

CALL TO ORDER

Chairman Ed Gallo called the meeting to order at 1:15 p.m.

ROLL CALL OF BOARD MEMBERS

Ed Gallo (City of Escondido); Julianne Nygaard (City of Carlsbad); Jerome Stocks (City of Encinitas); Rocky Chavez (City of Oceanside); Chris Orlando (City of San Marcos); Dave Roberts (City of Solana Beach); Bill Horn (County of San Diego).

Bob Campbell (City of Vista) arrived at 1:18 pm; Dave Druker (City of Del Mar) arrived at 1:25 pm.

CLOSED SESSION

The Board went into Closed Session at 1:17 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 portion of Assessor Parcel Numbers 263-340-02 through 263-340-07, and 298-520-03 in Solana Beach. Negotiator: NCTD: Tom Lichterman and C. Michael Cowett – Negotiating Party: Shea Properties
- ii. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators – Location of Property is portion of Assessor Parcel Numbers 220-201-63, 64, 65, 66, 220-261-09, 13, 15 17, 18, 20, 24, 29, 30, 32, 38 and 220-270-24 through 28 and 31 in San Marcos. Negotiator: NCTD: Tom Lichterman and Ed Singer. Negotiating Party: City of San Marcos
- iii. 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
- iv. Closed Session Pursuant To Government Code Section 54957.6 Re: Personnel Matter – Public Employee Appointment. Title: Executive Director

The Board returned from Closed Session at 2:10 p.m. Michael Cowett, General Counsel, stated that the Board met in Closed Session to discuss items i, ii, iii and iv and in regards to item i the Board authorized the Interim Executive Director to terminate the agreements between NCTD and Shea Properties. He added that in regards to items ii, iii, and iv, there was nothing to report.

ROLL CALL OF BOARD MEMBERS

Ed Gallo (City of Escondido); Julianne Nygaard (City of Carlsbad); Dave Druker (City of Del Mar); Teresa Barth (Alternate, 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).

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Teresa Barth 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 agenda item 7 be pulled from the Consent Calendar and be heard after item 9 listed under "Other Business". MOTION BY DAVE ROBERTS, SECONDED BY BOB CAMPBELL TO APPROVE THIS CHANGE. MOTION CARRIED UNANIMOUSLY.

PRESENTATION OF COMMENDATIONS

Presentation of September 2008 Employees of the Month Commendations: Mr. Tom Gallagher, Manager of Facility Maintenance, recognized Mr. Michael D. White, General Services Worker; Ms. Kim Stone, Manager of Bus Operations, recognized Mr. Ronald R. Woodard, Coach Operator, as the September 2008 Employees of the Month, with the Board's congratulations.

Richard Hannasch, Director of Administration and Finance, presented an award that NCTD received from the Government Finance Officers Association (GFAO).

PUBLIC COMMUNICATIONS

Ms. Jennifer Knapic, San Marcos, CA spoke on her concerns regarding the capacity of the SPRINTER cars.

Ms. Samantha Ewing, Oceanside, CA spoke on her concerns regarding later evening bus service to the Camp Del Mar area on Camp Pendleton and route 309 to Encinitas.

Mr. Peter Warner, Hanford, CA spoke on his concerns regarding SPRINTER connections.

APPROVAL OF MINUTES

MOTION BY JULIANNE NYGAARD TO APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 18, 2008, SECONDED BY BOB CAMPBELL. ABSTAIN: TERESA BARTH. MOTION CARRIED.

MOTION BY BILL HORN TO APPROVE THE MINUTES OF THE ANNUAL MEETING OF THE SAN DIEGO NORTHERN RAILWAY OF SEPTEMBER 18, 2008, SECONDED BY DAVE ROBERTS. MOTION CARRIED UNANIMOUSLY.

CONSENT ITEMS

1. Blank Rome Government Relations Contract
2. Legislative Status Update
3. Extra Work Purchase Order to TransitAmerica Services, Inc. for Crossing and Traffic Signal Rehabilitation at Leucadia Blvd in Encinitas
4. FY 2008 4th Quarter Performance Report
5. Quarterly Financial Report for Twelve Months Ended June 20, 2008
6. Federal 5311(f) Grant Applications for Operating Assistance – Routes 306, 386 and 388

MOTION BY DAVE DRUKER TO APPROVE AGENDA ITEMS 1, 2, 3, 4, 5 AND 6,
SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS

8. Public Hearing for Proposed October 2008 COASTER Schedule Changes

Kurt Luhrsen, Manager of Service Implementation, reviewed: Saturday Fall/Winter and Spring/Summer schedules; weekday adjustments; fiscal impact; implementation timelines; and public comments received.

Chair Gallo opened the Public Hearing at 2:35 pm.

Mr. David Saenz, Vista, CA spoke on his concerns regarding timing connections between MTS and the northbound COASTER.

Mr. Peter Warner, Hanford, CA spoke on his concerns regarding timing connections for train 663.

Chair Gallo closed the Public Hearing at 2:44 pm.

MOTION BY JULIANNE NYGAARD TO APPROVE AGENDA ITEM 8, SECONDED BY ROCKY CHAVEZ. MOTION CARRIED UNANIMOUSLY.

9. Development of a "No Smoking" Ordinance for NCTD

Tom Lichterman, Director of Operations, reviewed the agenda item and the options outlined. In response to a question from the Board, Michael Cowett clarified that the proposed Ordinance would not apply to parking lots at Transit Centers.

Mr. Joe Kellejian, Solana Beach, CA spoke on his concerns regarding health and hazardous issues caused by smoking.

Ms. Jennifer Knapic, San Marcos, CA stated that "no smoking" signs don't work and the policy would have to be enforced.

Ms. Gena Knutson, Escondido, CA stated that she supported a no smoking policy.

Ms. Susan Porter, Oceanside, CA reviewed results of a survey she conducted.

Ms. Debbie Kelley, American Lung Association, spoke on how the Association worked with MTS to implement their ordinance and they learned it was easier to communicate and enforce a total smoking ban versus having designated smoking areas.

Ms. Charlene Guillergan, Spring Valley, CA reviewed observations she made regarding smoking at bus stops and transit centers.

Ms. Victoria McCloskei, Del Mar, CA spoke on the Alliance for Drug Free Youth and presented petitions signed by riders in support of a no smoking ban.

Ms. Judi Strang, Del Mar, CA stated that the North Coastal Council PTA is in support of NCTD's Option 3B.

MOTION BY DAVE ROBERTS TO APPROVE OPTION 3B AND ADOPT ORDINANCE 1,
SECONDED BY TERESA BARTH.

Bill Horn asked what the penalty would be.

Michael Cowett responded that the Ordinance does not include a penalty.

MOTION CARRIED UNANIMOUSLY.

7. Resolution for Funds Swap with SANDAG for SPRINTER Project

Richard Hannasch reviewed the background and need for this fund swap and the discussions that have taken place at SANDAG in support of this.

MOTION BY JULIANNE NYGAARD TO APPROVE AGENDA ITEM 7, SECONDED BY BOB CAMPBELL. MOTION CARRIED UNANIMOUSLY.

10. Simon Wong Engineering Supplemental Agreement for Construction Management Services on the SPRINTER Project

Don Bullock, Manager of Capital Construction, reviewed the need to extend the existing Construction Management services contract through completion of construction and project close-out.

MOTION BY BOB CAMPBELL TO APPROVE AGENDA ITEM 10, SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

11. Transit Security Services Contract

Dave Papworth, Chief of Transit Enforcement, reviewed background information on security at the Transit District and stated that state law prohibits contract security officers from issuing citations.

Rocky Chavez requested staff provide security report updates more frequently so trends could be analyzed.

MOTION BY DAVE ROBERTS TO APPROVE AGENDA ITEM 11, SECONDED BY JULIANNE NYGAARD.

Ms. Jennifer Knapic, San Marcos, CA spoke on her concerns with lack of security officers at the Buena Creek SPRINTER station.

MOTION CARRIED UNANIMOUSLY.

12. SPRINTER Revenue Service Report

Tom Lichterman provided an update for September 2008, including: ridership trends; ridership by trip; parking lot counts; performance trends; activities and observations; Escondido Avenue east gangway in full service; bike locker retrofits completed; fare evasion and enforcement.

Tom Kelleher, Marketing Manager, reviewed: kiosks; posters; ad campaigns; direct mail pieces; inserts; on-line ads and leader boards; NCTD website; Dump the Pump campaign; PURL postcard for colleges; future activities.

NO ACTION REQUIRED.

ROCKY CHAVEZ LEFT AT 3:50 PM.

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

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

NO ACTION REQUIRED.

BILL HORN LEFT AT 3:55 PM.

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

Dave Roberts thanked staff for helping with the APTA Conference and Expo arrangements. He suggested NCTD trademark our logo.

Bob Campbell reported that FACT will be starting service in October.

Ed Gallo stated that he attended the APTA Conference and Expo and that every transit agency reported that they are having to raise fares and cut routes due to funding issues, that it is not just localized to San Diego. He reported that NCTD won a first place AdWheel Award.

- **INTERIM EXECUTIVE DIRECTOR'S REPORT**

Ray Patchett, Interim Executive Director, reported that ridership is up and that December 6, 2008 is the date set for the COASTER Santa Train.

- **REMAINING PUBLIC COMMUNICATIONS**

None

- **ADJOURNMENT**

The meeting adjourned at 4:10 p.m. Submitted by Jill McNaughton, Clerk of the Board for North County Transit District.

CHAIRMAN: _____

CLERK OF THE BOARD: _____

DATE: _____

For individuals with sensory disabilities, this document is available in alternate formats. For information, please contact the Clerk of the Board at 760/967-2808. Persons with hearing impairment, please use the California Relay Service (CRS): 800/735-2929 TTY; 800/735-2922 voice; 800/855-3000 Spanish. CRS Customer Service: 800/735-0373 or 800-735-0193 TTY.