

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

MINUTES

October 13, 2016

1. Roll Call

Chairman Mathis called the Board meeting to order at 9:07 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Mr. Minto moved to approve the minutes of the September 15, 2016, MTS Board of Directors meeting. Ms. Rios seconded the motion, and the vote was 14 to 0 in favor with Mr. Cunningham absent.

3. Public Comments

Richard Lujan – Mr. Lujan commented on bus stops located in the Lomita community of San Diego. He stated that the bus stops do not comply with the Americans with Disabilities Act (ADA). He stated that many of the stops are filled with dirt and rocks, they are not easily accessible and there are no trash cans. Mr. Lujan noted that one bus stop in particular on San Vicente St and Jacumba is all rock and gravel, making it difficult to access in a wheelchair. He also requested for the trolleys to automatically deploy the handicap ramps every time the doors open.

Martha Welch – Ms. Welch commented on the 2015 budget. She asked why there are not more public bathrooms at trolley stations. She commented that the Blue Line trolley cars are sometimes made up of only the old cars and no new cars. She said that there are bus stops that have been moved because of construction in downtown. She also commented on the future Purple Line trolley.

CONSENT ITEMS

6. Fiscal Year 2017 State Transit Assistance Claim

Action would adopt Resolution No. 16-21, approving the fiscal year (FY) 2017 State Transit Assistance (STA) claim.

7. Adoption of the 2017 San Diego Metropolitan Transit System (MTS) Executive Committee and Board of Directors Meeting Schedule

Action would adopt the 2017 Executive Committee and Board of Directors meeting schedule.

8. Federal Transit Administration Section 5310 Public Hearing

Action would adopt Resolution No. 16-22 certifying that there are no private, nonprofit organizations readily available to provide the same complementary paratransit service in MTS's service area, a prerequisite to receiving FTA Section 5310 funding.

9. Federal Transit Administration Section 5310 Grant Application
Action would: (1) Adopt Resolution No. 16-23 agreeing to comply with all terms and conditions of the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities program as set forth by the FTA and the San Diego Association of Governments (SANDAG); (2) Authorize the Chief Executive Officer (CEO) to submit the following applications and execute any grant agreements awarded by SANDAG: a. \$460,800 in federal fiscal year 2015 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement; b. \$460,800 in federal fiscal year 2016 FTA Section 5310 Enhanced Mobility for Senior and Individuals with Disabilities funding for paratransit vehicle replacement; and (3) Authorize the commitment of up to \$852,368 in local matching funds to fully fund the purchase of 16 paratransit vehicles if awarded.
10. Bus Bench Advertising and Maintenance Services (Revenue Contract)
Action would: (1) ratify prior contract extension with Coast United Advertising (Coast) entered into under the Chief Executive Officer's (CEO) authority, MTS Doc. No. B0201.5-99; (2) authorize the CEO to execute Amendment No. 6, MTS Doc. No. B0201.6-99 with Coast to extend the current agreement through December 31, 2017 to allow sufficient time to remove existing benches and install new benches; and (3) authorize the CEO to delay the implementation of the new contract, MTS Doc. No. G1805.0-15, with Coast until January 1, 2018.
11. Investment Report - August 2016
12. Revisions to San Diego Metropolitan Transit System (MTS) Ordinance No. 11, Providing for the Licensing and the Regulating of Transportation Services within the City by the Adoption of a Uniform Paratransit Ordinance
Action would: (1) Adopt the proposed amendments to Ordinance No. 11, An Ordinance Providing for the Licensing and the Regulating of Transportation Services within the City by the Adoption of a Uniform Paratransit Ordinance; and (2) Direct publication of a summary of the amendment to Ordinance No. 11.
13. Copley Park Division (CPD) Roof and HVAC Project - Award Work Order Under a Job Order Contract
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC7504-14, under MTS Doc. No. PWL204.0-16 with ABC Construction, Inc., for the provision of labor, materials, equipment, and supplies for the purchase and installation of roofing materials and HVAC equipment at the CPD.
14. San Diego Metropolitan Transit System (MTS) Green Line Public Address (PA) System Purchase and Installation Services - Award Work Order Under a Job Order Contract (JOC)
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC7500-01, under MTS Doc. No. PWL203.0-16 with HMS Construction, Inc. (HMS), for the provision of labor, materials, equipment, and supplies for the purchase and installation of a public address system at nineteen locations along the MTS Green Line.
15. Taxicab Administration Building, Taxicab Garage & Taxicab Parking Lot - Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1928.0-16 with T&T Janitorial (a certified DBE), for the provision of janitorial services for the Taxicab

Administration Building, Taxicab Garage & Taxicab Parking Lot for three (3) base years with three (3) 1-year options, exercisable at MTS's sole discretion.

16. Light Rail Vehicle (LRV) Resistor Banks - Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1321.0-16 with Siemens Industry, Inc. (Siemens) for the purchase of LRV Resistor Banks.
17. Unallocated Transportation Development Act (TDA) Funds for Transit-Related Projects
Action would approve the use of \$76,712.09 in unallocated TDA funds currently held by the County of San Diego (County) for transit-related expenses for the City of El Cajon.
18. Light Rail Vehicle Anti-Graffiti Window Film Installation and Materials - Contract Award
Action would authorize the Chief Executive Officer (CEO) to: (1) Execute MTS Doc. No. L1319.0-16 with NMS Management, Inc. (NMS) for a two (2) year base period with three (3) one-year options to supply and install anti-graffiti window film on 128 light rail vehicles (LRVs); and (2) Exercise each option year at the CEO's discretion.
19. Courthouse Station - Special Trackwork Materials - Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1323.0-17 with Voestalpine Nortrak, Inc. for the purchase of Courthouse Station Special Trackwork Materials.
20. General Engineering and Real Estate Services for MTS Right of Entry Permits and Right-of-Way Issues
Action would ratify previous actions and authorize the Chief Executive Officer (CEO) to execute Work Order No. 13.01.06 to MTS Doc. No. G1496.0-13 with RailPros, Inc.
21. General Engineering and Real Estate Services for MTS As-Needed Real Estate Support
Action would ratify previous actions and authorize the Chief Executive Officer (CEO) to execute Work Order No. 13.03.02 to MTS Doc. No. G1493.0-13 with Kimley-Horn & Associates, Inc.

COMMENTS – RECOMMENDED CONSENT ITEMS

Chairman Mathis stated that there were public speakers for consent items 6 and 12. He said that he will pull those items and take a vote on the remaining consent items.

Action on Recommended Consent Items, excluding Items 6 and 12

Mr. McWhirter moved to approve all recommended consent agenda items, excluding numbers 6 and 12. Mr. Minto seconded the motion, and the vote was 14 to 0 in favor with Mr. Cunningham absent.

PUBLIC COMMENTS – CONSENT ITEM 6

Martha Welch – Ms. Welch commented on State Transit Assistance (STA) and asked why other cities were not listed on the allocation list. She asked what the STA money pays for at MTS.

Action on Recommended Consent Item 6

Mr. Roberts moved to approve consent agenda item number 6. Mr. Minto seconded the motion, and the vote was 14 to 0 in favor with Mr. Cunningham absent.

PUBLIC COMMENTS – CONSENT ITEM 12

William Johnson – Mr. Johnson said he represents the United Taxi Workers of San Diego. He stated that they are in support of the Ordinance No. 11 changes. He also noted that there were some changes and revisions that were not included because they affected the budget.

Yonas Mehari-Ghiliu – Mr. Mehari-Ghiliu is an owner operator of a taxicab. He said that they are happy with the changes in Ordinance No. 11, but there are still more changes that will need to be made in the future.

Feyissa Bulti – Mr. Bulti is a taxicab operator. He said there is more work to be done on updating Ordinance No. 11 concerning fees and penalties. He also commented on the taxicab relationships with hotels and said that Yellow Cab exclusively works with the hotels.

Ms. Cooney provided further clarification on consent item number 12. She noted that the revisions to Ordinance No. 11 were recommended by the permit holders. The revisions were approved by the Taxicab Advisory Committee and recommended by MTS staff. She noted that a summary of the changes were listed in the agenda item. Ms. Zapf commented that she is the Chair of the Taxicab Advisory Committee and said that the proposed changes are relatively minor and those changes were asked for by the permit holders.

Action on Recommended Consent Item 12

Ms. Zapf moved to approve consent agenda item number 12. Mr. Minto seconded the motion, and the vote was 14 to 0 in favor with Mr. Cunningham absent.

CLOSED SESSION

24. Closed Session Items

The Board convened to Closed Session at 9:28 a.m.

- a. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9(d)(1) San Diego Metropolitan Transit System v. Grand Central West LLC and related cross-complaints (San Diego Superior Court Case No. 37-2014-00044014-CU-OR-CTL)
- b. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to California Government Code Section 54956.8
Property: Lots 1 and 2 of Map 14930 (aka 5175 Linda Vista Rd; 5375 Napa St; 5395 Napa St
Agency Negotiators: Paul Jablonski, Chief Executive Officer; Karen Landers, General Counsel; and Tim Allison, Manager of Real Estate Assets
Negotiating Parties: Morena Vista LLC

- c. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to California Government Code Section 54956.8
Property: 1255 Imperial Avenue, Suite 100, San Diego, California 92101
Agency Negotiators: Paul Jablonski, Chief Executive Officer; Karen Landers, General Counsel; and Tim Allison, Manager of Real Estate Assets
Negotiating Parties: Grab & Go Subs California, Inc.
Under Negotiation: Price and Terms of Payment
- d. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS Pursuant to California Government Code Section 54957.6
Agency: San Diego Trolley, Inc. (SDTI)
Employee Organization: Public Transit Employees Association (Representing SDTI Train Operators, Electromechanics, Servicers and Clerical Staff)
Agency-Designated Representative: Jeff Stumbo

The Board reconvened to Open Session at 10:43 a.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board received a report from counsel regarding pending litigation and gave instructions to counsel.
- b. The Board received a report from negotiators and gave instructions.
- c. This item was pulled and not discussed.
- d. The Board received a report from negotiators.

NOTICED PUBLIC HEARINGS

- 25. None.

DISCUSSION ITEMS:

- 30. Siemens Industry, Inc. (Siemens) Light Rail Vehicle (LRV) Procurement: Release for Production Notice - 45 Option LRVs (Karen Landers)

Karen Landers, General Counsel, provided a brief report on the Siemens LRV Procurement. Ms. Landers provided information about the existing contract with Siemens. She noted that the additional purchase of 45 LRVs will be used for two projects, including the Mid-Coast LRT Extension Project and capacity enhancements on the Blue and Orange Lines.

Action Taken

Mr. Roberts moved to authorize the Chief Executive Officer (CEO) to issue a Release for Production Notice to Siemens for the purchase of 45 LRVs upon execution and approval of

grant funding for the California Transportation Commission. Mr. Minto seconded the motion, and the vote was 14 to 0 in favor with Mr. Cunningham absent.

31. Americans with Disabilities Act (ADA) Paratransit Client Certification Services - Contract Award (Jay Washburn)

Bill Spraul, Chief Operating Officer of Transit Services, introduced Jay Washburn, Manager of Paratransit and Minibus. Mr. Spraul stated that staff has been looking into ADA service and certification processes to ensure that MTS is being as cost efficient and effective as possible. Mr. Washburn continued the presentation and provided a background on the MTS Access service and stated that a review was done on the eligibility process of this service. He discussed the results of the review and noted that the best practices and required enhancements were updated. The changes include an improved and more robust application process; eligibility screening via phone interview; in-person interview and assessment; and functionally-based eligibility decisions. Mr. Washburn reviewed the procurement process and stated that Medical Transportation Management (MTM) was selected as the best value to MTS. He also reviewed the potential annual savings under the new contract.

PUBLIC COMMENTS

Rod Easterly – Mr. Easterly commented that there was not much public notice or input regarding these changes. He stated that he was not given detailed information and came to the meeting to gain further insight.

BOARD MEMBER COMMENTS

Mr. Roberts asked how MTS Access service and Facilitating Access to Coordinated Transportation (FACT) service compare. Mr. Jablonski stated that MTS is required by the FTA to provide ADA services and FACT is not required to provide ADA services. Mr. Roberts commented that it seems FACT could help alleviate some of MTS's Access service. Mr. Jablonski noted that FACT's service area is more restrictive since they are primarily located in San Diego's North County. Ms. Cooney commented that FACT is making improvements to providing service in other areas of the county. She said that FACT also recently received grant funding to purchase additional buses to expand their service.

Ms. Zapf inquired about the average cost per trip for Access service. Mr. Spraul replied that MTS's direct cost per trip is about \$28.00, and when adding in the fixed cost per trip, the total is just under \$50.00. Ms. Zapf stated that FACT costs per trip are significantly lower and recommended that we should look into partnering more with FACT to help alleviate the cost. She asked if income was taken into consideration for determining customer eligibility. Mr. Spraul replied that financial factors are not considered when determining eligibility. Ms. Zapf asked about the service area limits for these trips. Mr. Spraul replied that as long as the trip can be made in the fixed route service area, we are obligated to provide that trip in Access service.

Ms. Bragg commented that this service is not only about money, but it services the most vulnerable passengers. She stated that there needs to be extensive outreach to the public regarding this service. Ms. Bragg said that there should also be outreach to educate people about traveling and navigating the system.

Action Taken

Ms. Zapf moved to authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1901.0-16 with Medical Transportation Management, Inc. (MTM), for the provision of ADA paratransit client certification services for three (3) base years with two (2) 1-year options, exercisable at MTS's sole discretion. Ms. Bragg seconded the motion, and the vote was 14 to 0 in favor with Mr. Cunningham absent.

PUBLIC COMMENTS – AGENDA ITEM 30 (TAKEN OUT OF ORDER)

Robin Stimson, Vice President of Siemens, thanked the Board for its confidence in Siemens to continue its relationship with MTS in building the new LRVs. He said that they look forward to providing the new ultra-low floor LRVs to San Diego to help expand service.

REPORT ITEMS

45. Operations Budget Status Report for June 2016 (Mike Thompson)

Mike Thompson, Director of Financial Planning and Analysis, provided a presentation on the operations budget status report for June 2016. He reviewed the results for total operating revenues and noted that fare revenues were slightly down over the previous year. He stated that the total operating expenses are resulting in favorable numbers for personnel costs, purchased transportation and energy. Mr. Thompson reviewed the results for total non-operating revenues as well as the total revenues less expenses. He noted that staff will meet with the Budget Development Committee (BDC) to bring a recommendation on the remaining surplus of revenues. Lastly, he discussed ongoing concerns including sales tax subsidy revenue, State of California budget, passenger levels and energy prices.

Mr. Gloria inquired when the next BDC meeting will take place. Mr. Thompson replied that the next BDC meeting will take place on Thursday, October 27 at 9:00am.

Ms. Zapf asked about the proposed high number for passenger levels for FY 2017. Mr. Thompson replied that the projected number is higher because it was not adjusted at midyear. He noted that number will be updated for the next report.

Action Taken

No action taken. Informational item only.

60. Chairman's Report

Chairman Mathis commented on the success of the ribbon-cutting ceremony for the East County Bus Maintenance Facility yesterday. He stated that this facility will help to phase out almost all of MTS's diesel buses and transition to CNG.

Mr. Roberts reminded the Board that the Mid-Coast Groundbreaking Event will take place on Saturday, October 22nd, at the Preuss School field at UC San Diego.

61. Chief Executive Officer's Report

Mr. Jablonski reported the following business travel: on September 16th he traveled to Sacramento to speak with a Board Member of the California Air Resources Board (CARB) regarding the proposed Advanced Clean Transit mandate; on September 22nd he traveled to Sacramento to attend the CARB Board meeting; on September 23rd he traveled to Long Beach for a California Transit Association (CTA) Executive Committee meeting; and from September 25th through September 29th he traveled to Washington DC for the San Diego Regional Chamber Mission and to also participate in the CTA Federal Lobby Day.

62. Board Member Communications

Ms. Rios invited Board Members to attend the Maytime Band Review in National City on Saturday, October 15th.

63. Additional Public Comments on Items Not on the Agenda

Valerie Hightower – Ms. Hightower asked when bus benches would be installed at the following bus stops: 41st & Oceanview, 41st & National, 30th & Imperial, and 54th & El Cajon. She said that transit security should have bicycles to help them better patrol the different bus stops. She asked for the Route 4 bus to have increased service. She asked for shuttle service from the Euclid Trolley Station to Chollas Lake.

64. Next Meeting Date

The next regularly scheduled Board meeting is November 10, 2016.

65. Adjournment

Chairman Mathis adjourned the meeting at 11:30 a.m.



Chairperson
San Diego Metropolitan Transit System

Filed by:

Approved as to form:



Clerk of the Board
San Diego Metropolitan Transit System



General Counsel
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS
ROLL CALL

MEETING OF (DATE): October 13, 2016

CALL TO ORDER (TIME): 9:07 a.m.

RECESS: _____

RECONVENE: _____

CLOSED SESSION: 9:28 a.m.

RECONVENE: 10:43 a.m.

PUBLIC HEARING: _____

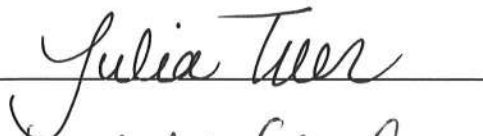
RECONVENE: _____

ORDINANCES ADOPTED: 1

ADJOURN: 11:30 a.m.

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ALVAREZ	<input type="checkbox"/> (Cate) <input checked="" type="checkbox"/>	9:07 a.m.	11:30 a.m.
BRAGG	<input checked="" type="checkbox"/> (Spriggs) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
COLE	<input checked="" type="checkbox"/> (Cate) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
CUNNINGHAM	<input type="checkbox"/> (Mullin) <input type="checkbox"/>		
GASTIL	<input type="checkbox"/> (Jones) <input checked="" type="checkbox"/>	9:07 a.m.	11:30 a.m.
GLORIA	<input checked="" type="checkbox"/> (Cate) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
MATHIS	<input checked="" type="checkbox"/>	9:07 a.m.	11:30 a.m.
MCCLELLAN	<input type="checkbox"/> (Ambrose) <input checked="" type="checkbox"/>	9:07 a.m.	11:30 a.m.
MCWHIRTER	<input checked="" type="checkbox"/> (Arapostathis) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
MINTO	<input checked="" type="checkbox"/> (McNelis) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
RIOS	<input checked="" type="checkbox"/> (Sotelo-Solis) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
ROBERTS	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
SALAS	<input checked="" type="checkbox"/> (Miesen) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
WOIWODE	<input checked="" type="checkbox"/> (Sandke) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.
ZAPF	<input checked="" type="checkbox"/> (Cate) <input type="checkbox"/>	9:07 a.m.	11:30 a.m.

SIGNED BY THE CLERK OF THE BOARD:



CONFIRMED BY THE GENERAL COUNSEL:

