

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

MINUTES

October 10, 2019

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased].

1. Roll Call

Chair Gomez called the Board meeting to order at 9:00 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Ms. Moreno moved to approve the minutes of the September 12, 2019, MTS Board of Directors meeting. Ms. Rios seconded the motion, and the vote was 13 to 0 in favor with Mr. Arapostathis and Mr. Ward absent.

3. Public Comments

*Nate Fairman* – Mr. Fairman commented on behalf of the IBEW 465. He discussed the new electric buses, which will require increased training for the bus mechanics. Mr. Fairman noted that working on electric buses will also have increased risks for the mechanics due to working with electrical currents. He stated that the IBEW 465 will be advocating for pay increases at the upcoming contract negotiations to ensure that the mechanics will be paid more in line with other electrical mechanics. Mr. Fairman introduced the bargaining team for the IBEW 465 mechanics.

*Josh Palecheck* – Mr. Palecheck gave his speaking time to Mr. Fairman.

*Martha Welch* – Ms. Welch commented about bus benches that have been removed from different parts of the system. She also commented about the lack of public restrooms at transit stations.

*Kiko Diaz* – Mr. Diaz commented on behalf of the IBEW 465. He stated that he has worked for MTS for 25 years. Mr. Diaz noted that he has been involved with several labor negotiations and they have always reached a fair deal. He stated that he looks forward to the upcoming negotiations for San Diego Transit mechanics.

*Anthony Byrd* – Mr. Byrd commented on behalf of the IBEW 465. He stated that he has worked for San Diego Transit for 20 years. Mr. Byrd noted that he would be on the negotiating committee for the upcoming San Diego Transit labor negotiations. He stated that he looks forward to working towards a fair deal for everyone.

*Alex Macias* – Mr. Macias commented on behalf of the IBEW 465. He stated that he has worked for San Diego Transit for 22 years. Mr. Macias commented that he is looking forward to the upcoming labor negotiations.

*Diana Frias* – Ms. Frias commented on behalf of Hoover High School students. She stated that public transportation is very important for the youth population. Ms. Frias commented that MTS has the power to increase youth ridership on the system. She recommended MTS consider providing youth opportunity passes in order to make transit more affordable and accessible for students.

4. Appointment of San Diego Metropolitan Transit System (MTS) Chairperson (Sharon Cooney)

Chair Gomez stated that she advised the Board of Directors that she would be stepping down as Chair. She noted that she would still stay on as a regular Board Member. Chair Gomez thanked the Board and MTS staff for their hard work. She stated that she looks forward to continuing her support of MTS in her new capacity. Chair Gomez noted that the Executive Committee unanimously made a motion to forward a nomination to the Board of Directors to elect Mr. Fletcher as the next Chairperson.

Mr. Fletcher thanked Chair Gomez for her leadership and continued support to MTS. He stated that he would be honored to be elected as Chair of the Board. Mr. Fletcher commented that he believes in the mission of MTS and looks forward to improving the system in the future.

PUBLIC COMMENTS

*Gretchen Newsom* – Ms. Newsom commented on behalf of IBEW 569. She thanked Chair Gomez for her leadership and support in the community. Ms. Newsom stated that they look forward to working with Mr. Fletcher as he transitions into the position of Chairman.

Action Taken

Chair Gomez moved to elect Mr. Fletcher as Chairperson for the remainder of this calendar year and for the next term, beginning January 1, 2020 through December 31, 2021. The vote was 15 to 0 in favor.

CONSENT ITEMS

6. Amend 2018-19 State Transit Assistance Claim and Approve 2019-20 State Transit Assistance Claim  
Action would adopt Resolution No.19-9 amending fiscal year (FY) 2018-2019 State Transit Assistance (STA) Claim and approving the FY 2019-2020 STA claim.
7. Adoption of the 2020 San Diego Metropolitan Transit System (MTS) Executive Committee and Board of Directors Meeting Schedule  
Action would adopt the 2020 Executive Committee and Board of Directors meeting schedule.
8. Revisions to Taxicab Advisory Committee (TAC) Guidelines  
Action would approve the proposed revisions to the TAC Guidelines.
9. Extension of Energy Service Provider (ESP) Contract MTS Doc. No. G1728.0-15  
Action would authorize the Chief Executive Officer (CEO) to execute the applicable agreements with Calpine Energy Solutions (Calpine) for the extension of ESP services for an additional two-year period.

10. Amendment No. 2 – Trapeze Software License and Maintenance Support Renewal – Sole Source Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2253.2-19 with Trapeze Software Group, Inc. (Trapeze) in amount of \$1,029,047 for the renewal of software licensing and maintenance support for a five (5) year base period with five (5) one-year options exercisable under the CEOs discretion.
11. Old Town Transit Center West – Fund Transfer  
Action would authorize the Chief Executive Officer (CEO) to execute Addendum 17, Scope of Work 90 to the Memorandum of Understanding (MOU) between San Diego Associations of Governments (SANDAG) and MTS for the Construction of the Old Town Transit Center West Improvements project in the amount of \$4,604,000.00.
12. Massachusetts Ave Station Paving – Award Work Order Under a Job Order Contract (JOC)  
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC275-01, under MTS Doc. No. PWG275.0-19 with ABC Construction, Inc. (ABC), for the provision of services, materials and equipment for milling and overlaying the asphalt and the installation of new pavement markings at the lower Massachusetts Ave Station parking lot in the amount of \$111,706.91.
13. Kearny Mesa Division (KMD) 2<sup>nd</sup> Floor Flooring Replacement – Award Work Order Under a Job Order Contract (JOC)  
Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC7503-09 to MTS Doc. No. PWL234.0-17 with ABC Construction Inc. (ABC) for the replacement of the flooring on the 2nd floor of the KMD building in the amount of \$270,581.40.
14. Palm Avenue Grade Crossing Replacement – Award Work Order Under a Job Order Contract (JOC)  
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC269-02, under MTS Doc. No. PWG269.0-19 with Herzog Contracting Corporation (Herzog), for the provision of services, materials and equipment for the replacement of the grade crossing located at Palm Avenue on the Orange and Green Lines in the amount of \$304,511.10.
15. Task Order Contract Approval to Provide Design Services for the Kearny Mesa Division (KMD) Shop Hoists  
Action would authorize the Chief Executive Officer (CEO) to execute Work Order WOA1947-AE-45 to MTS Doc. No. G1947.0-17 with HDR Engineering, Inc. in the amount of \$194,245.85 to provide design services for the KMD shop hoists.
16. Window Glass for Buses and Light Rail Vehicles (LRVs) – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute five (5) contracts (MTS Doc No. B0709.0-20, G2324.0-20, L1519.0-20, L1518.0-20, and B0710.0-20) for the provision of window glass for buses and LRVs, for a not-to-exceed aggregate amount of \$1,688,410.75, for two (2) years from November 1, 2019 to October 30, 2021.
17. Building C Shop Auxiliary Power Supplies – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL271.0-19 with Global Power Group for the procurement and installation of the Auxiliary Power Supplies to Building C, in the amount of \$267,286.70.

18. Centralized Train Control (CTC) System Technology Refresh – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to issue a Purchase Order to Nth Generation for the CTC System Technology Refresh in the amount of \$237,960.19.
19. Procurement of Employee Health Insurance Through Governmental Joint Powers Authority – CSAC Excess Insurance Authority  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2323.0-20 which allows MTS to join the CSAC Excess Insurance Authority (CSAC-EIA) for a minimum of three calendar years (2020, 2021, 2022) for the purpose of purchasing employee healthcare and ancillary insurance benefits and authorize the CEO to approve payment of insurance invoices within the CSAC-EIA program.
20. Middletown – Switch 9 and 11 Construction – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute the Base and Add Alternate 3 to MTS Doc. No. PWL285.0-19, with Transdev Rail, Inc. for Middletown - Switch 9 and 11 Construction in the amount of \$10,187,359.20.
21. Mission Valley West Signal Upgrade – Award Work Order Under a Job Order Contract (JOC)  
Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC7506-05 to MTS Doc. No. PWL235.0-17 with HMS Construction, Inc. (HMS) for the Mission Valley West Signal System Upgrades in the amount of \$554,355.86.
22. Light Rail Vehicle (LRV) Lifting Jacks Replacement – Installation Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL290.0-20 with Makai Solutions for the installation of in-floor lifting hoists to replace existing hoists for a not-to-exceed amount of \$149,149.00.

#### BOARD COMMENTS

Ms. Galvez requested for Consent Item No. 19 to be pulled for further explanation.

#### Action on Recommended Consent Items Nos. 6 – 22, excluding No. 19

Mr. Hall moved to approve Consent Agenda Item Nos. 6 – 22, excluding No. 19. Ms. Moreno seconded the motion, and the vote was 15 to 0 in favor.

#### PUBLIC COMMENTS – CONSENT ITEM NO. 8

*Mikail Hussein* – Mr. Hussein commented on behalf of the United Taxi Workers of San Diego. He stated that he is supportive of agenda item number 8. He also thanked the Chair and the leadership of MTS and looks forward to the continued work with the taxicab industry.

#### DISCUSSION – CONSENT ITEM NO. 19

Brendan Shannon, Director of Human Resources, provided a brief presentation regarding the procurement of employee health insurance through CSAC Excess Insurance Authority (EIA). He stated that this item will allow the agency to purchase substantially similar health care programs as we do now through the CSAC-EIA.

Action on Consent Item No. 19

Ms. Moreno moved to approve Consent Agenda Item No. 19. Ms. Gomez seconded the motion, and the vote was 15 to 0 in favor.

NOTICED PUBLIC HEARINGS (TAKEN BEFORE CLOSED SESSION)

25. Public Hearing for UC San Diego Coaster Connection Implementation (Denis Desmond)

Denis Desmond, Director of Planning, provided a presentation on the UC San Diego (UCSD) Coaster Connection implementation. He reviewed the details of the Sorrento Valley Coaster Connection and the UCSD Coaster Station shuttle. He noted that this item would approve the permanent implementation of the UCSD Coaster Connection route and would begin service in January 2020.

Action Taken

Mr. Ward moved to: (1) Receive public testimony; and (2) Approve the permanent implementation of the University of California, San Diego (UCSD) Coaster Connection route in January 2020. Ms. Montgomery seconded the motion, and the vote was 15 to 0 in favor.

DISCUSSION ITEMS (TAKEN BEFORE CLOSED SESSION)

30. Revisions to San Diego Metropolitan Transit System (MTS) Ordinance No. 11 (Kenneth Nelson and Samantha Leslie)

Samantha Leslie, Staff Attorney – Regulatory Compliance, provided a presentation on the MTS Ordinance No. 11 revisions. She provided a brief background on the Taxicab Administration duties and operations. Ms. Leslie reviewed details of the Taxicab Administration contract with the San Diego Regional Center (SDRC). She discussed the proposed revisions to Ordinance No. 11 that would amend details directly related to the SDRC and other similar contracts. Ms. Leslie reviewed the staff recommendation to approve and adopt the proposed revisions to Ordinance No. 11.

Mr. Donovan inquired if Ordinance No. 11 only applies to the jurisdictions in which MTS regulates taxicabs. Ms. Leslie confirmed that Ordinance No. 11 only applies to its jurisdictions that contract with MTS to administer taxicab regulations. She noted that the City of Coronado and County of San Diego do not apply to this Ordinance.

Action Taken

Mr. Hall moved to: (1) Adopt the proposed amendments to MTS Ordinance No. 11, "An Ordinance Providing for the Licensing and the Regulating of Transportation Services Within the City and County by the Adoption of a Uniform Paratransit Ordinance"; (2) Direct publication of a summary of the amendments to MTS Ordinance No. 11; and (3) Upon adoption of the proposed amendments, grant the Chief Executive Officer (CEO) the discretion to enforce MTS Ordinance No. 11 in its amended form. Ms. Galvez seconded the motion, and the vote was 15 to 0 in favor.

31. Fiscal Year 2019 Final Budget Comparison (Larry Marinesi)

Larry Marinesi, Chief Financial Officer, provided a presentation on the Fiscal Year (FY) 2019 final budget comparison. He discussed the total operating revenues, total operating expenses, total operating variance, total non-operating revenues, and total revenues less expenses. Lastly, Mr. Marinesi reviewed the current contingency reserve balance details.

Ms. Gomez inquired about the upcoming labor negotiations and asked if those projections were incorporated into the budget. Mr. Marinesi stated that staff always takes into consideration the escalation of wages. He noted that any changes will be reflected in the mid-year budget update.

Action Taken

Ms. Salas moved to receive the MTS operations budget status report for Fiscal Year (FY) 2019 and approve staff recommendations to program the excess revenues less expenses. Ms. Gomez seconded the motion, and the vote was 15 to 0 in favor.

REPORT ITEMS (TAKEN BEFORE CLOSED SESSION)

45. Elevate SD 2020 Update (Paul Jablonski, Sharon Cooney, Mark Olson)

Chair Fletcher commented about the work that has been done in relation to Elevate SD 2020. He stated that the information that will be discussed is preliminary and not in final form. Chair Fletcher noted that this is an ongoing process and we will continue working with the community and stakeholders for input.

Paul Jablonski, Chief Executive Officer, introduced this item. He commented that this presentation will be a precursor to the November 2<sup>nd</sup> Special Board Workshop Meeting.

Mr. Desmond continued the presentation and discussed the proposed project estimation assumptions. He reviewed the projects currently in evaluation including the expansion of the existing network, new Rapid bus service, freeway transit improvement and express bus routes, trolley Purple Line, trolley Blue Line Express, airport light rail extension, waterway system, Sorrento Valley skyway and connection shuttles, Mid-Coast beach guideway, mobility-on-demand transit, bus fleet electrification, grade separations, mobility hubs, additional security measures, and fare discounting.

Sharon Cooney, Chief of Staff, continued the presentation and discussed the current status of Elevate SD 2020. She noted that preliminary data will be provided to the Board at the November 2<sup>nd</sup> Board Workshop. Ms. Cooney stated that the process will be iterative, with on-going input from the Board, public outreach and polling. She commented that the Vision Builder tool was released this week and public outreach meetings will continue.

Mark Olson, Manager of Public Relations, continued the presentation and discussed the Vision Builder Challenge that was recently released to the public. He stated that the purpose of this tool is to engage the broader community and collect public feedback. Mr. Olson demonstrated how to use the online Vision Builder.

Ms. Rios inquired about the vision builder and asked if people can choose a project more than once in the Vision Builder tool. Mr. Olson replied that you are not able to deposit more value to a project than it is worth in the tool.

#### PUBLIC COMMENTS

*Margo Tanguay* – Ms. Tanguay commented that she looks forward to the potential for this measure to further improve the system and add service throughout San Diego.

#### BOARD COMMENTS

Ms. Salas stated that the Vision Builder tool is going to be great for the public to use and commended the staff that helped create it. She commented on the proposed Blue Line Express Project and stated that this would be a great project to increase service on the Blue Line.

Mr. Ward stated that he would like to receive a more in-depth summary of the public outreach process in November.

Chair Fletcher thanked staff for the work that has been done so far on this effort. He stated that he looks forward to the continued work and the upcoming Board Workshop in November.

#### Action Taken

No action taken. Informational item only.

#### 46. Operations Budget Status Report for August 2019 (Larry Marinesi)

Mr. Marinesi provided a presentation on the operations budget status report for August 2019. He reviewed the total operating revenues, total operating expenses, total operating variance, and ongoing concerns.

Ms. Galvez inquired about the recent results related to the fare increase. Mr. Marinesi replied that they are analyzing those results now. He stated that preliminary data is showing positive results and staff will provide more information at the next Board meeting.

Ms. Gomez commented about the increase to passenger levels. She stated that the increasing passenger numbers is positive and shows that there is a need and use for more investments in transit.

#### Action Taken

No action taken. Informational item only.

#### 47. Fiscal Year (FY) 2019 Performance Monitoring Report (Denis Desmond)

Mr. Desmond provided a presentation on the FY 2019 performance monitoring report. He provided background information on Policy 42 evaluation criteria. Mr. Desmond reviewed the results for annual total passengers, ridership, Transit Optimization Plan (TOP) changes, Route 962, Route 2, passengers per revenue hour, on-time performance, other metrics, and farebox recovery.

Ms. Gomez asked what the impacts were to the routes that were previously eliminated during the TOP changes. Mr. Desmond replied that the attachment for this item includes the reductions in ridership related to the routes that had reduced service from the TOP. Ms. Gomez stated that she would like to keep an eye on those routes and keep the option open to increase service back to certain routes if the data shows more service is needed.

Ms. Rios inquired about the improved preventable accidents results on Access service. Mr. Desmond stated that some of the results appear to have large changes because there are so few accidents overall. The change in one or two accidents overall will have a big impact on the percentages.

Action Taken

No action taken. Informational item only.

OTHER ITEMS (TAKEN BEFORE CLOSED SESSION)

60. Chair Report

There was no Chair report.

61. Chief Executive Officer's Report

Mr. Jablonski commented about Free Ride Day. He stated that the results and data from Free Ride Day would be announced early next week.

62. Board Member Communications

Mr. Donovan commented that the Free Summer Shuttle in the City of Coronado was very successful this year and thanked MTS for their continued partnership.

Ms. Moreno inquired about the South Bay Feeder Bus Service Project Outreach that was discussed a few months ago. She noted that she had not been approached by the consultant and asked for staff to have the consultant reach out to her office to coordinate project outreach in her jurisdiction.

Ms. Montgomery commented about Free Ride Day. She stated that she received a lot of great feedback and stories from her constituency. She thanked staff for their hard work during Free Ride Day.

63. Additional Public Comments on Items Not on the Agenda

There were no additional public comments.

CLOSED SESSION

24. Closed Session Items

The Board convened to Closed Session at 10:58 a.m.



a. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to California Government Code Section 54956.9(d)(1)  
Jesse Matheny vs San Diego Metropolitan Transit System, et al. USDC Southern District of  
California Case No. 3:19-CV-00016-H-BGS MTS Claim No. MT-02-0410-18

b. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to California Government Code Section 54956.9(d)(1) Gallegos v. San Diego  
Metropolitan Transit System, et al. San Diego Superior Court Case No. 37-2019-00020037-CU-  
OE-CTL

The Board reconvened to Open Session at 11:35 a.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board received a report and gave instructions to counsel.
- b. The Board received a report and gave instructions to legal counsel.

64. Next Meeting Date

The next regularly scheduled Board meeting is November 14, 2019.

65. Adjournment

Chair Fletcher adjourned the meeting at 11:35 a.m.

/s/ Nathan Fletcher  
Chairperson  
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

/s/ Julia Tuer  
Clerk of the Board  
San Diego Metropolitan Transit System

/s/ Karen Landers  
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 10, 2019

CALL TO ORDER (TIME): 9:04 a.m.

RECESS: \_\_\_\_\_

RECONVENE: \_\_\_\_\_

CLOSED SESSION: 10:58 a.m.

RECONVENE: 11:35 a.m.

PUBLIC HEARING: \_\_\_\_\_

RECONVENE: \_\_\_\_\_

ORDINANCES ADOPTED: 1

ADJOURN: 11:35 a.m.

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
AGUIRRE	<input checked="" type="checkbox"/> (Spriggs) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
ARAMBULA	<input checked="" type="checkbox"/> (Mendoza) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
ARAPOSTATHIS	<input checked="" type="checkbox"/> (Weber) <input type="checkbox"/>	9:08 a.m.	11:35 a.m.
FAULCONER	<input type="checkbox"/> (Moreno) <input checked="" type="checkbox"/>	9:00 a.m.	11:35 a.m.
FLETCHER	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
FRANK	<input checked="" type="checkbox"/> (Mullin) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
GALVEZ	<input checked="" type="checkbox"/> (Diaz) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
GOMEZ	<input checked="" type="checkbox"/> (Campbell) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
HALL	<input checked="" type="checkbox"/> (McNelis) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
MCCLELLAN	<input checked="" type="checkbox"/> (Goble) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
MONTGOMERY	<input checked="" type="checkbox"/> (Bry) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
RIOS	<input checked="" type="checkbox"/> (Sotelo-Solis) <input type="checkbox"/>	9:00 a.m.	11:35 a.m.
SALAS	<input checked="" type="checkbox"/> (Diaz) <input type="checkbox"/>	9:03 a.m.	11:35 a.m.
SANDKE	<input type="checkbox"/> (Donovan) <input checked="" type="checkbox"/>	9:00 a.m.	11:35 a.m.
WARD	<input checked="" type="checkbox"/> (Kersey) <input type="checkbox"/>	9:14 a.m.	11:35 a.m.

SIGNED BY THE CLERK OF THE BOARD:



CONFIRMED BY THE GENERAL COUNSEL:

