

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

April 6, 2017

MINUTES

A. ROLL CALL

Chairman Mathis called the Executive Committee meeting to order at 9:02 a.m. A roll call sheet listing Executive Committee member attendance is attached.

CHAIRMAN'S COMMENT

Chairman Mathis stated that staff is requesting to add a Closed Session Item (C3) to the agenda. He said that a motion and vote needs to be taken to allow this item to be included in the agenda.

Action Taken

Mr. McClellan moved to allow agenda item C3 to be included in the agenda. Mr. Roberts seconded the motion, and the vote was 5 to 0 in favor.

B. APPROVAL OF MINUTES

Ms. Rios moved for approval of the minutes of the February 2, 2017, MTS Executive Committee meeting. Mr. McClellan seconded the motion, and the vote was 5 to 0 in favor.

C. COMMITTEE DISCUSSION ITEMS

1. Assembly Bill 805 (Sharon Cooney)

Sharon Cooney, Chief of Staff, provided a presentation on Assembly Bill (AB) 805. She reviewed the details of the bill including changes being proposed for the San Diego Association of Governments (SANDAG), North County Transit District (NCTD) and MTS. Ms. Cooney discussed the proposed changes to MTS including authorizing the Board to levy a sales tax for transit purposes; maintaining a 15 member Board; eliminating the Board-appointed chair and making the Mayor of the most populous city the chair; adding a second Chula Vista Board member; and requiring that all primary Board members be Mayors of the member cities (except for the three additional San Diego representatives and the second Chula Vista representative would be councilmembers). She reviewed the proposed changes to the voting stating that all Board actions would require a weighted vote of members present; removing the cap on the City of San Diego's weighted vote; removing the requirement that an affirmative vote must achieve 51% plus 3 separate jurisdictions; and splitting the Chula Vista weighted vote evenly between the City's two representatives. Ms. Cooney reviewed the items in the bill that still need clarification. She also reviewed the next steps for the bill and stated that the bill has been triple-referred to the committees on Local Government, Transportation, and Appropriations. Ms. Cooney reviewed the potential options that the Executive Committee could recommend to the Board for action and asked for feedback and direction.

PUBLIC COMMENTS

Diane Takvorian – Ms. Takvorian commented on behalf of the Environmental Health Coalition. She stated that they are in support of AB 805 and they believe that it will help bring additional revenue to MTS. Ms. Takvorian said that this will give MTS greater control and the ability to improve and grow the transit system in San Diego. She said that they would recommend postponing any action at this time and meeting with the author to get the clarification needed for the appropriate representation. Chairman Mathis asked Ms. Takvorian what her thoughts were on the proposed governance changes. Ms. Takvorian said that discussions should be made with the author for clarification purposes, but she believes a per capita weighted vote seems fair. She also noted that they do not want to see the other cities silenced or have their vote diminished, but she does believe that a per capita weighted vote seems fair.

Carolina Rodriguez-Adjunta – Ms. Rodriguez-Adjunta commented on behalf of the Climate Action Campaign. She said that they are in support of AB 805 and for MTS to run its own sales tax measures to help put more resources into improving transit and the climate. She urged the committee to hold off on taking any action at this time and to continue discussions with the author to get needed clarifications.

Jack Shu – Mr. Shu commented on behalf of the Cleveland National Forest Foundation. He commented that SANDAG is set up differently than other Metropolitan Planning Organizations (MPOs) around the state and that causes it to suffer. He said that AB 805 looks to correct issues with SANDAG by making it a more representative MPO. Mr. Shu asked for the committee to look to the future and how this bill addresses the changing transportation needs in the region. He stated that people will better know and recognize the representation of the SANDAG Board by having Mayors sit on the Board.

Julio Rivera – Mr. Rivera stated that he is a field representative for Assemblymember Gonzalez Fletcher. He read a letter from the Assemblymember which is attached in the final meeting packet. In summary, the letter stated that the Assemblymember is requesting for the committee to hold off on taking a position on the bill until it can be amended to incorporate feedback she has received. She also discusses the desire to provide MTS the ability to approach voters for a transit-related tax increase. She also thanked the members of the Board who have reached out to her with questions and encourages more discussion to help amend the bill in the future.

Michelle Krug – Ms. Krug commented that as a daily transit user, she supports the bill and the fact that it gives MTS the authority to put out its own tax measure for transit purposes.

Gretchen Newsom – Ms. Newsom commented on behalf of IBEW 569. She stated that they are in support of the bill and encourage the committee to delay any action until discussions are made with the Assemblymember regarding clarifications and questions about the bill. She said that they would like to have the members of IBEW 569 have access to a great transit system.

Randy Van Vleck – Mr. Van Vleck commented on behalf of the City Heights Community Development Corporation. He stated that they would like to see MTS empowered to pursue its own sales tax measure to receive more funding to put towards improved

transit service. He encouraged the committee to not take action at this time and to continue the dialogue with the author to evolve the bill.

COMMITTEE COMMENTS

Mr. Roberts commented that he is in support of giving MTS the authorization to issue its own tax measure. He stated that he is not in support of the proposed governance changes. Mr. Roberts said that he would make a motion to support the sales taxing proposals and take opposition to the other proposals in the bill related to governance changes.

Ms. Gomez commented that she does not have a position on the bill at this time and would recommend that the committee have a neutral position and seek clarification on the questions brought up by staff.

Ms. Rios commented that she agrees the committee stay neutral at this time and seek clarification with the author. She stated that she spoke with the author and voiced concerns related to the governance structure. Ms. Rios noted that the author has heard from other people regarding the governance structure issue too. She stated that she would make a motion to delay bringing this item to the Board and seek clarification from the author and possible amendments to the bill related to MTS. Ms. Gomez stated that she would second that motion. Mr. Jablonski commented that staff will need more specific direction related to the substance of the bill and what position the policy makers have on requesting amendments. Ms. Gomez stated that she would be in support of taking this item to the full Board for further discussion and clarify what motion the Board would like to take.

Mr. McClellan commented that he believes the other member cities will not support the governance proposals made in the bill.

Ms. Rios commented that this item should be brought to the Board for further discussion and for clarification on how staff should move forward.

Actions Taken

Ms. Rios made a motion to bring this item to the Board for additional clarification for amendments and request for Assemblymember Gonzalez Fletcher to be invited to attend the Board meeting. Ms. Gomez seconded the motion and the vote was 2 to 3 with Ms. Gomez and Ms. Rios in favor and Mr. Mathis, Mr. McClellan and Mr. Roberts in opposition.

Mr. Roberts then moved to recommend that the Board oppose Assembly Bill 805 (Gonzalez Fletcher) unless amended to remove everything related to MTS except the sales tax authority. Mr. McClellan seconded the motion, and the vote was 3 to 2 with Mr. Mathis, Mr. McClellan and Mr. Roberts in favor and Ms. Gomez and Ms. Rios in opposition.

2. Joint Development Properties Inventory Update (Tim Allison)

Tim Allison, Manager of Real Estate Assets, provided a presentation on the inventory of joint development properties. He discussed the details of the following highlighted

properties: Grantville Trolley Station, Euclid Avenue Transit Station, Iris Avenue Transit Station, 14th and Imperial, and the Riverwalk property. Mr. Allison reviewed the details of the Grantville property and discussed next steps and direction related to this property including to hire a development services consultant to assist staff with procuring a developer to construct a mixed use project at the station; investigate possible development partnerships with surrounding owners; coordinate potential SDSU involvement; and bring site specific decisions back to the Executive Committee for direction.

Mr. Allison reviewed the details of the Euclid Avenue Transit Station property and discussed next steps and direction related to this property including to negotiate an agreement with Jacobs Center for Neighborhood Innovation (JCNI) to lead a joint development procurement for the Euclid Station in coordination with JCNI assets; and bring site specific decisions back to the Executive Committee for direction. Mr. Roberts commented that staff should discuss options with JCNI, but not commit to anything to leave options open to go out to bid for development.

He reviewed the details of the Iris Avenue Transit Station property and discussed next steps and direction related to this property including to continue vetting the project concept; and return to the Executive Committee with a detailed presentation for further direction to formally consider unsolicited offers.

Mr. Allison reviewed the details of the 14th Street and Imperial Avenue property and discussed next steps and direction related to this property including to conduct a planning study for Transit Center expansion alternatives; and conduct a development feasibility study on various build scenarios including any potential up-zoning. Mr. Roberts commented that staff should move forward on trying to rezone this property and to also focus on the Imperial Avenue Division (IAD) property. Mr. Jablonski noted that staff will bring the IAD property study results back to the Executive Committee for review and discussion.

Ms. Landers reviewed the details of the Riverwalk property and discussed next steps related to this property including that the golf course lease rent requirement starts December 2017 and the golf course tenant has rights to terminate the lease with one month notice; and that there has been renewed activity on the Levi-Cushman Specific Plan Project Area.

Action Taken

No action taken. Informational item only.

D. REVIEW OF DRAFT April 13, 2017 BOARD AGENDA (TAKEN BEFORE CLOSED SESSION)

Recommended Consent Items

6. Investment Report - February 2017

7. Lease Agreement with Infinity Investments, LLC at 1695 Main Street, San Diego

Action would authorize the Chief Executive Officer (CEO) to execute a Lease Agreement with Infinite Investments, LLC for a lease at 1695 Main Street, San Diego (MTS Doc. No. G2002.0-17).

8. Amended and Restated Lease Agreement with San Diego Sports Entertainment Center, LLC at 1699 Main Street, San Diego
Action would authorize the Chief Executive Officer (CEO) to execute an amended and restated lease agreement with San Diego Sports Entertainment Center, LLC for a lease at 1699 Main Street, San Diego (MTS Doc. No. L1221.3-15).
9. California Office of Emergency Services (CalOES) Designation of Applicant's Agent Resolution for Non-State Agencies (CalOES Form 130)
Action would adopt the Designation of Applicant's Agent Resolution for Non-State Agencies (CalOES Form 130) to authorize the Chief Executive Officer (CEO), or designated representative, to execute all required documents for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
10. Batteries for Buses - Contract Award
Action would: (1) Authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0665.0-17 with Battery Systems, Inc., and B0667.0-17 with Battery Power, Inc., for batteries for buses for three (3) base years with two (2) 1-year options; and (2) Authorize the CEO to exercise option years, in his discretion.
11. Americans with Disabilities Act (ADA) Paratransit Service - Contract Amendment No. 3
"Action would authorize the Chief Executive Officer (CEO) to: (1) Execute Amendment No. 3 to MTS Doc. No. G1205.0-10 (in substantially the same format as Attachment A) with First Transit, Inc. (FTI) to exercise option period 2 (contract years 8 and 9); (2) Reallocate \$1,271,139.00 originally encumbered and included under Amendment No. 1 from the Mobile Data Terminal System (MDTS) and OnBoard Vehicle Video Event Recorder (OBVVER) services to the operational budget; and (3) Increase the contract expenditure authority by \$7,777,264.86 to support services needed for increased ridership and demands in ADA/paratransit services.
12. Federal Legislative Representation - SANDAG Partial Assignment
Action would authorize the Chief Executive Officer (CEO) to execute the Partial Assignment 1 of Agreement for San Diego Association of Governments (SANDAG) Federal Representation Services for a fifty (50) month period effective May 1, 2017.
13. Contract with the City of National City for Taxicab Administration
Action would authorize the Chief Executive Officer (CEO) to enter into an agreement for Taxicab Administration with the City of National City in substantially the same format as in Attachment A.
14. Drug and Alcohol Policy for All San Diego Metropolitan Transit System (MTS) Employees
Action would adopt Resolution No. 17-6, which will implement MTS's updated Drug and Alcohol Policy, in order to comply with Federal Transit Administration regulations and further public safety.
15. Text Messaging Services for Go MTS Short Code
Action would: (1) Ratify previous Purchase Order (PO) 4500001379 award of \$79,750.00 with MIS Sciences, Inc. which was previously issued under MTS's Board Policy Section 41.4.2 "Stand-Alone Purchase Orders"; and (2) Authorize the Chief Executive Officer (CEO) to execute a sole source extension to the PO with MIS Sciences, Inc. (MIS Sciences) through July 31, 2017 and increase capacity by \$55,500.00 for a revised total PO value of \$135,250.00.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA (TAKEN BEFORE CLOSED SESSION)

There was no SANDAG Transportation Committee agenda discussion.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS (TAKEN BEFORE CLOSED SESSION)

There was no Committee Member Communications and Other Business discussion.

G. PUBLIC COMMENTS (TAKEN BEFORE CLOSED SESSION)

There were no Public Comments.

The Executive Committee convened for Closed Session at 11:10 a.m.

C3. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to California Government Code Section 54956.8

Property: Assessors Parcel Number (APN) 451-690-55-00 (Southeasterly of Vine Street and California Street, San Diego)

Agency Negotiators: Paul Jablonski, Chief Executive Officer; Karen Landers, General Counsel; and Tim Allison, Manager of Real Estate Assets

Negotiating Parties: San Diego Gas and Electric Company

Under Negotiation: Price and Terms of Payment

The Executive Committee reconvened from Closed Session at 11:23 a.m.

Oral Report on Final Actions Taken in Closed Session

C3. The Executive Committee received a report from staff and gave instructions.

H. NEXT MEETING DATE

The next Executive Committee meeting is scheduled for May 4, 2017, at 9:00 a.m. in the Executive Committee Conference Room.

I. ADJOURNMENT

Chairman Mathis adjourned the meeting at 11:23 a.m.

/s/ Harry Mathis

Chairman

Attachment: A. Roll Call Sheet

EXECUTIVE COMMITTEE
SAN DIEGO METROPOLITAN TRANSIT SYSTEM

ROLL CALL

MEETING OF (DATE) April 6, 2017

CALL TO ORDER (TIME) 9:02 a.m.

RECESS _____

RECONVENE _____

CLOSED SESSION 11:10 a.m.

RECONVENE 11:23 a.m.

ADJOURN 11:23 a.m.

BOARD MEMBER (Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
COLE <input type="checkbox"/> (Gomez) <input checked="" type="checkbox"/>	9:02 a.m.	11:23 a.m.
MATHIS <input checked="" type="checkbox"/>	9:02 a.m.	11:23 a.m.
MCCLELLAN <input checked="" type="checkbox"/> (McWhirter) <input type="checkbox"/>	9:02 a.m.	11:23 a.m.
RIOS <input checked="" type="checkbox"/> (Salas) <input type="checkbox"/>	9:02 a.m.	11:23 a.m.
ROBERTS <input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:02 a.m.	11:23 a.m.
Transportation Committee Rep Slot (Mathis)		

SIGNED BY THE CLERK OF THE BOARD: Julia Tuer

CONFIRMED BY THE GENERAL COUNSEL: Kathy Lanan