

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

MINUTES

April 16, 2020

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

1. Roll Call

Chair Fletcher called the Board meeting to order at 9:02 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Chair Fletcher moved to approve the minutes of the March 19, 2020, MTS Board of Directors meeting. Mr. Sandke seconded the motion, and the vote was 15 to 0 in favor.

3. Public Comments

There were no public comments.

4. Elect Committee Appointments (Sharon Cooney)

Sharon Cooney, Deputy Chief Executive Officer, noted that there were three pending outside committee appointments including the primary representative for the San Diego Association of Governments (SANDAG) Transportation Committee, alternate representative for the SANDAG Transportation Committee, and alternate representative for the SANDAG Regional Planning Committee. The Board agreed to keep the alternate representative for the SANDAG Regional Planning Committee open, as the position is a non-voting member.

Action Taken

Chair Fletcher moved to elect Vice Chair Sotelo-Solis as the primary representative for the SANDAG Transportation Committee, and Mr. Hall as the alternate representative for the SANDAG Transportation Committee. Ms. Gomez seconded the motion, and the vote was 15 to 0 in favor.

5. None.

CONSENT ITEMS

6. Light Rail Vehicle (LRV) Accident and Vandalism Repair Services – Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1531.0-20, with Carlos Guzman, Inc., for LRV Accident, Vandalism and Repair Services as detailed in the scope of work, in the amount of \$13,170,051.51, for a five (5) year period from May 1, 2020 to April 30, 2025.

7. Armored Transport Services – Contract Amendment
Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 3 to MTS Doc. No. G1497.3-13 with Sectran Security, Inc., extending the contract to June 30, 2023, and increasing the contract amount by \$483,114.11 to \$1,456,721.21.
8. First Responder Network Authority (FirstNet) Services for Five (5) Years – Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. G2377.0-20, with AT&T Corp. for FirstNet Services for five (5) years in the amount of \$2,264,288.80.
9. Federal Transit Administration (FTA) Program of Projects for Federal Fiscal Year (FFY) 2020 Coronavirus Aid Relief and Economic Security (CARES) Act Section 5307 Funding
Action would approve Resolution No. 20-7 authorizing the use of and application for \$219,987,291 of FFY 2020 Section 5307 funds for operating assistance.

Action on Recommended Consent Items

Chair Fletcher moved to approve Consent Agenda Item Nos. 6 – 9. Ms. Galvez seconded the motion, and the vote was 15 to 0 in favor.

FINANCE WORKSHOP

10. COVID-19 Financial Impact Update (Mike Thompson)

Mike Thompson, Director of Financial Planning and Analysis, provided a presentation on the COVID-19 financial impact. He discussed the COVID-19 financial impact relating to the operating budget for fare revenues, sales tax revenues, other revenues, and expense adjustments. Lastly, Mr. Thompson provided details on the federal stimulus money from the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Ms. Gomez asked when the CARES Act funding would be available. Mr. Thompson replied that the money will be available as soon as our grant is approved, which is approximately six to eight weeks. Ms. Gomez asked for staff to provide more information on rental income abatements. Sharon Cooney, Deputy Chief Executive Officer, stated that MTS has been reaching out to its renters to see if they need rental assistance, and MTS is providing rental abatement for those business tenants in need of assistance. Ms. Gomez asked for staff to create a more formal application for this process.

Action Taken

No action taken.

11. Fiscal Year 2020 Operating Budget Midyear Amendment (Mike Thompson)

Mr. Thompson provided a presentation on the fiscal year (FY) 2020 operating budget midyear amendment. He reviewed the FY 2020 operating budget process recap; FY 2020 midyear revenue summary; FY 2020 midyear expenses summary; and FY 2020 midyear revenues less expenses results. Mr. Thompson read the staff recommendation and asked for any comments or questions.

Ms. Moreno thanked MTS staff for their work on amending the budget in light of the COVID-19 pandemic financial issues. She stated that the MTS Budget Development Committee had a robust discussion and is supportive of staff recommendations.

Action Taken

Ms. Moreno moved to: (1) Enact Resolution No. 20-6 amending the fiscal year (FY) 2020 operating budget for the San Diego Metropolitan Transit System (MTS), San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), MTS Contract Services, and the Coronado Ferry. Chair Fletcher seconded the motion, and the vote was 15 to 0 in favor.

12. Proposed Fiscal Year 2021 Operating Budget (Mike Thompson)

Mr. Thompson provided a presentation on the proposed FY 2021 operating budget. He reviewed the FY 2021 operating budget process recap; FY 2021 operating budget revenue summary; FY 2021 operating budget expenses summary; and FY 2021 operating budget consolidated revenues less expenses. Mr. Thompson read the staff recommendation and asked for any comments or questions.

Ms. Montgomery commented that funding materials and supplies will be an ongoing issue and workers will need additional materials and supplies as time goes on. She asked how staff determined the estimated funding amount for materials and supplies. Mr. Thompson stated that each department provided estimates in the amount of funding they would need to purchase those materials and supplies. He noted that MTS will continue to keep a close eye on these needs and make adjustments as necessary to ensure employees have sufficient levels of materials and supplies.

Vice Chair Sotelo-Solis asked about the availability for temporary restrooms and wash stations that could potentially be deployed at transit centers. Ms. Cooney stated that MTS has provided additional porta-johns for the drivers and has also installed wash stations at every trolley station. Ms. Cooney noted that MTS is monitoring the need for additional wash stations too.

Ms. Weber commented that MTS should remain flexible in the ability to change policies related to the number of people riding a bus or trolley at any given time. She stated that there could be a need to implement policies that address those requirements to keep a physical distance while on board vehicles. Mr. Jablonski noted that staff is monitoring this situation closely to ensure that riders are able to keep physical distance while on board the vehicles.

PUBLIC COMMENT

Elizabeth Cuestas – Ms. Cuestas commented on behalf of Casa Familiar. She stated that funding additional materials and supplies is important, especially in the areas of the system that have higher levels of transit ridership, such as San Ysidro.

Action Taken

Ms. Montgomery moved to recommend staff hold a public hearing on May 14, 2020 with the purpose of reviewing and approving the proposed combined MTS fiscal year (FY) 2021 Operating Budget. Chair Fletcher seconded the motion, and the vote was 15 to 0 in favor.

13. Fiscal Year 2021 Capital Improvement Program (Mike Thompson)

Mr. Thompson provided a presentation on the FY 2021 Capital Improvement Program (CIP). He reviewed the proposed capital funding levels for FY 2021. Mr. Thompson discussed the FY 2021 CIP project highlights for rail projects, bus projects, and administration projects. Lastly, Mr. Thompson reviewed the CIP outlook for FY 2021 – 2025. Mr. Thompson read the staff recommendation and asked for any comments or questions.

PUBLIC COMMENT

Gretchen Newsom – Ms. Newsom commented on behalf of the IBEW 569. She stated that they have a strong preference to invest more money in purchasing Zero Emission Buses (ZEBs), and not include so much investment towards CNG buses.

BOARD COMMENTS

Ms. Gomez commented that MTS should not focus on investing a lot of money towards replacing our CNG fleet, and should focus more on the current California Air Resources Board (CARB) Innovative Clean Transit (ICT) rule and transitioning to ZEBs. Mr. Jablonski replied that MTS is moving towards the requirements included in the CARB ICT rule. He stated that staff is currently preparing the required ZEB transition plan document for CARB. Mr. Jablonski noted that the transition plan will come to the Board for approval before submittal to CARB. Ms. Gomez inquired about the potential funding for ZEB charging infrastructure. She stated that she would like MTS to consider partnering with SANDAG or San Diego Gas & Electric (SDG&E) in obtaining additional funding to build ZEB charging infrastructure. Mike Wygant, Chief Operating Officer – Transit Services, stated that staff has been working with SDG&E regarding funding opportunities for charging infrastructure. Ms. Gomez asked about the funding for the Next Generation Fare System. Mr. Thompson replied that this funding is going towards the overall Next Generation Fare System project which is planned for completion in Spring 2021.

Mr. Sandke commented that he is looking forward to the ZEB transition plan that will be presented to the Board. He stated that he would like to make the motion to approve the staff recommendation today, and noted that he remains mindful of MTS's movement towards a more climate-friendly fleet.

Action Taken

Mr. Sandke moved to: (1) Approve the fiscal year (FY) 2021 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, allow 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 FY 2021 CIP; and (3) Recommend that the SANDAG Board of Directors approve amendment number 10 of the 2018 Regional Transportation Improvement Program (RTIP) in accordance with the FY 2021 CIP recommendations. Chair Fletcher seconded the motion, and the vote was 15 to 0 in favor.

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS (TAKEN BEFORE CLOSED SESSION)

30. Minibus and Americans with Disabilities Act (ADA) Paratransit Fixed Route Services – Contract Award (Sam Elmer, Mike Wygant, and Larry Marinesi)

The Board waived the staff report, noting that the Executive Committee previously voted to forward this item to the Board for approval.

Action Taken

Chair Fletcher moved to authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0703.0-19 in the amount of \$333,398,821.18 with First Transit, Inc. for the provision of Minibus fixed route and ADA Paratransit services for a six (6) year base period with two 2-year option terms to be exercised at the CEO's discretion. Mr. Sandke seconded the motion, and the vote was 15 to 0 in favor.

REPORT ITEMS (TAKEN BEFORE CLOSED SESSION)

45. Fiscal Year (FY) 2020 Mid-Year Performance Monitoring Report (Denis Desmond)

Denis Desmond, Director of Planning, provided a presentation on the FY 2020 Mid-Year Performance Monitoring Report. He discussed the Policy 42 evaluation criteria. Mr. Desmond reviewed the results for ridership; total passengers; Transit Optimization Plan (TOP) results; COVID-19 ridership impacts; passengers per revenue hour; and on-time performance.

Action Taken

No action taken. Informational item only.

59. Elevate SD 2020 Update (TAKEN BEFORE CLOSED SESSION)

Chair Fletcher provided an update related to the Elevate SD 2020 efforts. He stated that due to the COVID-19 public health and economic crisis, MTS will postpone its efforts in taking this measure to the ballot in November 2020. Chair Fletcher thanked the MTS staff and the Board for their contributions and efforts in working on Elevate SD 2020. He stated that the focus now will be on continuing to provide essential transit services, and then rebuilding after this crisis subsides. Chair Fletcher commented that he believes we will be able to revisit this effort in the future, but based on the current issues at hand, the effort will not go forward in 2020. He stated that he would like to continue the community involvement engagement that Elevate SD 2020 began. Chair Fletcher noted that it will be important to keep the community involved and engaged in public transportation issues on an ongoing basis.

Ms. Gomez commented that this is a hard decision, but the right decision during these recent times related to COVID-19 which has created a public health and economic crisis. She stated that she supports the recommendation by the Chair to continue the public outreach and

engagement process in order to keep the public engaged in further enhancing and developing public transportation.

Vice Chair Sotelo-Solis commented that she agrees with the comments made by Chair Fletcher and Ms. Gomez. She stated that she looks forward to the continued work towards providing a clean transportation fleet, and keeping the public engaged in participation related to improving public transportation.

PUBLIC COMMENTS

UC San Diego Graduate Student Association's Committee – The UC San Diego Graduate Student Association's Committee provided a written statement to the Board prior to the meeting. The full written statement is included in the final meeting packet posted on the MTS website.

Maya Rosas – Ms. Rosas provided a written statement to the Board prior to the meeting. The full written statement is included in the final meeting packet posted on the MTS website.

Phil Birkhahn – Mr. Birkhahn provided a written statement to the Board prior to the meeting. The full written statement is included in the final meeting packet posted on the MTS website.

Bee Mittermiller – Ms. Mittermiller provided a written statement to the Board prior to the meeting. The full written statement is included in the final meeting packet posted on the MTS website.

60. Chair Report (TAKEN BEFORE CLOSED SESSION)

There was no Chair report.

61. Chief Executive Officer's Report (TAKEN BEFORE CLOSED SESSION)

Mr. Jablonski commented that MTS is continuing to take all necessary steps to ensure that its employees are as safe as possible.

62. Board Member Communications (TAKEN BEFORE CLOSED SESSION)

There were no Board Member communications.

63. Additional Public Comments on Items Not on the Agenda (TAKEN BEFORE CLOSED SESSION)

There were no additional public comments.

CLOSED SESSION

24. Closed Session Items

The Board convened to Closed Session at 11:06 a.m.

- a. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION Pursuant to California Government Code Section 54956.9(d)(4) (Claim against Alliant Insurance Services, Inc.)

The Board reconvened to Open Session at 11:15 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 authorized a settlement with all Board Members in favor, except for Mr. Arambula and Ms. Moreno, who were absent.

64. Next Meeting Date

The next regularly scheduled Board meeting is May 14, 2020.

65. Adjournment

Chair Fletcher adjourned the meeting at 11:15 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): April 16, 2020

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

RECESS: _____

RECONVENE: _____

CLOSED SESSION: 11:06 a.m.

RECONVENE: 11:15 a.m.

PUBLIC HEARING: _____

RECONVENE: _____

ORDINANCES ADOPTED: _____

ADJOURN: 11:15 a.m.

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
AGUIRRE	<input checked="" type="checkbox"/> (Spriggs) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
ARAMBULA	<input checked="" type="checkbox"/> (Mendoza) <input type="checkbox"/>	9:02 a.m.	11:06 a.m.
FAULCONER	<input type="checkbox"/> (Moreno) <input checked="" type="checkbox"/>	9:02 a.m.	11:06 a.m.
FLETCHER	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
FRANK	<input checked="" type="checkbox"/> (Mullin) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
GALVEZ	<input checked="" type="checkbox"/> (Diaz) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
GOMEZ	<input checked="" type="checkbox"/> (Campbell) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
HALL	<input checked="" type="checkbox"/> (McNelis) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
MCCLELLAN	<input checked="" type="checkbox"/> (Goble) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
MONTGOMERY	<input checked="" type="checkbox"/> (Bry) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
SALAS	<input checked="" type="checkbox"/> (Diaz) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
SANDKE	<input checked="" type="checkbox"/> (Donovan) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
SOTELO-SOLIS	<input checked="" type="checkbox"/> (Quintero) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
WARD	<input checked="" type="checkbox"/> (Kersey) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.
WEBER	<input checked="" type="checkbox"/> (Arapostathis) <input type="checkbox"/>	9:02 a.m.	11:15 a.m.

SIGNED BY THE CLERK OF THE BOARD:

Julia Tuer

CONFIRMED BY THE GENERAL COUNSEL:

Debra