concerns regarding Routes 311/312, 334/335, FAST, 397 and 386.

Mr. Tom Allison, Oceanside, CA spoke on his concerns regarding Routes 324/325.

Ms. Dina Smith, Oceanside, CA spoke on her suggestions for endowment programs, partnerships and SPRINTER service cuts.

Mr. Jesse Perez, representing Teamsters Local 542 bargaining unit employees, spoke on his concerns regarding cutting routes, stranding passengers, cutting jobs and SPRINTER fuel costs.

Dr. Marty Levine, Encinitas, CA spoke on her concerns regarding FAST and LIFT service in Encinitas.

Mr. Don Ingram, Ramona, CA spoke on his concerns regarding service to Ramona.

Mr. John Webb, Escondido, CA spoke on his concerns regarding Route 302.

Mr. Frank Pendleton, Vista, CA spoke on his concerns regarding cuts in service.

Mr. Patrick McIntosh spoke on his concerns regarding Routes 309, 325 and FAST service.

Ms. Judi Talnedge, Oceanside, CA spoke on her concerns regarding Routes 303 and 313.

Chair Gallo closed the Public Hearing.

Dave Druker asked about steps the Metropolitan Transit System (MTS) took regarding their budget.

Karen King responded that MTS eliminated substantial levels of service in 2007 and they are looking at making modest service adjustments this year. She said they recently laid-off 22 administrative/ management employees.

Bill Horn thanked staff for putting Routes 347 and 386 back into service. He suggested that the public apply pressure to their elected officials so they quit taking transportation funds to balance the state budget.

Dave Roberts stated that the Board tried to look at fairness across all modes. He stated that LIFT is available where it is mandated by law, and that FACT and TABNC are available and suggested the public become involved with these groups.

Jerome Stocks said that the route cuts are based on performance standards and the routes being cut were under performing routes.

Ed Gallo stated that NCTD can not deplete its reserve account as he believes the emergency could still be ahead of us.

MOTION BY BILL HORN TO APPROVE AGENDA ITEM 11, SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

12. Executive Director Recruitment

MOTION BY ED GALLO TO APPOINT BOARD MEMBERS ORLANDO, ROBERTS, DRUKER AND CAMPBELL, WITH NYGAARD AS ALTERNATE, SECONDED BY DAVE ROBERTS, TO RECRUIT A NEW PERMANENT DIRECTOR. MOTION CARRIED UNANIMOUSLY.

13. Delegation of Authority to Execute Grants

MOTION BY JEROME STOCKS TO APPROVE AGENDA ITEM 13, SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

14. SPRINTER Revenue Service Report

Tom Lichterman, Director of Rail Services, provided an update for May 2008. He stated that the latest SPRINTER count is up to 7,100 passengers per day, with Cal State University San Marcos and Palomar College on a summer schedule.

Ed Gallo asked if both sides of the Escondido Avenue Vista station were operational.

Tom Lichterman replied that functionally it will be ready by the end of June, but the CPUC has to approve it.

Chris Orlando asked if the Nordahl Station parking lot was completed and operational.

Tom Lichterman responded that the lot is open and operational.

Jerome Stocks asked about bike use on the SPRINTER.

Tom Lichterman responded that transporting bikes is very popular on the SPRINTER. He said that staff is looking at more clearly defining, on the floor of the car, where the appropriate area is to store bikes so the bikes don't impede access in and out of the vehicle.

JEROME STOCKS LEFT AT 4:00 P.M.

Bob Campbell asked when the CPUC would be here to approve the Escondido Avenue Vista station.

Tom Lichterman responded the CPUC would be here on June 20, 2008 and that staff anticipates having everything operational and in place within the next week.

Bob Campbell asked to be notified when the station is operational so the City can notify the public.

The Board received the report. No action required.

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

Ellen Roundtree, Intergovernmental Affairs Officer, reviewed the SANDAG agenda and state and federal legislative activity.

5. Ticket Vending Machine Maintenance Service Contract

Bob Campbell asked if consideration was given to bringing the service contract in-house and would these contractors have access to enough spare parts.

Richard Hannasch responded that staff thought it prudent to not add to NCTD headcount at this time and the Contractor would have access to the spare parts.

MOTION BY BOB CAMPBELL TO APPROVE AGENDA ITEM 5, SECONDED BY CHRIS ORLANDO. MOTION CARRIED UNANIMOUSLY.

9. Replenish Executive Director's Change Order Authority Pool for SPRINTER Construction Contracts

Bob Campbell asked how much was left in the contingency reserve.

Tom Lichterman responded that \$14 million was left in the contingency allocated and unallocated fund.

Bill Horn asked when final closeout would occur.

Tom Lichterman stated that the target date is December 2008.

MOTION BY BOB CAMPBELL TO APPROVE AGENDA ITEM 9, SECONDED BY BILL HORN. MOTION CARRIED UNANIMOUSLY.

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

Dave Roberts stated that the Solana Beach City Council asked him to mention three items to the NCTD Board to get them publicly into the record. He said that the first one has to do with what residents have said are temporary NCTD bus routes going through residential areas of Solana Beach and are concerned with that. He said he wants to make sure that staff-to-staff works on this issue and see if there is a resolution. Mr. Roberts said the buses used to turn around in the parking lot at the end of North Cedros but they are now going down residential streets that have a school on it and there is great concern with that topic. He said the second topic is that the Attorney for the City of Solana Beach wrote the NCTD Attorney about property that NCTD has the access to for 27 parking spaces. He stated that the owner of that parking lot recently repainted it and said customer parking only, two hour time limit, yet these are NCTD parking spaces. Mr. Roberts said he would ask that NCTD try to work with the owner of that property because we need to find a fair balance between local property business and NCTD and we don't want to lose those parking spaces. He said the final item is that he appreciates that a local newspaper printed a correction on a comment that was in there that NCTD had been trying to contact his community for 30 days on the Cedros Crossing Project. He said again, his council has asked him to say to the full NCTD Board, as he did to Planning, they are anticipating the Developer bringing them a project that they can quickly approve that is either in accordance with their zoning or that requests a variance and he would hope that the Developer applicants would at least tell them what is going on. Mr. Roberts said the last letter they got on this, which was over 40 days ago, says they are bringing them a project, their Council is ready to go dark for eight weeks, so they would like to know a status because if a project is not coming, they would like to master plan the property to see what can be built there.

Bill Horn responded that is NCTD property and the funds for that project are gone so if anyone is going to make a plan on NCTD property, it's going to be NCTD not Solana Beach.

Dave Roberts responded that is what he just said, he would like to see if they could work together, like they have done in other communities, on a master plan.

Bob Campbell said that at the SANDAG meeting where the fares were being discussed, SANDAG added verbiage that was not previously approved by the NCTD Board. He said that with this language NCTD would not be able to sell our day pass after January 1, 2009 and that we would be working with MTS on a revenue sharing agreement. He added that at the meeting Jerome Stocks made a motion to approve the staff recommendation and Mr. Campbell asked him to amend it to delete that language. Mr. Campbell said he was then reminded that if they delete language they would have to go back to the first and second reading and that would delay the ability to increase any fares which would cost NCTD money for some length of time. He said the SANDAG attorney said if NCTD approved it that day, as written and recommended by staff, NCTD would have the ability to come back and modify it at a future time, if they were not able to reach an agreement with MTS on revenue sharing. Mr. Campbell stated that at some point in time, the Board needs to be told where we are in that negotiating process so that the Board does their part.

Julianne Nygaard informed the Board that the City of Carlsbad cut the ribbon last week on 141 new parking spaces at the Carlsbad Village COASTER station.

Ed Gallo thanked Karen King for her ten years of dedicated, committed service to NCTD.

- **EXECUTIVE DIRECTOR'S REPORT**

Karen King reported that due to the U.S. Open, the BREEZE Route 101 experienced a 32% increase in ridership. She reminded the Board that on June 25, 2008, APTA is hosting a webinar for Board members and during the first week in October the APTA Expo and Conference will be held in San Diego.

Dave Roberts asked if NCTD would be able to highlight the SPRINTER at the APTA Expo.

Tom Lichterman responded that there is a technical tour in the program where people will be bused up from San Diego and they will get a tour of the SPRINTER control center, the transit center, the maintenance facility and a ride on the SPRINTER.

Karen King thanked the Board for allowing her to serve NCTD for the past ten years and for adopting the budget today.

Bill Horn thanked Karen King for her performance and service.

- **REMAINING PUBLIC COMMUNICATIONS**

None.

• **ADJOURNMENT**

The meeting adjourned at 4:35 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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