MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS 1255 Imperial Avenue, Suite 1000 San Diego, CA 92101

MINUTES

March 17, 2016

1. Roll Call

Chairman Mathis called the Board meeting to order at 9:05 a.m. A roll call sheet listing Board member attendance is attached.

3. Public Comments (TAKEN OUT OF ORDER)

Steve Padilla – Mr. Padilla commented on behalf of Grand Central West (GCW) regarding its litigation with MTS about the McDonalds building at the San Ysidro transit station. Mr. Padilla believes the safest way for the traveling public to connect between the trolley station and the bus terminal is through the McDonalds building. He stated that cutting off this access is having a negative impact on the small businesses at this location as well as travelers trying to connect from the trolley station to the bus platform. Mr. Padilla inquired about MTS's public policy position on this matter.

Oscar Marmol – Mr. Marmol stated that he is the lead security guard for the McDonalds building located at the San Ysidro transit station. Mr. Marmol has noticed that the largest numbers of people using the McDonalds doorway from the trolley station to the bus platform are Greyhound bus passengers. He stated that bus passengers are now confused and having a hard time getting to the bus platform now that the doorway is restricted.

Jason Wells – Mr. Wells commented on behalf of the San Ysidro Smart Border Coalition. He stated that the San Ysidro Smart Board Coalition voted in opposition to MTS's policy regarding access between the San Ysidro trolley station and the bus terminal. Mr. Wells said they feel these actions discriminate against the elderly, disabled passengers and passengers with luggage. He requested that MTS explain the public policy rationale and objectives associated with their actions. Mr. Wells provided a typed letter of his statements, which is included in the final meeting packet.

Peter Zschiesche – Mr. Zschiesche stated that he is representing the Employee Rights Center (ERC) and the United Taxi Workers of San Diego (UTWSD). He commented that MTS previously tried to organize a group meeting to process more taxicab applications, but was unsuccessful. Mr. Zschiesche urged MTS staff to continue to work with UTWSD to organize large group taxicab applicant sessions. He also noted that the ERC and UTWSD will bring forward proposed forms that could help make the market more competitive for taxicabs.

Nizar Narahi – Mr. Narahi said that he is a taxicab driver. He stated that he applied for a medallion about six months ago, but is having problems with his approval process. He requested for MTS staff to assist him with this matter.

Abdi Abdul – Mr. Abdul gave his speaking time to Mikaiil Hussein.

Mikaiil Hussein – Mr. Hussein commented on behalf of the UTWSD. He said that the one on one taxicab application interviews are not effective. Mr. Hussein stated that they still have a lot of problems that are not being resolved since the taxicab permit cap was lifted. He said that the

application processes are taking too long. Mr. Hussein asked for MTS staff to work with the UTWSD on these issues.

2a. Fiscal Year 2017 Capital Improvement Program (Mike Thompson)

Mike Thompson, Director of Financial Planning and Analysis, provided a presentation on the fiscal year (FY) 2017 Capital Improvement Program (CIP). He reviewed the development of the FY 2017 CIP, the CIP project highlights for rail and the CIP project highlights for bus. Mr. Thompson discussed the capital funding levels for FY 2017. He also reviewed the capital budget funding trend over the past ten years.

Mr. Roberts commented about the bus maintenance facility. He noted that this facility is needed for MTS's natural expansion and is not related to the proposed Charger's stadium. Mr. Roberts also commented that he just returned from the APTA Legislative Conference, along with Lorie Bragg, where they were able to meet with legislators regarding future transit funding.

Mr. Jablonski discussed the rail car replacement in the CIP. He noted that federal funding can be used toward preventative maintenance and not only for capital projects. Mr. Jablonski also stated that the planning phase will begin this year for a new bus maintenance facility.

Mr. Gloria inquired about the bus maintenance facility and where it would be located. Mr. Jablonski replied that the exact location of the facility has not been selected yet, but is being analyzed now. Mr. Gloria asked if the social equity analysis is done based on Title VI obligations. Mr. Thompson replied yes. Mr. Gloria also inquired if Information Technology and Fare Systems projects are classified as operational and safety needs. Mr. Thompson replied yes. Lastly, Mr. Gloria asked if MTS would be able to compete for Cap and Trade funds for a new Fare Systems program. Mr. Thompson replied that MTS is submitting a Transit and Intercity Rail Capital Program (TIRCP) grant application for \$10,000,000 for Fare Collection System Enhancements.

Ms. Zapf inquired about retiring buses and rail cars. Mr. Thompson replied that the retiring buses are sent to auction for sale. He stated that we try to find new homes for the operational trolley cars, but if that's not possible, they are sent to auction for scrap sale. Mr. Roberts commented that some of the trolley cars were purchased by Mendoza, Argentina. Mr. Jablonski noted that trolley cars have also been sold/donated to different museums and to Homeland Security for training purposes.

Mr. Alvarez inquired about the design of future trolleys and if they will better accommodate bicycles, strollers and carts. Mr. Jablonski commented that there is a possibility that the future rail cars could have a new interior design to accommodate more bikes, wheelchairs, etc. Mr. Alvarez asked about the anticipated size of the new bus maintenance facility. Mr. Jablonski replied that those specifics are still being analyzed. Mr. Alvarez commented on the future project at 25th Street and Commercial Street. He requested for lighting and signaling updates to be done on Commercial Street for the Orange Line. Lastly, Mr. Alvarez commented on fare system improvements and whether funding would be allocated to this project if no grant funding was awarded. Mr. Thompson replied that they would reallocate funding from the regular budget to fare system improvements.

Action Taken

Mr. Cunningham moved to: (1) approve the fiscal year 2017 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels. As the federal appropriation figures are finalized and/or other project funding sources become available, all the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels; (2) recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of Federal Section 5307, 5337 and 5339 applications for the MTS fiscal year 2017 CIP; (3) approve the transfer of \$600,000 from project 1142500 - Centralize Train Control to 1144000 - Substation SCADA; and (4) recommend that the SANDAG Board of Directors approve amendment number 11 of the 2014 Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2017 CIP recommendations. Mr. McClellan seconded the motion, and the vote was 15 to 0 in favor.

2b. Fiscal Year 2016 Midyear Adjustment (Mike Thompson)

Mr. Thompson provided a presentation on the FY 2016 midyear adjustment. He reviewed the midyear revenue assumptions for passenger fares, operating and non-operating revenues. Mr. Thompson discussed the midyear expense assumptions for personnel. He noted that there was a recent salary survey conducted by Nyhart to compare MTS's salary grade structure to the competitive market. He introduced Steve Rosenberg, with Nyhart, to report on the salary survey results. Mr. Rosenberg stated that the previous salary study took place in 2011. He noted that the completion of this study resulted in a recommendation of a six percent structured increase to grade ranges 1 - 14, and 15% increase to the senior leadership grade, number 15. Implementing these structure changes will result in a pay increase for approximately 23 employees falling below the proposed minimum of their competitive grade range (Attachment O). Mr. Thompson continued the presentation and reviewed expense assumptions for outside services, energy, risk management, and general and administrative expenses. Lastly, he reviewed the contingency reserve balance.

Ms. Zapf inquired about the State Transit Assistance (STA) revenues. Mr. Thompson replied that MTS receives these payments on a quarterly basis. Mr. Jablonski commented that the decrease in STA revenue is related to the drop in diesel costs, but is also due to a recent redistribution of the revenues by the State Controller. He stated that MTS, along with other transit agencies in the state, are going to work toward reversing the redistribution to the original methodology.

Ms. Cole asked about the increase in taxicab admin processing fees. Mr. Thompson replied that revenue is from new permit fees and costs. He noted that the \$1.1 million in revenue is the estimated total for the entire year, which includes pending permit applications. Ms. Cole requested that a written update on taxicab permits be provided at the next meeting.

Mr. Alvarez inquired about taxicab permit fees and if the department worked on a cost recovery basis. Ms. Cooney replied that the taxicab department does operate on a cost recovery basis. She noted that there are one-time costs that have to be taken into account while budgeting for the taxicab administration, such as the purchase of vehicles, radios, cameras, etc. These types of purchases would be funded through the taxicab administration reserve account. Mr. Alvarez inquired if these fees are reviewed by Karen Landers in relation to Prop. 26. Mr. Landers replied that she has reviewed those fees, but has not done an analysis with Prop. 26 (she noted that she can do that analysis). Mr. Alvarez requested for these fees to be analyzed against Prop. 26 and asked for the reserves to be reviewed on how they can be allocated properly. Mr. Alvarez

inquired about the salary grades. Mr. Jablonski stated that the salary grades are shifting up by six percent. He noted that only the salary grades are affected by this change and not merit raises. Mr. Alvarez commented on MTS's contingency reserves. He asked if there is a policy to use the reserves for fares in an economic crisis. Mr. Jablonski replied that matter would be at the discretion of the Board if there was an economic crisis.

Mr. Gloria asked about the transmission rate increase. Mr. Thompson replied that the California Public Utilities Commission (CPUC) controls this rate.

Action Taken

Mr. Minto moved to enact Resolution No. 16-9 amending the fiscal year (FY) 2016 operating budget for the San Diego Metropolitan Transit System (MTS), San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), MTS Contract Services, Chula Vista Transit, and the Coronado Ferry. Ms. Zapf seconded the motion, and the vote was 15 to 0 in favor.

4. <u>Next Finance Workshop</u>

The next Finance Workshop is May 12, 2016.

5b. Approval of Minutes

Mr. Minto moved to approve the minutes of the February 11, 2016, MTS Board of Directors meeting. Ms. Rios seconded the motion, and the vote was 15 to 0 in favor.

CONSENT ITEMS

6. Property Insurance Renewal

Action would authorize the Chief Executive Officer (CEO) to renew the property insurance coverage for the San Diego Metropolitan Transit System (MTS), San Diego Transit Corporation (SDTC) and San Diego Trolley, Inc. (SDTI) with the California State Association of Counties - Excess Insurance Authority (CSAC-EIA) Property Insurance Program, effective March 31, 2016 through March 31, 2017, with various coverage deductibles of \$25,000 (real estate and personal contents property), \$100,000 (bus fleet), \$250,000 (light rail fleet) and \$1,500,000 (roads, bridges and tunnels).

- <u>Wireless Voice Communications Network Agreement with San Diego County Imperial County</u> <u>Regional Communications System (RCS)</u> Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1893.0-16 with RCS for up to seventy (70) radio connections to the RCS network, for a five year period, on a non-member basis.
- 8. Investment Report December 2015
- 9. <u>MTS Work Order Approval for Orange Line Courthouse Station Design Engineering Services</u> Action would authorize the Chief Executive Officer (CEO) to execute Work Order 13.09.01 to MTS Doc. No. G1496.0-13, with RailPros, Inc., to perform Design Engineering Services for the Orange Line Courthouse Station Project ("Project") for one-hundred percent (100%) design.
- 10. <u>California Department of Transportation (Caltrans) Program of Projects for Federal Transit</u> Administration (FTA) Section 5311 Funding, Federal Fiscal Year 2016

Action would approve Resolution No. 16-4, authorizing the use of, and application for, \$265,000 of FTA Section 5311 funds for operating assistance.

- <u>California Department of Transportation (Caltrans) Program of Projects for Federal Transit</u> <u>Administration (FTA) Section 5311(f) Funding, Fiscal Year 2016</u> Action would approve Resolution No. 16-5, authorizing the use of, and application for, \$275,000 of FTA Section 5311(f) funds for operating assistance in non-urbanized areas.
- 12. <u>2016 Transit and Intercity Rail Capital Program (TIRCP) Grant Application Trolley Capacity</u> <u>Improvements Project</u> Action would approve Resolution No. 16-6, authorizing the Chief Executive Officer (CEO) to submit an application for up to \$4,671,816 in fiscal year 2016 TIRCP funding for the Trolley Capacity Improvements (LRV Purchase) Project.
- <u>2016 Transit and Intercity Rail Capital Program (TIRCP) Grant Application Blue Line Curve Straightening Project</u>
 Action would approve Resolution No. 16-7, authorizing the Chief Executive Officer (CEO) to submit an application for up to \$10,000,000 in 2016 TIRCP funding for the Blue Line Curve Straightening Project.
- 14. <u>Authorized Agent for Low Carbon Transit Operations Program (LCTOP) Funding</u> Action would approve Resolution No. 16-8, authorizing the Chief Executive Officer (CEO), or designated representative, to execute all required documents of the LCTOP and any amendments thereto with the California Department of Transportation.
- <u>SD100 Journal Box Bearing Contract Award</u> Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1293.0-16, with HI-TEC Enterprises, for the purchase of 200 Light Rail Vehicle (LRV) SD100 journal box bearings.
- 16. <u>Procurement and Installation of Artificial Ivy Around Trolley Substation Contract Award</u> Action would authorize the Chief Executive Officer (CEO) to execute Doc. No. PWL200.0-16 with A B Hashmi Construction Company to procure and install artificial ivy around Blue and Orange Line Trolley substations.
- 17. <u>Accessible Services Advisory Committee Membership Guidelines</u> Action would approve the revisions to the Accessible Services Advisory Committee Membership Guidelines.
- <u>On-Call Railroad General Electrical & Communication Services Job Order Contract (JOC)</u> <u>Award</u> Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL203.0-

16 with HMS Construction Corporation, for the provision of on-call railroad general electrical communication services with a three-year agreement.

- <u>On-Call Railroad General Civil Construction Services Job Order Contract (JOC) Award</u> Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL204.0-16 with ABC Construction Company, for the provision of on-call railroad general civil construction services with a three-year agreement.
- 20. Green Line Traction Power Substations Rehabilitation Services Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL183.0-16 with Mass Electric Construction Company Inc. for the provision of rehabilitation services for nine MTS Traction Power Substations (TPSS) along the MTS Green Line.

- 21. <u>Green Line Variable Message Signs Installation Services Authorize Work Order</u> Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC7501-08 with Herzog Contracting Corporation for services for the installation of Variable Message Signs on the MTS Green Line under MTS Doc. No. PWL182.0-16 Herzog Job Order Contract (JOC).
- 22. <u>Purchase of 46 Class B Propane Powered Paratransit Buses Contract Award</u> Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0641.0-16, with Creative Bus Sales, for the purchase of up to forty-six (46) propane powered Class B paratransit buses under the CalACT Bus Purchase Agreement No. 11-03.
- 23. <u>Fairfield Grossmont Trolley, LLC Lease: Consent to Transfer and Participation Event</u> Action would authorize the Chief Executive Officer to execute the Acknowledgment consenting to this transfer of FF California Housing Fund's ownership interest in the Fairfield Grossmont Trolley, LLC lease to the California State Teachers Retirement System (CalSTRS) and acknowledging that MTS is not entitled to any payments arising from the transfer and execute any additional documents necessary to close the transaction.
- 24. <u>2016 Transit and Intercity Rail Capital Program (TIRCP) Grant Application Fare Collection System Enhancements Project</u> Action would approve Resolution No. 16-10 authorizing the Chief Executive Officer (CEO) to submit an application for up to \$10,000,000 in 2016 TIRCP funding for the Fare Collection System Enhancements Project.
- 25. Investment Report January 2016

Action on Recommended Consent Items

Mr. Gastil moved to approve Consent Agenda Item Nos. 6 - 25. Ms. Cole seconded the motion, and the vote was 15 to 0 in favor.

CLOSED SESSION

26. <u>Closed Session Items</u>

Public Comments – Closed Session Item 26c (TAKEN OUT OF ORDER)

Amy Kalivas – Ms. Kalivas commented on behalf of Access to Independence. She said that she would like to use her phone to purchase transit tickets and is glad to see that there is movement to upgrade the system and safety of this system.

Ruben Ceballos – Mr. Ceballos said that he is glad to see that the issue of credit card security is being addressed by the Board.

The Board convened to Closed Session at 10:44 a.m.

- a. CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6 <u>Agency</u>: San Diego Trolley, Inc. (SDTI) <u>Employee Organization</u>: International Brotherhood of Electrical Workers, Local 465 (Representing SDTI Train Operators, Electromechanics, Servicers and Clerical) <u>Agency-Designated Representative</u>: Jeff Stumbo
- b. CLOSED SESSION -- CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8 <u>Property</u>: 100 16th Street, San Diego, CA 92101 <u>Agency Negotiators</u>: Paul Jablonski, Chief Executive Officer; Karen Landers, General Counsel; and Tim Allison, Manager of Real Estate Assets <u>Negotiating Parties</u>: JMI Realty, Inc.; Chargers Football Company, LLC

CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) and (4) (2 potential cases related to potential downtown stadium project)

c. CLOSED SESSION – THREAT TO PUBLIC SERVICES OR FACILITIES PURSUANT TO GOVERNMENT CODE SECTION 54957 <u>Consultation with</u>: Paul Jablonski, MTS Chief Executive Officer; Sandra Bobek, MTS Chief Information Officer; Karen Landers, MTS General Counsel; Toufic Tabshouri, MTS Internal Auditor; and Trent Hein, Applied Trust Consultant

The Board reconvened to Open Session at 12:30 p.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board received an update on labor negotiations.
- b. The Board received a report and gave negotiating instructions to staff.
- c. The Board received a report from staff.

NOTICED PUBLIC HEARINGS

27. None.

DISCUSSION ITEMS

30. None.

REPORT ITEMS

45. <u>Enterprise Resource Planning/Transit Asset Management Implementation - Final Update (Larry</u> <u>Marinesi and Fred LaCroix)</u>

This item was deferred to the April 14, 2016 Board meeting.

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60. Chairman's Report

There was no Chairman's report.

61. Chief Executive Officer's Report

Mr. Jablonski reported on the following travel: he traveled to Sacramento to testify at the California Air Resources Board meeting on February 18; he attended the SANDAG Board retreat at Barona Resort from March 9 - March 10; and he also attended the APTA Legislative Conference in Washington D.C. from March 11 – 16.

62. **Board Member Communications**

There were no Board Member communications.

63. Additional Public Comments on Items Not on the Agenda

> Eyal Abudi – Mr. Abudi commented that he runs a business in the McDonalds building located at the San Ysidro transit station. He stated that there has been a large decrease in the amount of people walking through the building now that the doorway is restricted from the trolley station to the bus terminal.

64. Next Meeting Date

The next regularly scheduled Board meeting is April 14, 2016.

65. Adjournment

Chairman Mathis adjourned the meeting at 12:34 p.m.

Chairperson San Diego Metropolitan Transit System

Filed by:

Tim

Clerk of the Board San Diego Metropolitan Transit System

Attachment: **Roll Call Sheet** Approved as to form:

General Counsel San Diego Metropolitan Transit System

SAN DIEGO METROPOLITAN TRANSIT SYSTEM FINANCE WORKSHOP ROLL CALL

MEETING OF (DATE): <u>March 17, 2016</u>	CALL TO ORDER (TIME):9:05 a.m.
RECESS:	RECONVENE:
CLOSED SESSION:	RECONVENE:
PUBLIC HEARING:	RECONVENE:
ORDINANCES ADOPTED:	ADJOURN:10:40 a.m.

BOARD MEMBER	२	(Alternate)		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ALVAREZ		(Cate)		9:05 a.m.	10:40 a.m.
BRAGG		(Spriggs)		9:05 a.m.	10:40 a.m.
COLE		(Cate)		9:05 a.m.	10:40 a.m.
CUNNINGHAM		(Mullin)		9:05 a.m.	10:40 a.m.
GASTIL	\boxtimes	(Jones)		9:05 a.m.	10:40 a.m.
GLORIA		(Cate)		9:05 a.m.	10:40 a.m.
MATHIS	\boxtimes			9:05 a.m.	10:40 a.m.
MCCLELLAN		(Ambrose)		9:05 a.m.	10:40 a.m.
MCWHIRTER	\boxtimes	(Arapostath	is) 🗆	9:05 a.m.	10:40 a.m.
ΜΙΝΤΟ	\boxtimes	(McNelis)		9:12 a.m.	10:40 a.m.
RIOS	\boxtimes	(Sotelo-Soli	is) 🗆	9:05 a.m.	10:40 a.m.
ROBERTS	\boxtimes	(Cox)		9:15 a.m.	10:40 a.m.
SALAS	\boxtimes	(Miesen)		9:05 a.m.	10:40 a.m.
WOIWODE		(Sandke)	\boxtimes	9:05 a.m.	10:40 a.m.
ZAPF	\boxtimes	(Cate)		9:09 a.m.	10:40 a.m.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS ROLL CALL

MEETING OF (DATE): <u>March 17, 2016</u>	CALL TO ORDER (TIME): <u>10:40 a.m.</u>		
RECESS:			
CLOSED SESSION: 10:44 a.m.	RECONVENE:12:30 p.m.		
PUBLIC HEARING:			

 ORDINANCES ADOPTED:
 ADJOURN:
 12:34 p.m.

BOARD MEMBER	२	(Alternate)		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ALVAREZ		(Cate)		10:40 a.m.	10:44 a.m.
BRAGG		(Spriggs)		10:40 a.m.	12:34 p.m.
COLE		(Cate)		10:40 a.m.	12:05 p.m.
CUNNINGHAM		(Mullin)		10:40 a.m.	12:34 p.m.
GASTIL		(Jones)		10:40 a.m.	12:34 p.m.
GLORIA		(Cate)		10:40 a.m.	12:15 p.m.
MATHIS	\boxtimes			10:40 a.m.	12:34 p.m.
MCCLELLAN	\boxtimes	(Ambrose)		10:40 a.m.	12:34 p.m.
MCWHIRTER	\boxtimes	(Arapostath	nis) 🗆	10:40 a.m.	12:34 p.m.
MINTO	\boxtimes	(McNelis)		10:40 a.m.	12:34 p.m.
RIOS	\boxtimes	(Sotelo-Soli	is) 🗆	10:40 a.m.	12:27 p.m.
ROBERTS	\boxtimes	(Cox)		10:40 a.m.	12:34 p.m.
SALAS		(Miesen)		10:40 a.m.	12:34 p.m.
WOIWODE		(Sandke)		10:40 a.m.	12:34 p.m.
ZAPF		(Cate)		10:40 a.m.	12:34 p.m.

SIGNED BY THE CLERK OF THE BOARD: Julia Tuer CONFIRMED BY THE GENERAL COUNSEL:

CONFIRMED BY THE GENERAL COUNSEL: