

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

June 11, 2020

## MINUTES

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. Note that the meeting was conducted via webinar to comply with public health orders].

### A. ROLL CALL

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

### B. APPROVAL OF MINUTES

Chair Fletcher moved for approval of the minutes of the April 2, 2020, MTS Executive Committee meeting. Mr. Arambula seconded the motion, and the vote was 5 to 0 in favor.

### C. COMMITTEE DISCUSSION ITEMS

1. Zero Emission Bus Pilot and Transition Plan Update (Mike Wygant & Steve Clermont with Center for Transportation and the Environment)

Sharon Cooney, Chief Executive Officer, introduced this item. Ms. Cooney explained that staff would like to obtain initial feedback from the Executive Committee members on the draft Transition Plan and Rollout Plan. Ms. Cooney noted that staff will also be asking for the Board to authorize staff to request an extension from the California Air Resources Board (CARB) for submission of the Rollout Plan. By authorizing an extension, staff can take additional time for public feedback and further finalize the Rollout Plan before officially submitting the plan to CARB.

Mike Wygant, Chief Operating Officer – Transit Services, continued the presentation. He provided a brief overview of the Innovative Clean Transit (ICT) Rule put forth by CARB at the end of 2018. Mr. Wygant reviewed the history and details of the MTS ZEB pilot project to date. He discussed the details of the pilot charging infrastructure; battery electric bus (BEB) pilot performance; ZEB pilot project cost; ZEB program funding; and the Iris Rapid (South Bay) project.

Steve Clermont, with Center for Transportation and the Environment (CTE), continued the presentation. Mr. Clermont provided an overview of the work CTE has conducted related to the MTS ZEB pilot project. He discussed the ZEB transition methodology elements; ZEB technology uncertainties; operational analysis; BEB infrastructure options; Imperial Avenue BEB layout plan; total transition costs to transition by 2040; annual vehicle purchase plan; fleet composition transition plan; and challenges related to ZEB transition.

Mr. Wygant continued the presentation and provided information related to other industry agency transition plans. Lastly, he reviewed next steps, conclusions, and staff recommendations for the Executive Committee to consider.

## PUBLIC COMMENTS

*Gretchen Newsom* – Ms. Newsom provided comments on behalf of the IBEW 569. She stated that they have concerns with the current plan and recommend for MTS to adopt and include the following in the plan: (1) further analysis in modeling two alternative scenarios to accelerate ZEB transition, including one scenario where transition is completed by 2030, and the second scenario where at least 25% of the bus purchases from 2020 to 2023 are ZEBs; (2) prioritize environmental justice by outlining a plan prioritizing ZEBs in the top 25% of disadvantaged communities (DACs) as included in the CalEnviroScreen as required by CARB; (3) include workforce training and safety language, as recommended by the IBEW; (4) clearly outline incentives applied to, retained, and future applications; and (5) ensure meaningful community engagement by holding a community workshop on the updated transition plan at least 30 days prior to approval. Ms. Newsom noted that they support the staff recommendation to request an extension from CARB for submission of the Rollout Plan, as long as it includes the two alternative scenarios, is available for public comment before Board approval, and includes analysis of Greenhouse Gas (GHG) reductions for all scenarios.

*Carolina Martinez* – Ms. Martinez provided comments on behalf of the Environmental Health Coalition. She stated that they support the staff recommendation to request an extension with CARB for submission of the Rollout Plan. Ms. Martinez requested for the Transition Plan to include more analysis. She stated that the current plan does not seek to transition the fleet to the timing levels they would prefer to see. Ms. Martinez noted that the plan also fails to prioritize environmental justice communities, workforce language, and did not provide community engagement opportunities. Ms. Martinez stated that they would like to recommend the following: (1) include modeling of different scenarios, including one scenario where transition is completed by 2030, and the second scenario where at least 25% of the bus purchases from 2020 to 2023 are ZEBs; (2) prioritize environmental justice communities first in the plan; (3) include workforce training and safety language provided by the IBEW; (4) provide an outline of future incentive applications; (5) include meaningful engagement through a community workshop at least 30 days prior to approval; and (6) include a GHG reduction analysis.

*Esperanza Gonzalez* – Ms. Gonzalez commented on behalf of the Environmental Health Coalition and as a community member of City Heights. She stated that she would like to request two alternatives to the plan that were presented by MTS. Ms. Gonzalez asked for one of the alternative scenarios to include full transition to ZEBs by 2030. She also asked for the Board to ensure every incentive is applied for to ensure a quicker transition to ZEBs.

*Areli Santillan* – Ms. Santillan commented that she would like the ZEB transition plan to include an analysis of how it will impact and reduce GHG emissions. She stated that GHG emissions create ongoing health problems and would like to see the scenario with the highest GHG emission reductions selected for the transition plan.

*Alicia Sanchez* – Ms. Sanchez commented on behalf of the Environmental Health Coalition and as a community member of National City. She asked for MTS to prioritize environmental justice communities in the transition plan, because these communities are impacted by high GHG emissions. Ms. Sanchez stated that these communities have high levels of children with asthma and respiratory conditions.

## BOARD COMMENTS

Chair Fletcher stated that he supports the recommendation to request an extension from CARB for submitting the Rollout Plan. He noted that this will provide more time to improve the plan and provide opportunities to hold a public workshop and gain additional public feedback regarding the plan. Chair Fletcher recommended having the Rollout Plan be brought back to the Executive Committee before being finalized and approved by the Board. Chair Fletcher stated that he is interested in analyzing the GHG reduction impacts for different scenarios, and also analyze the deployment plan of prioritizing ZEBs into DACs and what steps would need to be taken to make that a reality.

Vice Chair Sotelo-Solis thanked staff for the presentation and the public comments regarding the transition plan. She stated that public involvement is very important and she wants to ensure that the public has sufficient opportunities to provide input for any amendments to the plan. Vice Chair Sotelo-Solis commented that she would like to see higher percentages of DACs prioritized in the ZEB transition plan. She also requested to see more details related to GHG reductions and workforce development language included in the plan, as requested by the public speakers.

Mr. Ward thanked staff for the work that has been done on the ZEB transition plan. He asked for staff to address points related to advancing the implementation quicker than currently planned and freezing future Compressed Natural Gas (CNG) bus purchases. Mr. Wygant responded and noted that one of the major reasons that could prevent the acceleration of implementation is infrastructure. He noted that without sufficient infrastructure, the ZEBs would not be supported for operation. Mr. Ward asked if it is possible to have flexibility in operating vehicles past their regular end of useful life standards. Mr. Wygant commented that it is possible to operate the vehicles past the end of their useful life, but it comes at a cost. Ms. Cooney also commented that there is a new engine for CNG buses that is near-zero emission. All of the new CNG buses will be equipped with these new engines. She noted that MTS would lose out on reduced GHG emissions by operating the older CNG buses past their regular useful life. Mr. Ward asked about the increase in fuel cost in the presentation related to ZEB deployment. Mr. Wygant explained that the fuel costs listed in the presentation reflect electricity and hydrogen costs. Mr. Ward asked if MTS had a plan to establish locations for in-route charging options. Mr. Wygant replied that those options have been evaluated and included in one of the scenario options in the presentation. Mr. Ward stated that he is supportive of the current analysis, but would also like to also see an amended plan that includes accelerated transition plan scenarios, GHG emission reduction impacts and environmental justice impacts for each proposed scenario.

Mr. Arambula asked if it is possible to repower the current buses into electric buses, rather than purchasing new ZEBs. Mr. Wygant replied that there was a company looking into this, however there were various issues associated with the process not making it an ideal alternative. Mr. Arambula asked if MTS has considered finding ways to capture

its own energy, such as solar panels. Mr. Wygant replied that staff has looked into various options such as solar panels, however there are issues with storage capacity and property availability to acquire the amount of solar panels needed to fuel the entire fleet. Mr. Arambula asked about the ZEB warranties. Mr. Wygant stated that the warranty on the ZEB vehicles is identical to current CNG vehicles. Mr. Arambula asked about the lifespan of a ZEB battery. Mr. Wygant stated that the original equipment manufacturers (OEMs) have advised agencies to plan for replacing batteries mid-way through the life of the bus, or around six to seven years. Mr. Arambula asked about the evaluation process of the ZEBs related to topography and weather. Mr. Wygant stated that staff and consultants are taking those points into consideration while evaluating ZEB performance. Mr. Arambula asked about the estimated total lifespan of ZEBs. Mr. Wygant stated that they are estimated to have a 12-year lifespan. Lastly, Mr. Arambula asked about resale values for ZEBs at the end of their useful life. Mr. Wygant replied that those estimates are not yet known, but he believes the value is likely similar or less compared to CNG buses.

Ms. Salas thanked staff for the work that has been done on the transition plan. She stated that she supports the staff recommendation and agrees with the comments made by the other Executive Committee members, including prioritizing DACs in the ZEB transition plan.

#### Action Taken

Chair Fletcher moved to: (1) forward a recommendation to the Board of Directors to authorize staff to request an extension from the California Air Resources Board (CARB) for submission of the ZEB Rollout Plan; (2) direct staff to conduct a public workshop to gain additional feedback related to the ZEB Rollout Plan and Transition Plan; and (3) direct staff to bring back the ZEB Rollout Plan and Transition Plan at the next Executive Committee meeting after the public workshop to further review and discussion prior to forwarding the plan to the Board of Directors for final approval. Vice Chair Sotelo-Solis seconded the motion, and the vote was 5 to 0 in favor.

#### 2. Surplus Land and Joint Development: Assembly Bill (AB) 1486 Impacts (Karen Landers)

Karen Landers, General Counsel, provided a presentation regarding the impacts related to AB 1486: surplus land. She reviewed the current MTS Joint Development Program details; surplus land process procedures; and details related to AB 1486 noticing and mandated negotiations. She discussed the bill's timelines and penalties; impacts to the MTS Joint Development Program; and the specific projects at risk. Lastly, Ms. Landers reviewed the proposed actions for the Executive Committee to consider and noted that staff would also bring this item to the Board for consideration. Ms. Cooney noted that staff with the California Transit Association had worked with the author related to this bill and indicated the author had removed language related to including leases in later versions of this bill. She stated that there are some portions of the bill where leases are still included in the language, which creates a need for clarification as to whether leases are required to comply with the bill. Ms. Cooney noted that staff will continue to work with the California Transit Association and reach out to legislative staff to obtain this clarification and any necessary amendments.

Chair Fletcher agreed that it was important to move forward with the proposed staff recommendations related to complying with the bill, while also continuing to work with the author and staff in seeking clarifying language to preserve MTS autonomy over its Joint Development Program.

Action

No action taken.

D. REVIEW OF DRAFT June 18, 2020 BOARD AGENDA

Recommended Consent Items

6. Proposed Fare Enforcement Diversion Program – Pilot Project  
Action would approve the implementation of the Phase 1 Pilot for a new Fare Evasion Diversion Program.
7. Clear Channel Outdoor – Revenue Contract Amendments  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0596.3-13, for Bus Shelter Advertising, and MTS Doc. No. G2014.1-17, for Vehicle Advertising, with Clear Channel Outdoor, Inc. (CCO). For Bus Shelter Advertising, this amendment results in a reduction to the Minimum Annual Guarantee (MAG) paid by CCO from May 1, 2020 to December 31, 2020, and also revises the gross profit share for years 2020 and 2022. For Vehicle Advertising, this amendment results in a reduction to the MAG paid by CCO from May 1, 2020 to December 31, 2020, and also revises the gross profit share for years 2020 and 2022.
8. Microsoft Enterprise Licensing and Software Assurance – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. G2378.0-20, with Crayon Software Experts, LLC, for Microsoft Enterprise License and Software Assurance Upgrade and Microsoft Azure estimated overages for three (3) years in the total amount of \$878,542.14.
9. Maintenance Support Services for Radio Communications – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL309.0-20, with Day Management Corp (dba Day Wireless Systems), for Maintenance Support Services For Radio Communications as further described in the scope of work, in the amount of \$573,817.68, effective August 1, 2020 for a period of five years.
10. Mid-Coast Trolley Station Network Equipment with Subscription and Service Support – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. G2387.0-20 (in substantially the same format as Attachment A), with Bahfed Corp., for the provision of Network Equipment with Subscription and Service Support for five (5) years in the total amount of \$989,639.00.
11. Beech Street Double Crossover Project – Design Services During Construction – Work Order Amendment  
Action would: (1) Ratify Work Order Amendment No. 1 to Work Order WOA1953-AE-30 under MTS Doc. No. G1953.0-17, with Pacific Railway Enterprises, Inc. (PRE), a Disadvantaged Business Enterprise (DBE), totaling \$78,319.56 for additional design services to produce bid-ready contract drawings and technical specifications for the overhead catenary system (OCS)

modifications; (2) Ratify Work Order Amendment No. 3 to Work Order WOA1953-AE-30 under MTS Doc. No. G1953.0-17, with PRE, totaling \$15,562.48 for the addition of civil development to the scope of work; and (3) Authorize the Chief Executive Officer (CEO) to execute Amendment No. 4 to Work Order WOA1953-AE-30 under MTS Doc. No. G1953.0-17, with PRE, in the amount of \$165,492 for design services during construction.

12. TransTrack Solutions Group Software License Transfer and System Upgrades – Sole Source Contract Award  
Action would authorize the Chief Executive Officer (CEO) to issue a Purchase Order (PO) with TransTrack Solutions Group for the transfer and purchase of software license and upgrades to existing software services for the duration of 10 years in the amount of \$699,602.57.
13. Eighty-Six (86) Motorola APX6000 Radios and Two Base Stations – Sole Source Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2402.0-20, with Motorola Solutions, Inc. (Motorola), in the amount of \$350,956.81, on a sole source basis, for the purchase of 86 APX6000 radios and two base stations.
14. On-Call Job Order Contracting (JOC) Railroad Signals, Overhead Catenary Systems, and Track Work Construction Services – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL312.0-20, with HMS Construction, Inc. (HMS), for on-call railroad general electrical, communication, and traffic signal construction services, in the amount of \$2,500,000, for one (1) base year and four (4) option years beginning on August 1, 2020.
15. On-Call Job Order Contracting (JOC) Railroad General Electrical, Communication, and Traffic Signal Construction Services – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL311.0-20, with HMS Construction, Inc. (HMS), for on-call railroad general electrical, communication, and traffic signal construction services, in the amount of \$5,500,000, for one (1) base year and four (4) option years beginning on August 1, 2020.
16. Merchant Acquirer Services – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc No. G2338.0-20, with JPMorgan Chase & Co., for the provision of Merchant Acquirer Services for a period of five (5) years with one (1) 5-year option, exercisable at the discretion of the CEO, in the estimated amount of \$7,701,958.70.
17. Temporary Staffing Services – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. Nos. G2394.0-20, G2395.0-20, G2396.0-20, G2397.0-20, G2398.0-20, and G2399.0-20 with six (6) Temporary Staffing firms (Addeco Government Solutions, AppleOne Employment Services (a Woman and Minority Owned Business Enterprise (WMBE)), Cogent Infotech Corporation, HB Staffing, Phoenix Business Consulting, and PrideStaff Inc. (a Disadvantaged Business Enterprise (DBE))) for the provision of Temporary Staffing Services for a period of five years.
18. Landscape Maintenance – Contract Amendment  
Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 1 to MTS Doc No. PWG302.0-20, with Aztec Landscaping, Inc. (Aztec), for the provision of landscape maintenance for two additional MTS properties, for a base period of five years in the amount of \$192,206.70, and two optional one-year extensions in the amount of \$76,994.55.

19. San Diego Metropolitan Transit System (MTS) Middletown 9, 11 – Overhead Catenary System (OCS) Construction – Contract Award  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL307.0-20, with HMS Construction Inc. (HMS), for Middletown 9,11 – Overhead Catenary System (OCS) in the amount of \$1,009,985.00, plus authorize a 20% contingency fund for construction change orders.
20. Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards and Payments
21. Approval of Executive Employment Agreement with Sharon Cooney as Chief Executive Officer  
Action would approve an Executive Employment Agreement with Sharon Cooney as Chief Executive Officer, in substantially the same format as Attachment A.

E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

There was no SANDAG Transportation Committee agenda discussion.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

There was no Committee Member Communications and Other Business discussion.

G. PUBLIC COMMENTS

*Oscar Medina* – Mr. Medina commented on behalf of the Environmental Health Coalition. He urged the Committee to approve building new restrooms for transit riders and support youth opportunity passes. Mr. Medina stated that there are few restrooms available for the public riding transit, and the ones that are available are not always open. He commented that restrooms are a priority and should be included in the agency's recovery plan from the public health crisis. Mr. Medina also stated that youth opportunity passes should be included in the recovery plan. He noted that the community has prioritized youth opportunity passes to help provide youth transit riders the ability to access public transportation.

*Laura Benavidez* – Ms. Benavidez commented on behalf of the Environmental Health Coalition. She stated that transit dependent riders have asked for years for MTS to provide restrooms and affordable access to transit. Ms. Benavidez noted that the average commute is about an hour and sometimes longer. She stated that restrooms are a high priority and especially needed for seniors, people with medical needs, and children. Ms. Benavidez also commented on the need for youth opportunity passes to help provide assistance to youth transit riders and create a new generation of transit riders.

*Julio Garcia* – Mr. Garcia commented on behalf of the City Heights Community Development Corporation (City Heights CDC). He asked for MTS to prioritize public health by increasing the availability of public restrooms and hand washing stations for its transit riders. Mr. Garcia noted that the availability of public restrooms and hand washing stations will help increase ridership and make transit riders feel safe. He requested for the public restrooms to be re-opened at the Rapid 235 bus stations. Mr. Garcia also requested for MTS to create a report on restroom accessibility and where these services could be improved.

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*Nate Fairman* – Mr. Fairman commented on behalf of the IBEW 465. He stated that they have been in contract negotiations with MTS for the past eight months. Mr. Fairman noted that they have attended Board meetings to discuss and raise awareness of the increase in hazards, training requirements, and workload that mechanics face with the introduction of battery electric buses. Mr. Fairman stated that their proposal for a three-year contract and 5% electric bus hazard pay was not accepted by MTS after the onset of the COVID-19 public health pandemic. He noted that the current proposal is for a one-year contract, which would put them back at the negotiating table at the end of the year. Mr. Fairman stated that they will continue their advocacy for a longer term contract that addresses their concerns related to the increase in new hazards that come from the introduction of battery electric buses. He also commented that they support the previous public speakers comments related to an accelerated ZEB transition plan and the inclusion of workforce protection language in the plan.

H. NEXT MEETING DATE

The next Executive Committee meeting is scheduled for July 16, 2020, at 9:00 a.m.

I. ADJOURNMENT

Chair Fletcher adjourned the meeting at 11:07 a.m.

/s/ Alejandra Sotelo-Solis  
Vice Chairperson

Attachment: Roll Call Sheet

**EXECUTIVE COMMITTEE**  
**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**

ROLL CALL

MEETING OF (DATE) June 11, 2020

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

RECESS \_\_\_\_\_

RECONVENE \_\_\_\_\_

CLOSED SESSION \_\_\_\_\_

RECONVENE \_\_\_\_\_

ADJOURN 11:07 a.m.

BOARD MEMBER (Alternate)		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ARAMBULA	<input checked="" type="checkbox"/> (Hall) <input type="checkbox"/>	9:00 a.m.	11:07 a.m.
FLETCHER (Chair)	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>	9:00 a.m.	11:07 a.m.
SALAS	<input checked="" type="checkbox"/> (Sandke) <input type="checkbox"/>	9:00 a.m.	11:07 a.m.
SOTELO-SOLIS	<input checked="" type="checkbox"/> (Vice Chair – no alternate)	9:00 a.m.	11:07 a.m.
WARD	<input checked="" type="checkbox"/> (Montgomery) <input type="checkbox"/>	9:00 a.m.	11:07 a.m.

SIGNED BY THE CLERK OF THE BOARD:

Julia Turner

CONFIRMED BY THE GENERAL COUNSEL:

Karen Kunk