



NORTH COUNTY TRANSIT DISTRICT

Board Members

Ed Gallo
Chairman
City of Escondido

Dave Roberts
Vice-Chair
City of Solana Beach

Julianne Nygaard
City of Carlsbad

David Druker
City of Del Mar

Jerome Stocks
City of Encinitas

Rocky Chavez
City of Oceanside

Chris Orlando
City of San Marcos

Bob Campbell
City of Vista

Bill Horn
County of San Diego

Executive Director

Karen King

General Counsel

C. Michael Cowett

**For more information on NCTD,
please check out our web page at:**

www.gonctd.com

MEETING of the NORTH COUNTY TRANSIT DISTRICT Board Room 810 Mission Avenue Oceanside, CA 92054

**THURSDAY
January 17, 2008
1:45 P.M. – Special
Meeting/Closed Session
2:00 P.M. – Regular Meeting**

NCTD's Mission

***Deliver safe, convenient, reliable, and
user-friendly public transportation services.***

***The NCTD Board of Director's purpose is to
use our diverse perspectives, knowledge,
leadership and community sensitivity to
provide advocacy and guidance that enables
NCTD to deliver the highest quality intermodal
public transportation for our region.***

For individuals with disabilities, we will provide assistive services. To obtain such services or copies of documents in an alternate format, please call or write, a minimum of 72 hours prior to the event, to request these needed reasonable modifications. We will make every attempt to accommodate requests that do not give 72 hour notice. Please contact our Customer Service Supervisor at (760) 966-6503.

Persons with hearing impairment please use the California Relay Service (CRS): 800-735-2929 using TTY; 800-735-2922 using voice; 800-855-3000 for Spanish. CRS Customer Service: 800-735-0373 or 800-735-0193 TTY.



The NCTD office located at 810 Mission Avenue, Oceanside, CA is accessible by the COASTER (NCTD Commuter Rail), the SPRINTER (NCTD Light Rail System) and the BREEZE (NCTD Bus). Please log onto www.gonctd.com to check current routes and schedules, or call 1-800-COMMUTE.

**SPECIAL MEETING / CLOSED SESSION
AGENDA**

- **CALL TO ORDER**
- **ROLL CALL OF BOARD MEMBERS**

A. CLOSED SESSION

- i. Closed Session Pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Existing Litigation – Jacqueline Laurel v. NCTD, Superior Court Case No. GIN 051359

REGULAR MEETING BEGINNING AT 2:00 PM

- **CALL TO ORDER**
- **ROLL CALL OF BOARD MEMBERS**
- **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- **CHANGES TO THE AGENDA**
- **PRESENTATION OF COMMENDATIONS**

∅ **Presentation of December 2007 Employees of the Month Commendations to:**

- * Mr. Glenn R. Davila, Mechanic I
- * Mr. Vu Anh Le, Coach Operator

- **PUBLIC COMMUNICATIONS**

There is a time limit of 15 minutes for this section of Public Communications and each speaker is limited to three minutes for their presentation.

All persons wishing to address the Board during the meeting must complete a "Request to Speak" form. These forms are provided in a box at the table in the hallway, and must be completed and given to the Clerk of the Board before that agenda item is called.

**RECOMMENDED
ACTION**

- B. MINUTES FOR REGULAR MEETING FOR DECEMBER 20, 2007**
(Pages 6 – 11)

Approve

All matters listed under CONSENT are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on the motion, unless members of the Board, the Executive Director, or the public, request specific items to be discussed and/or removed from the Consent Calendar for separate action. A request from the public to discuss an item must be filed with the Clerk of the Board on the "Request to Speak" form before that agenda item is called.

ITEMS PULLED FROM CONSENT WILL BE MOVED TO THE END OF THE AGENDA

RECOMMENDED ACTION

C. CONSENT ITEMS (Tabs 1 – 8)

Items reviewed and recommended for approval by the Governance Committee (G), Planning Committee (P), Monitoring Committee (M) or Staff (S)

- | | |
|---|---------|
| 1. Bridge 225.4 Deck Replacement, Adding Soldier Pile Retaining Walls (M) | Approve |
| 2. Repair of Automatic Train Stop Indicator on Del Mar Bluffs (M) | Approve |
| 3. Funds Transfer Agreement for Maintenance Support and Additional Training for Regional Transit Management System (M) | Approve |
| 4. FY 2008 1 st Quarter Performance Report (M) (Attachments 4A and 4B) | Approve |
| 5. Quarterly Financial Report for Three Months Ended September 30, 2007 (M) (Attachment 5A) | Receive |
| 6. SPRINTER Ticket Vending Machine Maintenance Service (M) | Approve |
| 7. Proposed Capital Improvement Program FY 2009 – 2013 and Regional Transportation Improvement Program (P) (Attachments 7A, 7B, 7C, 7D) | Approve |
| 8. Update on Information Technology Job Titles (S) | Approve |

OTHER BUSINESS (Tabs 9 – 15)

- | | |
|---|---------|
| 9. Board Chair and Vice-Chair Election (G) | Approve |
| 10. Board Committee and External Committee Assignments (G) | Approve |
| 11. Reduction of Retainage from SPRINTER Mainline Contract (M) | Approve |
| 12. Extra Work Purchase Order to TransitAmerica Services, Inc. Under the COASTER Services Contract RFP 05023-OS (S) | Approve |
| 13. Master Plans for Carlsbad Village and Escondido Transit Centers (S) (Attachments 13A, 13B, 13C, 13D and 13E) | Receive |

14. Fiscal Year 2009 NCTD Budget Update (P) (Attachment 14A) Receive
15. Monthly SPRINTER Update Report (No staff report) Receive

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

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

- **EXECUTIVE DIRECTOR'S REPORT**

- **REMAINING PUBLIC COMMUNICATIONS**

For any remaining speakers who have completed a "Request to Speak" form before the start of the meeting.

- **ADJOURNMENT**

- **CERTIFICATIONS AND RULES (FOR BOARD AND PUBLIC INFORMATION)**

- ∅ Posting of Board Agenda (Page 36)

- ∅ Rules for Public Speakers at meetings of the North County Transit District (Page 37)

***The next regularly scheduled Board meeting will be held at
2:00 p.m. on Thursday, February 21, 2008
at 810 Mission Avenue, Oceanside, CA***

MINUTES OF THE SPECIAL MEETING/CLOSED SESSION AND THE REGULAR MEETING OF NORTH COUNTY TRANSIT DISTRICT HELD DECEMBER 20, 2007 **PAGE 1**

CALL TO ORDER

Chairman Ed Gallo called the meeting to order at 1:30 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); 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 1:34 pm.

CLOSED SESSION

The Board went into Closed Session at 1:33 p.m. to discuss:

- 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: Rick Howard and Lance Schulte – Negotiating Party: Shea Properties

The Board returned from Closed Session at 2:08 p.m. Michael Cowett, General Counsel, stated that the Board met in Closed Session to discuss item i and the Board voted unanimously to prepare a letter for the Chair’s signature to be sent to the Solana Beach City Council that would say that the North County Transit District Board of Directors remains anxious to work with Solana Beach and Shea Properties in a constructive process to achieve a project which meets the needs of all the parties and upholds the mutually agreed upon goals previously adopted. Chair Gallo corrected Mr. Cowett, stating that the letter is to go to Mr. Greg Shannon with a copy sent to the Solana Beach City Council.

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); 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).

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Hal Martin led the Board, staff and the public in the Pledge of Allegiance to the American Flag.

CHANGES TO THE AGENDA

Karen King, Executive Director, informed the Board that they have received a revised Blue Sheet Staff Report for Agenda Item 4.

PRESENTATION OF COMMENDATIONS

Sarah Benson, Marketing Representative, spoke on the success of the Santa Train and presented a check for \$3,300 to the Community Resource Center.

Special Retirement Commendation: Chair Gallo recognized Mr. Thomas B. Traver, Contract Maintenance Coordinator, retiring after thirty-one years of service.

Presentation of November 2007 Employees of the Month Commendations: Brian Graham, Director of Bus Operations and Maintenance, recognized Mr. Jeffery L. Elmore, Mechanic 1, and Mr. Richard P. Dong, Coach Operator, as the November 2007 Employees of the Month, with the Board's congratulations.

PUBLIC COMMUNICATIONS

Ms. Lesa Heebner, Solana Beach, CA, speaking on behalf of Solana Beach, introduced into the public record a letter dated December 18, 2007, from David Ott, Solana Beach City Manager, to Developer Greg Shannon.

Mr. Gordon Johns, Solana Beach, CA, spoke on his concerns regarding the Cedros Crossing project and building it in phases.

Mr. Jack Hagenuer, Solana Beach, CA, spoke on his concerns regarding the Cedros Crossing project Environmental Impact Report.

Mr. Bruce Berend, Solana Beach, CA, spoke on his concerns regarding the Cedros Crossing project parking requirements.

Ms. Judy Hagenuer, Solana Beach, CA, read a letter from Mr. Tim Coglein, a member of the Solana Beach Ad Hoc Committee.

Ms. Gerri Retman, Solana Beach, CA, spoke on her concerns regarding the Cedros Crossing project size and parking issues.

Mr. Gary Martin, Solana Beach, CA, a citizen member of the Solana Beach Ad Hoc Committee, spoke on his concerns regarding the Cedros Crossing project.

Mr. Bruce Santourian, Oceanside, CA, spoke on his concerns regarding flooding issues along the SPRINTER line on Oceanside Blvd.

Mr. Greg Rogers, Oceanside, CA, spoke on his concerns regarding flooding issues along the SPRINTER line on Oceanside Blvd.

Jerome Stocks requested that staff look into this situation and report back to the Board.

APPROVAL OF MINUTES

MOTION BY JEROME STOCKS TO APPROVE THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 15, 2007, SECONDED BY BOB CAMPBELL. ABSTAIN: HEEBNER AND NYGAARD. MOTION CARRIED.

MOTION BY BOB CAMPBELL TO APPROVE THE MINUTES OF THE ANNUAL MEETING OF THE SAN DIEGO NORTHERN RAILWAY MEETING OF NOVEMBER 15, 2007, SECONDED BY JEROME STOCKS. ABSTAIN: MARTIN AND HEEBNER. MOTION CARRIED.

CONSENT ITEMS 4 AND 10 WERE PULLED BY THE BOARD AND WERE HEARD AT THE END OF THE AGENDA.

CONSENT ITEMS

1. KTU+A On-Call Contract for Transit Oriented Development Community Facilities District Study
2. Extra Work Purchase Order for Additional Maintenance-of-Way Foreman on the Escondido Subdivision
3. Long-Term Maintenance and Monitoring of the Off-Site Wetland Mitigation Projects at Rancho Del Oro and Harmony Grove for the SPRINTER Rail Project
5. Landscape Maintenance Services
6. SPRINTER Security Start-Up Augmentation
7. 2008 Investment Policy
8. Workers' Compensation Contract for Third Party Claims Administrator (TPA), Medical Bill Auditing and Medical Managed Care
9. Legislative Status Update

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

OTHER BUSINESS

11. FY 2007 Financial Audit Results

Mr. Eric Xin, Brown Armstrong Paulden McCown Starbuck & Keeter, the independent auditing firm for NCTD, reviewed the audit results and stated that the audit went very well. He said that there were no findings as a result of the agreed upon procedures.

Hal Martin asked if the Board of Directors receives a report on boarding passengers.

Richard Hannasch, Director of Fiscal and Support Services, stated that there are a number of special reports that NCTD is required to do for different funding agencies and that boarding passengers is a required report for the TDA funds.

Dave Druker added that on a quarterly basis the Board of Directors gets a report on passenger boardings.

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

12. Follow-Up from November 8, 2007 Board Workshop

Karen King reviewed the action items from the staff report. She requested that the Board of Directors establish the date of April 10, 2008 for the next workshop.

MOTION BY JEROME STOCKS TO APPROVE AGENDA ITEM 12, SECONDED BY JULIANNE NYGAARD. ABSTAIN: MARTIN. MOTION CARRIED.

13. Reduction of Retainage from SPRINTER Mainline Contract

Don Bullock, Manager of Capital Construction, reviewed the staff report.

Bill Horn suggested that since we are only holding \$9 million, the retainage be held until we are in revenue operations.

Hal Martin asked if there was retainage withheld on the loop.

Don Bullock responded that there was, but that project is almost complete and they would be releasing the retainage for that very soon. He stated that retainage is by contract, not contingent on operations.

MOTION BY BILL HORN TO HAVE STAFF BRING THIS ITEM BACK TO THE BOARD FOR APPROVAL AS SOON AS REVENUE OPERATIONS HAVE BEGUN, SECONDED BY HAL MARTIN. MOTION CARRIED UNANIMOUSLY.

14. Bridge 230.6 Bridge Replacement

Tom Lichterman, Director of Rail Services, reviewed the background on this item and informed the Board that the settlement on this item has been executed.

No action required.

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

Ellen Roundtree, Intergovernmental Affairs Officer, reviewed: Appropriations Omnibus Bill approval; \$14 billion state shortfall; spillover funds; Governor's proposed measure to lower voter threshold for local sales tax measures from 2/3 to 55%; CTA litigation against the state for diverting funds; and Proposition 1B funds for Goods Movement.

Bob Campbell spoke on his concerns regarding distribution of Job Access Reverse Commute (JARC) funds.

4. Construction of an Off-Site Upland Mitigation Area at Rancho Del Oro for the SPRINTER Rail Project

Bob Campbell asked about the estimate to do the remediation work.

Tom Lichterman responded that the engineer's estimate of \$475,000 is contained in the agenda report. The low bidder left out the irrigation system in their bid and was therefore declared non-responsive.

MOTION BY BOB CAMPBELL TO APPROVE AGENDA ITEM 4, SECONDED BY JULIANNE NYGAARD. MOTION CARRIED UNANIMOUSLY.

10. Proposed Legislative Agenda for Calendar Year 2008

Julianne Nygaard said that she would like the Board of Director's stipend to be reviewed.

Jerome Stocks suggested that the Governance Committee explore modifications such as having a permanent non-voting Chair.

Bill Horn said that the NCTD Board of Directors should be paid the same as MTS. He added that NCTD's pay has been the same since 1976.

Karen King clarified that the Board voted to adopt Agenda Item 10, and to send these two issues to the Governance Committee to discuss.

MOTION BY JULIANNE NYGAARD TO APPROVE AGENDA ITEM 10, SECONDED BY BOB CAMPBELL. ABSTAIN: MARTIN. MOTION CARRIED.

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

Rocky Chavez stated that he was appointed as the primary Board Member from Oceanside, with Jim Wood as the alternate.

- **EXECUTIVE DIRECTOR'S REPORT**

Karen King updated the Board on: the SPRINTER Volunteer Ambassador program; Express Bus Service to Poinsettia and Holiday Bowls; Holiday Schedule; December 12 food and coat drive; no BREEZE service on 12/24 to Charger game; NCTD offices closed on December 24.

- **REMAINING PUBLIC COMMUNICATIONS**

None

15. Monthly SPRINTER Update and Board Inspection of SPRINTER Rail Cars and Facilities

Tom Lichterman and Don Bullock provided an update on the project, including the estimated cost of completion, key milestones, and all parking lots but Nordahl Station are paved.

- **ADJOURNMENT**

The meeting adjourned at 3:50 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 Customer Service Supervisor at 760/966-6503. 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.



**MONITORING COMMITTEE
REPORT**

**Agenda Item #
1**

**TITLE: BRIDGE 225.4 DECK REPLACEMENT, ADDING SOLDIER PILE
RETAINING WALLS**

Time Sensitive **Consent**

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors approve an amendment to the Herzog Contract for replacement of the deck on Bridge 225.4 to add a bid option for the soldier pile retaining walls, in the amount of \$155,700.

**BACKGROUND
INFORMATION:**

Bridge 225.4 is a 700-foot long steel girder, ballast-deck bridge which crosses the San Luis Rey River in Oceanside with seven (7), 100-foot long bridge spans dating back to 1916 and 1925. The bridge deck is comprised of deck “boards”, 8” thick timber boards which are fastened atop the longitudinal steel girders, perpendicular to the track.

As a result of the deteriorating condition of these deck boards, an IFB (Invitation for Bid) number 08019 was published on October 9, 2007 for deck replacement. Herzog Contracting Corporation was the lowest responsive and responsible bidder and was awarded a contract for the amount of \$2,320,890, pursuant to Board actions in November and December. As part of the bid, an “Add-Alternate” for soldier pile retaining walls was required with Herzog pricing this work at \$155,700. Soldier pile walls consist of drilled shafts (piles) filled with concrete and reinforcing with precast concrete lagging (walls) spanning between the piles to retain soil at the bridge abutments.

At the time of the contract award, the funds to cover this additional work were available; however, other costs such as the busing of Amtrak and Metrolink train passengers had not been finalized. During the bid and award period, a coordination meeting with Metrolink and BNSF was held identifying concurrent work activities on the corridor that will reduce these busing costs and thus allow NCTD to add the additional work to Herzog’s contract. Since this additional work will significantly enhance the completed project, staff recommends award of this “Add-Alternate” to Herzog. Amending Herzog’s contract to include the soldier pile walls will increase Herzog’s total contract amount to \$2,476,590 and leave a budget balance of \$233,119 for contingencies and passenger train busing.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this item is \$155,700. A total of \$2,986,190 has been budgeted in JB# 508018 for replacement of the deck of Bridge 225.4, of which \$92,813 has been expended and an additional \$2,504,558 has been encumbered, leaving an available balance of \$388,819 which will cover the soldier pile walls and leave a balance of \$233,119 for contingencies and passenger train busing.

**COMMITTEE
REVIEW:**

1/3/08 The deck replacement for Bridge 225.4 was previously approved by the Board. This Add-Alternative will significantly enhance the project by creating soldier pile walls to retain soil at the bridge abutments. Fiscal impact of \$155,700 is available in JB# 508018.

STAFF CONTACT:

Mitch Alderman

Chief Rail Engineer

E-mail: malderman@nctd.org

Phone: 760/967-2852



MONITORING COMMITTEE REPORT

TITLE: REPAIR OF AUTOMATIC TRAIN STOP INDICATOR ON DEL MAR BLUFFS

Time Sensitive [X] Consent [X]

COMMITTEE RECOMMENDATION:

That the Board of Directors authorize the Executive Director to award a purchase order in the amount of \$12,513 under the terms of RFP 05023 to TransitAmerica, Inc. for repair of the Automatic Train Stop (ATS) indicator on the Del Mar Bluffs.

BACKGROUND INFORMATION:

On July 19, 2007, the Board authorized the Executive Director the authority to authorize the issuance of work orders for routine repairs that are not covered under the basic scope of RFP 05023, the COASTER Operating and Maintenance contract.

Although the scope of work is clearly defined, there are often additional, relatively low-dollar items that are required that were left out of the basic scope due to their frequency being difficult to determine or to an unforeseen occurrence.

This particular item falls within this authority and would not require Board approval. However, due to the fact that the authority was capped at \$100,000 per fiscal year, this item would cause the \$100,000 cap to be exceeded. Concurrent with this agenda item is one that requests an increase of the annual cap from \$100,000 to \$200,000.

By authorizing this action, the Executive Director is authorized to issue a Purchase Order to TransitAmerica in the amount of \$12,513 for the repair of the ATS indicator on the Del Mar Bluffs. This repair was necessitated due to damage caused by the Del Mar Bluff stabilization project contractor. Therefore, these costs are fully reimbursable.

Towards the end of this fiscal year, staff will review the extra-work expenditures with the Monitoring Committee and jointly determine the cap level for future contract years.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact associated with this item is a total of \$12,513. This entire amount is reimbursable from the Del Mar Bluff stabilization project contractor retainage which SANDAG administers.

**COMMITTEE
REVIEW:**

1/3/08 This is a routine minor maintenance repair covered under the basic scope of the COASTER Operating & Maintenance Contract. The Executive Director is authorized to approve up to \$100,000 in changes to this contract as authorized by the Board. This item would cause that amount to be exceeded, therefore, Board approval is required. Fiscal impact is \$12, 513 which is a reimbursable expense from SANDAG.

STAFF CONTACT: Lane Fernandes
Manager, Commuter Rail
E-mail: Lfernandes@nctd.org Phone: 760/967-2850



**MONITORING COMMITTEE
REPORT**

**Agenda Item #
3**

**TITLE: FUNDS TRANSFER AGREEMENT FOR MAINTENANCE SUPPORT
AND ADDITIONAL TRAINING FOR REGIONAL TRANSIT
MANAGEMENT SYSTEM**

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors authorize the Executive Director to execute a change to the Funds Transfer Agreement with SANDAG for a six-month extension to the maintenance warranty on the RTMS and additional Dispatch training class in the amount of \$122,857.50.

**BACKGROUND
INFORMATION:**

The Regional Transit Management System (RTMS), which provides voice/data communication and Automated Vehicle Location (AVL) with NCTD Breeze buses, was accepted in December, 2006. This system is shared with San Diego Transit Corporation (SDTC) and has been under vendor warranty since January, 2007. This warranty expired on December 31, 2007. The requested warranty extension would align the warranty service with SDTC's and NCTD's fiscal years, and provide additional time to evaluate the potential of bidding future warranty service contracts. The total cost of the six (6) month extension is \$351,355.50, with NCTD's share \$119,461.50.

During system installation, NCTD requested an additional training class for Dispatchers. This training has been provided, but was never billed to NCTD. The cost of the training was \$3,396.00.

SANDAG serves as the contract manager for the RTMS contract. The Funding Transfer Agreement is required to reimburse SANDAG for the warranty extension and additional Dispatch training class, for a total of \$122,857.50.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this item is not-to-exceed \$122,857.50. The maintenance warranty extension is included in the FY 2008 budget in account 190.503311.218 for the amount of \$210,000. The Dispatch training class would be absorbed through project funding.

**COMMITTEE
REVIEW:
1/3/08**

The RTMS system provides voice and data communications for the District's vehicles. This is a shared-use system with MTS, with SANDAG serving as the Contract Manager. The warranty expired on December 31, 2007. This is a six-month extension with the supplier for maintenance. SANDAG will be going out to bid and, in conjunction with NCTD and MTS, will evaluate potential of bidding future warranty service contracts. Fiscal impact of \$122,857.50 has been included in the FY 08 Operating Budget.

**STAFF CONTACT: Brian Graham
Director, Bus Operations and Maintenance
E-mail: bgraham@nctd.org Phone: 760/967-2854**



**MONITORING COMMITTEE
REPORT**

Agenda Item #

4

TITLE: FY 2008 1ST QUARTER PERFORMANCE REPORT

Time Sensitive **Consent**

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors receives and reviews the FY 2008 1st quarter performance report.

**BACKGROUND
INFORMATION:**

The Quarterly Performance Report (Attachments 4A and 4B) is provided to the Board and is utilized to track trends in ridership, operating costs and revenues, and other indicators including service quality.

Overall, the operating financial trend for the beginning of FY 2008 has started with some encouraging news. Total fare revenues have increased 2.2%; the increase is attributed to COASTER fare revenue which has increased over 12% from FY 2007. Total operating expenses have increased only 1.2%, resulting in a slight increase in the system-wide farebox recovery ratio from 26.3% to 26.5%. An increase in farebox recovery is significant, especially since there were no fare increases implemented for FY 2008. Operating costs for LIFT and COASTER have decreased 6.9% and 7.8% respectively when compared to FY 2007 due to the cessation of mobilization costs associated with the start of new operating service contracts in FY 2007. Fuel expenses for the 1st quarter of FY 2008 were at the same level as FY 2007 but are expected to increase significantly in the next quarter.

System ridership dropped slightly for the quarter with a 1.1% decrease when compared to FY 2007. BREEZE ridership decreased 3.0%, FAST ridership dropped 17.8%, but LIFT and COASTER ridership increased over 5% and 10% respectively.

Service quality indicators have also improved significantly this quarter. BREEZE mechanical failures decreased 18.0% and FAST failures decreased by one failure. LIFT mechanical failures decreased 71.4%, a result of the recent investment in new sedans to replace old vans. COASTER mechanical failures decreased by 15 failures and ran 11,560 miles between road calls.

ATTACHMENT: 4A - Performance Summary Report
4B - System Performance Summary 1st Quarter FY 2008

FISCAL IMPACT: None

COMMITTEE REVIEW: 1st Quarter revenues are up by 2.2%, mainly due to COASTER fare revenue. Operating expenses have increased only 1.2%. Fuel expenses for the 1st Quarter were the same as FY 07 levels. Ridership dropped slightly (1.1%) during the 1st Quarter.

STAFF CONTACT: **Cathy Sweet**
Manager of Budgeting and Financial Analysis
E-mail: csweet@nctd.org Phone: 760/966-6658



**MONITORING COMMITTEE
REPORT**

**Agenda Item #
5**

**TITLE: QUARTERLY FINANCIAL REPORT FOR THREE MONTHS ENDED
SEPTEMBER 30, 2007**

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

**That the Board of Directors receive and review the Quarterly
Financial Report for the quarter ended September 30, 2007.**

**BACKGROUND
INFORMATION:**

The Quarterly Financial Report (Attachment 5A) provides information on the District's financial position, as well as an overview of budgeted and actual revenues and expenses through the first quarter of the fiscal year. It should be noted that only year-end financial reports are independently audited and receive all necessary adjustments for compliance with GAAP (generally accepted accounting principles). Quarterly financial reports are un-audited and are for internal use only.

Subsequent to the preparation of the attached report, NCTD received revised TDA and TransNet estimates from SANDAG on December 19, 2007. Transportation Development Act (TDA) funding is NCTD's largest single source of operating revenues. TDA and TransNet revenues are based on sales tax collections in San Diego County. Together, TDA and TransNet comprise over 43% of NCTD's total operating revenues.

In February 2007, SANDAG issued its estimate of TDA and TransNet revenues for FY 2008. Each year, NCTD and MTS use the February estimates to develop the annual operating budget.

In May 2007, SANDAG notified NCTD and MTS that the estimates for TDA and TransNet would be revised downward significantly for FY 2008. For NCTD, the impact was a reduction in funding of over \$4 million.

On December 19, 2007, SANDAG notified NCTD and MTS that estimated sales tax collections for the current year would be significantly lower than the May 2007 estimates. Based on these new estimates, NCTD will face a \$3.6M to \$4.0M decrease in TDA and TransNet revenues for the current fiscal year. This new adjustment results in a total decrease in funding of over \$8 million since the original estimates of February 2007.

ATTACHMENT: 5A - Q1 FY 2008 Financial Report

FISCAL IMPACT: None

**COMMITTEE
REVIEW:**

1/3/08 Passenger fare revenues are up 2.2% (\$95,000). COASTER revenues are up 10%, and BREEZE is down 3%. Salary and Wages, while under budget slightly for the Quarter, are on budget for the year. Materials & Supplies are under for the Quarter, however, increases in fuel during the current Quarter will reverse this if current trends continue. The largest concern is the new projected sales tax collections for the current year, approximately a \$4 million decrease in TDA and TransNet revenues for the current year. This is a total decrease of over \$8 million since the February 2007 estimates.

STAFF CONTACT: **Richard Hannasch**
Director of Fiscal and Support Services
E-mail: rhannasch @nctd.org Phone: 760/967-2809



**MONITORING COMMITTEE
REPORT**

**Agenda Item #
6**

TITLE: SPRINTER TICKET VENDING MACHINE MAINTENANCE SERVICE

Time Sensitive Consent

COMMITTEE RECOMMENDATION: **That the Board of Directors authorize the issuance of a Supplemental Agreement to IFB 0104 to add SPRINTER TVM maintenance services to the scope of work for Sectran.**

BACKGROUND INFORMATION: As part of the Regional Automated Fare Collection Project, SANDAG has installed 18 Cubic Ticket Vending Machines (TVMs) for the COASTER stations, and 32 TVMs for the SPRINTER stations.

NCTD executed a COASTER TVM maintenance contract with Ed Burger in 2002, when the original manufacturer discontinued supporting the COASTER TVMs. The current contract with Mr. Burger expires June 30, 2008. Mr. Burger has been trained on the repair and maintenance of the new machines, and has been maintaining the COASTER TVMs.

NCTD proposes that a Supplemental Agreement be issued to Sectran to provide maintenance service for the 32 SPRINTER TVMs. NCTD currently has a revenue servicing contract with Sectran under IFB 0104 to count currency from the BREEZE farebox bins, the COASTER and SPRINTER TVMs, and the Customer Service sites at the four Transit Centers. Sectran has previously performed maintenance service on more than 100 Ascom TVMs for Metrolink, as well as automated teller machines and other specialized cash machines. Under the regional project, SANDAG will arrange for additional TVM training for Sectran’s maintenance staff.

Sectran’s proposal would provide maintenance services for the 32 SPRINTER TVMs for \$80,000, based on a monthly rate of \$16,000 per month for the five-month period of February through June 2008. The proposal is comparable to the service to be provided for the COASTER TVMs. During early 2008, with the advantage of a few months of actual experience with SPRINTER TVM operations, NCTD staff plan a formal procurement to determine cost-effective options for the ongoing servicing of SPRINTER and COASTER TVMs.

ATTACHMENT: None

FISCAL IMPACT: The fiscal impact of this action is \$80,000. A total of \$170,000 in account 300.503316 has been included in the FY 2008 operating budget.

COMMITTEE REVIEW: Sectran currently provides revenue servicing for the District’s COASTER and SPRINTER TVM’s, along with BREEZE fareboxes and Customer Service sites. 1/3/08 Sectran has experience in maintaining TVM’s. Under the agreement, Sectran will provide maintenance services for the 32 SPRINTER TVMs. Fiscal impact of \$80,000 is included the Operating Budget.

STAFF CONTACT: **Bruce Foltz**
Manager of Financial Services
E-mail: bfoltz @nctd.org Phone: 760/967-2823



PLANNING COMMITTEE REPORT

TITLE: PROPOSED CAPITAL IMPROVEMENT PROGRAM FY 2009 – 2013 AND REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

Time Sensitive [X] Consent [X]

COMMITTEE RECOMMENDATION:

That the Board of Directors:

- a) approve the submittal of proposed CIP and operating expenses for updates in the 2006 Regional Transportation Improvement Program (RTIP) subject to Board approval, and
- b) recommend Board approval of the projects proposed to be funded with TransNet monies with a pledge that NCTD will expend the funds in compliance with the requirements of the TransNet Ordinance and Expenditure Plan

BACKGROUND INFORMATION:

Capital Improvement Program (CIP)

Each year NCTD prepares a five-year CIP, which is a multi-year plan of capital projects for facility construction, capital improvements and capital acquisitions, along with estimated costs and proposed funding. The proposed CIP, covering the five-year period from 2009-2013 which has been prepared and reviewed by staff, is summarized in Attachment 7A. A detailed schedule of the FY 09 capital projects is included as Attachment 7B. A summary of NCTD's proposed major capital projects can be found in Attachment 7C.

The proposed CIP FY 2009-2013 is based on staff preliminary estimates of funding levels. SANDAG is scheduled to provide final estimates of transit revenues available for fiscal years 2009-2013 sometime in February or March 2008. Staff may recommend minor modifications to the proposed CIP based on the final revenue estimates. As part of the annual CIP development process, NCTD completed a rating and ranking process for all of its capital projects. If funding for the CIP is not sufficient to fully fund the proposed program, projects would be funded on a priority basis, based upon their final ranking. If funding exceeds the estimated levels, priority projects that did not receive all funding requested could receive additional funding.

The proposed CIP is scheduled for formal Board approval in June 2008 in conjunction with the annual Operating Budget, following a 30-day public comment period and public hearing.

Regional Transportation Improvement Program (RTIP)

Every two years, SANDAG must develop and adopt an RTIP, as required by State and Federal laws. The RTIP is a multi-year funding program of proposed major highway, arterial, transit, and bikeway projects, including the TransNet Program of Projects. In order to be eligible for certain types of federal, state, and transportation sales tax funding, NCTD must have its projects included in an approved RTIP. In addition to its capital projects, certain operating

expenses, such as preventive maintenance, associated capital maintenance, and some ADA Paratransit Services, are eligible for federal capital funding and must also be included in the RTIP. The approved RTIP is amended periodically as necessary until preparation of the next biennial RTIP is completed and adopted.

NCTD typically submits capital projects to SANDAG for inclusion in the RTIP near the end of the calendar year in conjunction with its annual five-year CIP and Operating Budget development process. The 2006 RTIP was approved by the SANDAG Board on August 4, 2006. NCTD is requesting amendment of the 2006 RTIP to update funding levels of projects included in the RTIP.

With its RTIP submittals, SANDAG also recommends that the Transit Boards take an action to support the projects proposed to be funded with TransNet monies and a statement that NCTD will expend the funds in compliance with the requirements of the TransNet Ordinance and Expenditure Plan. With Planning Committee approval, staff will submit updates to these projects and operating expenses for the 2006 RTIP in the format required by SANDAG and summarized in Attachment 7D, subject to NCTD Board approval.

ATTACHMENT: 7A – Summary Proposed Constrained Baseline CIP FY 2009-2013
7B – Proposed FY 09 Constrained Baseline CIP
7C – Proposed Major Capital Projects – Multi-Year
7D – Proposed Federal Funding Program

FISCAL IMPACT: There is no direct fiscal impact associated with this action. Inclusion of projects in the RTIP and approval thereof is a requirement for approval of federal and state grant applications and the use of TransNet funds.

**COMMITTEE
REVIEW:**

1/3/08 The Committee discussed the FY 09 Capital Improvement Program and some of the key projects included this year. This CIP includes \$3 million in re-programmed funds for the San Luis Rey Transit Center. The Del Mar Fairgrounds Temporary Platform is also an NCTD Capital Project but is not shown in the CIP because no NCTD subsidies are anticipated for that project.

The FY 09 CIP could be subject to revision if available revenue estimates from SANDAG come in lower than currently expected. If that occurs, the CIP would be adjusted based on the project priority ratings developed earlier by NCTD. The Committee clarified that, on the large, multi-year projects, the assignment of these to either SANDAG or NCTD resulted from SB 1703 and subsequent discussions among the agencies as to when the appropriate time to transfer projects would occur. It was also clarified that FACT is not eligible to use federal money and hence is not listed in the CIP.

STAFF CONTACT: Diane Hessler
Chief Management Accountant
E-mail: dhessler@nctd.org Phone: 760/966-6550



STAFF REPORT

TITLE: UPDATE ON INFORMATION TECHNOLOGY JOB TITLES

Time Sensitive Consent

STAFF RECOMMENDATION:

That the Board of Directors approve updating three job titles for the Information Technology Department, including "Help Desk Technician," "Network Administrator," and "Business Systems Analyst."

BACKGROUND INFORMATION:

NCTD's Chief Information Officer has performed a detailed analysis of the existing team's composition and capabilities, and proposes to realign some job titles to better address the District's needs and the qualifications of the team members.

The new "Network Administrator" job title would be used instead of the current "System Analyst" job title. This position will work closely with SPRINTER operations and will be focused primarily on the network rather than server technology. The new position title and job description will more effectively describe the work to be accomplished with an industry-standard title. The position would also be two steps lower on NCTD's salary schedule than the current title of "System Analyst" to align appropriately with NCTD's compensation analysis.

The "Help Desk Technician" job title would allow for hiring a more junior IT position than exists today. The IT team plans to reclassify an existing employee from an administrative position into a technology position to expand the support capabilities of the team.

The "Business Systems Analyst" job title would be used instead of the current "Financial Systems Analyst" job title. The existing title is too restrictive to financial systems. The new title will broaden the capabilities and types of systems the position will handle. Based on the broadening of the role, the position would also be one step higher on NCTD's salary schedule than the current title of "Financial Systems Analyst."

Staff recommends that the Board authorize the preceding job classifications.

ATTACHMENT: None

FISCAL IMPACT: The positions fit within the overall IT staffing plan and should not affect the overall annual operating budget for the team.

COMMITTEE REVIEW: Not applicable

STAFF CONTACT: Angela Miller, Chief Information Officer, E-mail: amiller@nctd.org, Phone: 760/966-6582



**GOVERNANCE COMMITTEE
REPORT**

Agenda Item #

9

TITLE: BOARD CHAIR AND VICE-CHAIR ELECTION

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors elect a Board Chair and Vice-Chair at the January 17, 2008 Board Meeting.

**BACKGROUND
INFORMATION:**

In accordance with statute, the NCTD Board must elect a Chair and a Vice-Chair in January of each year. The process for election of officers is not dictated by statute or by-laws. The Chair and Vice-Chair serve one-year terms, with no limitation on the number of consecutive terms that may be served. The Board's recent past practice has been for the Vice-Chair to be elected as the new Chair following two consecutive one-year terms of service by the current Chair.

ATTACHMENT: None

FISCAL IMPACT: None

**COMMITTEE
REVIEW:**

1/2/08 The Committee recommended forwarding the selection of Chair and Vice-Chair to the full Board.

STAFF CONTACT:

**Karen King
Executive Director**

E-mail: kking@nctd.org

Phone: 760/967-2867



**GOVERNANCE COMMITTEE
REPORT**

TITLE: BOARD COMMITTEE AND EXTERNAL COMMITTEE ASSIGNMENTS

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors approve the Board Committee assignments and the external Committee assignments as recommended by the Board Chair.

**BACKGROUND
INFORMATION:**

Board Resolution 02-06 adopted April 4, 2002, places responsibility on the Board Chair to appoint Board members to NCTD Board Committees. Historically, Board appointments to external Committees have also been made at this same time. The current Board Chair has formulated recommendations for 2008 appointments and the Governance Committee may wish to review these recommendations at the January 2, 2008 meeting. Please note that Resolution 02-06 calls for any Board member who has served two years consecutively on either the Planning or Monitoring Committee to be moved to the other Committee. The resolution also dictates that the Governance Committee be comprised of the Board Chair, Vice-Chair and the Chairs of the Planning and Monitoring Committees. Taking this into consideration, the proposed Committee assignments for 2008 are presented below:

MEETINGS OF THE NCTD BOARD

Governance Committee meets typically the **first Wednesday of the month at 8:30 a.m.**

Monitoring Committee meets typically the **first Thursday of the month at 8:30 a.m.**

Planning Committee meets typically the **first Thursday of the month at 3:00 p.m.**

Board Meetings are the **third Thursday of the month at 2:00 p.m.**
(adjusted earlier for Closed Session)

Governance Committee: Board Chairperson
Board Vice-Chairperson
Monitoring Committee Chairperson
Planning Committee Chairperson

Monitoring Committee: Dave Druker Bill Horn
Chris Orlando Rocky Chavez

Planning Committee: Jerome Stocks Bob Campbell
Julianne Nygaard Dave Roberts

EXTERNAL COMMITTEE MEETINGS

SANDAG Board: The SANDAG Board includes NCTD as an advisory member. The Board meets twice a month on the second and fourth Fridays of the month. The first meeting of the month is from 10:15 a.m. to noon and deals with policy matters. The second meeting of the month is a business meeting and meets from 9:00 a.m. to noon.

SANDAG Transportation Committee: NCTD has a seat as a voting member on this committee. Meetings are scheduled for the first and third Friday of each month from 9:00 a.m. to noon.

SANDAG Regional Planning Committee: This committee is responsible for the development of the Regional Comprehensive Plan (RCP) and NCTD is included as an advisory member. Meetings are scheduled for the first Friday of each month from 11:00 a.m. to 1:00 p.m.

Joint Committee On Regional Transit (JCRT): Meets quarterly, or as needed, to provide policy guidance on transit operating matters that are of concern to NCTD and MTS and to review the implementation of the Transition Plans for agency consolidation. February 14, 2008 is the only date scheduled at this time.

LOSSAN: The Los Angeles to San Diego Rail Corridor Agency Joint Powers Board meets quarterly in Los Angeles to further the development of rail service in the coastal corridor from San Diego to San Luis Obispo. (Meetings for 2008 are scheduled for Wednesdays as follows)

February 6, 2008	NCTD (SPRINTER TOUR)
May 14, 2008	LAMTA
September 03, 2008	Santa Barbara
November 12 , 2008	LAMTA

SANDAG Board of Directors (Advisory Member):

Member: Board Chairperson
1st Alternate: Planning or Monitoring Committee Chair
2nd Alternate: Planning or Monitoring Committee Chair

SANDAG Transportation Committee (Voting Member):

Member: Board Chairperson
1st Alternate: Planning/ Monitoring Committee Chair
2nd Alternate: Planning/Monitoring Committee Chair
3rd Alternate: To Be Selected

SANDAG Regional Planning Committee (Advisory Member):

Member: Dave Druker
Alternate: Ed Gallo

Joint Committee on Regional Transit (JCRT):

Members: Board Chairperson
Dave Druker
Jerome Stocks
Alternate: Bill Horn

LOSSAN Corridor Board of Directors:

Member: Julianne Nygaard

Alternate: David Druker

2nd Alternate: Bill Horn

BOARD MEMBER ASSIGNMENTS

Bob Campbell: Planning Committee

Rocky Chavez: Monitoring Committee

Dave Druker: Monitoring Committee, SANDAG Regional Planning Committee, JCRT, LOSSAN Alternate

Ed Gallo: Governance Committee, SANDAG Transportation Committee, SANDAG Board, SANDAG Regional Planning Committee (Alternate), JCRT

Bill Horn: Monitoring Committee, JCRT (Alternate), LOSSAN Alternate

Julianne Nygaard: Planning Committee, LOSSAN

Chris Orlando: Monitoring Committee

Dave Roberts: Planning Committee

Jerome Stocks: Planning Committee, JCRT

ATTACHMENT: None

FISCAL IMPACT: None

COMMITTEE

REVIEW:

1/2/08

The Committee reviewed the staff recommendation and, to ensure regular participation, recommended the addition of a third alternate to the SANDAG Transportation Committee and a second alternate to the LOSSAN Board of Directors. The Committee also recognized that changes could be necessary depending upon appointments made by the Board's individual cities and appointments by the SANDAG sub-regional groups to occur in early 2008.

STAFF CONTACT:

Karen King

Executive Director

E-mail: kking@nctd.org

Phone: 760/967.2867



MONITORING COMMITTEE REPORT

TITLE: REDUCTION OF RETAINAGE FROM SPRINTER MAINLINE CONTRACT

Time Sensitive Consent

COMMITTEE RECOMMENDATION:

That the Board of Directors find that satisfactory progress is being made on the SPRINTER Mainline Project and authorize the Executive Director to amend the Contract, as necessary, and release any retention withheld from progress payments made after the Board's determination of satisfactory progress.

BACKGROUND INFORMATION:

This item is being brought back to the Board in the January 2008 cycle, per the Board's direction at the December 20, 2007 meeting.

The SPRINTER Mainline Construction contract contains provisions for retainage that comply with Public Contract Code 9203. Retainage, or retention, is typically withheld from each construction progress payment for use in disputed or incomplete work which the contractor fails to perform. It also provides an incentive to complete punch list work at the completion of the project in a timely manner. Release of final retention typically can not be made until a certificate of completion is filed after the work has been accepted.

Retention is required by Public Contract Code section 9203, which specifically requires that no less than 5% be withheld from progress payments. Public Contract Code section 9203 also permits a legislative body, such as NCTD's Board of Directors, to make progress payments in full, for actual work completed, upon 50% completion of the project, if the Board finds that satisfactory progress on the project is being made.

At the initiation of this Contract, NCTD withheld 10% retention from each invoice, and placed these funds in an escrow account in accordance with applicable law. West Coast Rail Constructors (WCRC) requested a reduction of this retention to 5% in June of 2006 and this request was approved by the Board. WCRC has now requested a further reduction of retention based on their progress in meeting our completion goals and by reaching an overall contract completion in excess of 93%.

NCTD staff recommends that SPRINTER Mainline Contract be amended, as necessary, and that the necessary actions be taken to reduce retention to the minimum amounts permitted by the Public Contract Code as an incentive to the contractor to continue in the manner in which they have been working thus far and as a show of good faith in meeting our goal to begin revenue service early this year. WCRC has been performing well and making good progress despite numerous changes in the design and field conditions and has expended considerable resources in acceleration and changed work, some of which is pending final pricing agreement.

There are currently no significant issues in dispute and contract change orders are within industry averages. The major factors typically evaluated in the reduction of retention are: (1) work progress and schedule, (2) potential disputes, and (3) quality of work. WCRC has been performing well on all three of these criteria, and continues to work toward their goal of finishing on schedule with no claims. As stated above, Public Contract Code section 9203 requires that the Board make a finding that "satisfactory progress is being made." It is staff's opinion that WCRC is making satisfactory progress, and that this satisfactory progress has been made since the project was 50% complete.

Further, it should be noted that if there is an issue of disputed work on the Project, NCTD has legal authority, pursuant to Public Contract Code section 7107 and the Contract, to segregate from retention, 150% of the amount of the disputed work, while the issue is being resolved.

The current contract value of the Mainline contract, including approved change orders, is \$221.6 million. If this item is approved, the District would release to WCRC any retention withheld from progress payments made after the Board's June 2006 action to reduce retention to 5%. If approved, the District would reduce the amount held in retention from approximately \$9.7 million to approximately \$5 Million.

ATTACHMENT: None

FISCAL IMPACT: None. The amounts withheld for retention are for work already performed, and are deposited by NCTD into an escrow account. A portion of these retained funds would simply be released to the contractor in accordance with this recommendation.

**COMMITTEE
REVIEW:**

1/3/08 The mainline construction contract provides for a minimum 5% retainage per Public Contract Code 9203. The initial retainage for this contract was 10%, which the Board reduced to 5% in June 2006 at WCRC's request. WCRC has reached an overall contract completion of over 90% and is requesting further reduction. Staff noted that WCRC is performing well and recommends approval. Total contract cost is approximately \$220 million and the retainage is currently \$9.7M. This action would reduce it to approx \$5M. Additionally, a performance bond as well as warranties are in place as further protection for the District. The Committee unanimously recommended approval.

STAFF CONTACT: **Don Bullock**
Manager of Capital Project Construction
E-mail: dbullock@nctd.org Phone: 760/737-8625 ext 257



STAFF REPORT

TITLE: EXTRA WORK PURCHASE ORDERS TO TRANSITAMERICA SERVICES, INC. UNDER THE COASTER SERVICES CONTRACT RFP 05023-OS

Time Sensitive Consent

STAFF RECOMMENDATION: That the Board of Directors increase the Executive Director’s authority to award purchase orders to TransitAmerica Services, Inc. for out-of-scope routine repairs, individually valued at \$50,000 or less, to an annual aggregate total not-to-exceed \$200,000.

BACKGROUND INFORMATION: On July 19, 2007 the Board authorized the Executive Director the authority to authorize the issuance of extra work purchase orders valued at not more than \$50,000 for routine repairs that are not covered under the basic scope of RFP 05023, the COASTER Operating and Maintenance contract. This action was capped at an annual total of \$100,000.

Although the scope of work is clearly defined, there are often additional relatively low-dollar items that are required that were left out of the basic scope due to their frequency being difficult to determine or to an unforeseen occurrence.

During the first six months of this year there have been a number of items that, while not exceeding the \$50,000 cap, have rapidly caused the Executive Director’s \$100,000 annual cap to be reached. These include items such as replacing a switch on the COASTER line (\$25,000), repairs due to the October fires (\$11,000) and repair work on the Del Mar Bluffs due to issues caused by SANDAG construction contractor (\$29,000). Although this last one is reimbursable, it is included under the current \$100,000 limit.

Any future routine repairs, regardless of cost, would require Board action under the current guidelines. Therefore, staff is requesting that the Executive Director be authorized to award purchase orders to TransitAmerica for out of scope routine repairs, individually valued at under \$50,000, to an annual aggregate of \$200,000 for FY 08.

ATTACHMENT: None

FISCAL IMPACT: None

COMMITTEE REVIEW:

1/3/08 The Committee reviewed the current authority with the staff and the need for an adjustment to the current authority. This item was originally contained within the Repair of the Automatic Train Stop Indicator on Del Mar Bluffs. The Committee recommended that the item be taken to the full Board for their approval.

STAFF CONTACT: Lane Fernandes
Manager, Commuter Rail
E-mail: lfernandes@nctd.org Phone: 760/967-2850



STAFF REPORT

TITLE: MASTER PLANS FOR CARLSBAD VILLAGE AND ESCONDIDO TRANSIT CENTERS

Time Sensitive Consent

STAFF RECOMMENDATION:

That the NCTD Board of Directors receive and approve the Concept Master Plans for Carlsbad Village and Escondido Transit Centers.

BACKGROUND INFORMATION:

Caltrans awarded NCTD a transportation planning grant to produce Master Plans for development of the Carlsbad Village, Escondido, and Oceanside Transit Centers. The Master Plans consider present and future transit needs to achieve several Project Goals (Attachment 13A). Adopted Guiding Principles for implementing the Master Plans are common standards for achieving these goals (Attachment 13B).

Developing the Master Plans involved initial and ongoing coordination with the cities of Carlsbad, Escondido, Oceanside, and SANDAG to incorporate their input. Key to creating the Master Plans has been customer involvement through surveys and public workshops. Before any concept Master Plans were initiated, input was received as summarized by the Ridership Questionnaire Report and 1st Public Workshops Summary (Attachment 13C). This initial input provided a foundation for the Master Plans' initial development. In November 2007 the 2nd Public Workshops were conducted and we presented the Draft Concept Master Plans for the Carlsbad Village and the Escondido Transit Centers for public comment. Oceanside requested that their 2nd Public Workshop be deferred until January 2008. In summary, public comments from the 2nd round of Public Workshops were supportive of the concept plans and it was generally believed that the established Project Goals are being achieved (Attachment 13D).

Periodic status updates to the Board identified project costs as key considerations that need further definition to determine project feasibility. We continue to work with each city to better define and secure permit approval costs and timelines, and identify any city interest in participating in the projects. This information will be reported to the NCTD Board in 1st Quarter 2008 when the Board will consider whether to move one or more of the proposed projects forward.

The Master Plans reflect balanced long-term conceptual plans for improved transit operations, ridership, and operational revenue, while promoting city objectives and regional smart growth and environmental objectives. The Master Plans will undergo refinements as they progress and are implemented over time. Board approval of the Master Plans for Carlsbad Village and Escondido Transit Centers allows these plans to move forward (Attachment 13E). The Board will review the Oceanside Transit Center Master Plan and the last implementation task of the Master Plans project in early 2008.

ATTACHMENT: 13A - Master Plans Project Goals
13B - Guiding Principles for Master Plan Implementation
13C - Survey and 1st public workshop summary for CVS, ETC and OTC
13D - 2nd public workshop summary for CVS and ETC
13E - Carlsbad Village and Escondido Transit Center Master Plans

FISCAL IMPACT: None

**COMMITTEE
REVIEW:** None

STAFF CONTACT: **Lance Schulte**
Economic Development Administrator
E-mail: lschulte@nctd.org Phone: 760/966-6683



**PLANNING COMMITTEE
REPORT**

TITLE: FISCAL YEAR 2009 NCTD BUDGET UPDATE

Time Sensitive Consent

**COMMITTEE
RECOMMENDATION:**

That the Board of Directors review the FY 2009 budget process and latest SANDAG TDA and TransNet funding estimates.

**BACKGROUND
INFORMATION:**

NCTD develops the annual budget each year. This process includes preparing and/or updating the annual operating budget and a five-year capital improvement program. This process takes many months, requires extensive effort by NCTD staff, and culminates in the formal adoption by the Board of Directors of an approved budget in June of each year.

The budget process begins with reviewing revenue forecasts for the remainder of the current fiscal year and extrapolating that data to future years. Transportation Development Act (TDA) funding is NCTD's largest single source of operating revenues. TDA and TransNet revenues are based on sales tax collections in San Diego County. Together, TDA and TransNet comprise over 43% of NCTD's total operating revenues.

In February 2007, SANDAG issued its estimate of TDA and TransNet revenues for FY 2008. Each year, NCTD and MTS use the February estimates to develop the annual operating budget.

In May 2007, SANDAG notified NCTD and MTS that the estimates for TDA and TransNet would be revised downward significantly for FY 2008. For NCTD, the impact was a reduction in funding of over \$4 million. To deal with the budget deficit created by the funding shortfall, NCTD and SANDAG agreed to accelerate additional CMAQ funding into FY 2008. Since CMAQ funding is nonrecurring revenue, this measure was only a short-term fix. The amended FY 2008 budget (approved by the Board in September 2007) reflects the May 2007 projections and the CMAQ accelerated funding.

On December 19, 2007, SANDAG notified NCTD and MTS that, based on the first six months of actual data, estimated sales tax collections for the current year would be significantly lower than the May 2007 estimates. SANDAG's new sales tax estimates result in a \$3.6M to \$4.0M decrease in current fiscal year TDA and TransNet revenues for NCTD:

	TDA 4.0	TDA 4.5	TransNet	TOTAL
Operating	\$2.0M – \$2.2M	\$0.1M	\$0.8M - \$0.9M	\$2.9M - \$3.2M
Capital			\$0.7M - \$0.8M	\$0.7M - \$0.8M
TOTAL	\$2.0M - \$2.2M	\$0.1M	\$1.5M - \$1.7M	\$3.6M - \$4.0M

This new forecast adjustment results in a total decrease in funding of over \$8 million since the original estimates of February 2007:

	TDA 4.0	TDA 4.5	TransNet	TOTAL
Feb 2007 Estimate	\$33.8M	\$1.8M	\$25.8M	\$61.4M
May 2007 Estimate	\$31.2M	\$1.6M	\$24.4M	\$57.2M
Dec 2007 Estimate	\$29.3M – \$29.1M	\$1.5M	\$22.8 - \$22.6M	\$53.2M
Decrease since February	\$ 4.7M	\$0.3M	\$ 3.2M	\$ 8.2M

SANDAG will release FY 2009 new funding estimates at the end of February. It is expected that those estimates will be much lower than those projected a year ago and will significantly impact NCTD's FY 2009 budget strategies. A Board budget workshop is planned for February 21, 2008. Items to be discussed include:

- 1) NCTD's significant revenue sources
- 2) NCTD's significant operating expenses
- 3) potential service adjustments
- 4) potential revenue sources

Attached is a preliminary schedule showing the impact of the TDA and TransNet revised estimates (Attachment 14A). The schedule indicates increasing deficits beginning with the current fiscal year 2008 through fiscal year 2012.

ATTACHMENTS: 14A - Preliminary Five-Year Projection

FISCAL IMPACT: None

COMMITTEE REVIEW: The Committee discussed the serious operating budget shortfalls that would result from the reduced TDA and TransNet estimates for FY 08 recently released by SANDAG. The Committee acknowledged that shortfalls this large can only be made up by significant revenue increases from other sources or through drastic service reductions, or both. Capital funds are largely dedicated and cannot be used for operations.
1/3/08

Typically, NCTD deals with revised annual revenue estimates in the hundreds of thousands of dollars, but these revenue reductions would result in shortfalls of \$3.6 million to \$4.0 million in the current fiscal year, which is already half over. This problem affects MTS even more seriously than NCTD. The Committee discussed that when the State takes \$1.3 billion in transportation funding to balance its own budget, this creates huge problems for local agencies such as NCTD.

The Committee also discussed the revenue shortfall in the context of its charge from the recent Board Workshop to address long-term revenue issues. It was observed that the problem is one of revenue shortfall, not expense over-expenditure. NCTD service levels have been largely flat or slightly reduced over the past few years. The Committee briefly identified some ideas for addressing the shortfall, including continued pursuit of wireless options in the rail corridors, possible sale of excess property, and adding parking at COASTER stations to generate more riders and revenue.

With regard to the Budget Committee Workshop Schedule, the Committee rescheduled the first budget workshop to occur on March 26, 2008 at 8:30 AM, rather than the proposed March 27 date. A second workshop would occur on April 24, 2008.

STAFF CONTACT: Cathy Sweet
Manager of Budgeting and Financial Analysis
E-mail: csweet@nctd.org Phone: 760/966-6658

January 17, 2008

TO: North County Transit District Board Members
FROM: Clerk of the Board
SUBJECT: POSTING OF BOARD AGENDA

In Compliance with the Ralph M. Brown Act, As Amended, the following information is provided.

The Agenda for this meeting of the Board was posted as follows:

Meeting Date and Time:	January 17, 2008; 1:45 p.m.
Posted At:	810 Mission Avenue, Oceanside, CA
Date & Time of Posting:	January 11, 2008; 5:00 p.m.
Posted By:	Clerk of the Board

TO: North County Transit District Board Members
FROM: Ed Gallo, Chairman
SUBJECT: RULES FOR PUBLIC SPEAKERS AT MEETINGS OF THE NORTH COUNTY TRANSIT DISTRICT

Per Board policy, all public communications at meetings of the North County Transit District shall be made and received in accordance with the following procedures:

I. COMMENTS ON ITEMS NOT ON AGENDA

- A. Total time limit all speakers:
Beginning of Meeting: Fifteen (15) minutes
End of Meeting: No time limit.
- B. Time limit per speaker per meeting: Three (3) minutes, with no donation of time allowed
- C. Priority: First come first served. All Speaker Slips will be numbered as the Clerk of the Board receives them. Those not allowed to speak at the beginning of the meeting due to limit stated above, will be called at the end of the meeting.
- D. Order on agenda: Items will be heard at the beginning of the meeting and if the time limit stated in paragraph A is exhausted, those who filled out a speaker slip and have not yet spoken, will be given an opportunity to speak at the end of the meeting under "*Remaining Public Communications*".

Comments not addressing items on the agenda are out of order.

II. TIME LIMITS FOR ADDRESSING MATTERS ON THE AGENDA

- A. Total time limit: None.
- B. Time limit per speaker: Three (3) minutes, with one donation of three minutes, for a maximum of six minutes
- C. These rules apply to both public hearing and non-public hearing items listed on the agenda.

Comments made not germane to the subject matter of the agenda are out of order.

III. CUTOFF FOR TURNING IN SPEAKER SLIPS

Speakers wishing to speak to an item on the Board Agenda must submit a speaker slip to the Clerk of the Board before that agenda item is called. Speaker slips will be available at the meeting.

Speakers turning in slips after discussion begins on an item will be heard at the end of the meeting under "*Remaining Public Communications*".

IV. MODIFICATION OF RULES BY CHAIR

The Board Chair may, in his or her absolute discretion, relax the requirements of these rules. However, a decision of the Chair to do so in one instance shall not be deemed a waiver of the rules as to any other instance or matter.