

MINUTES

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

October 7, 2021

[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].

1. Roll Call

Chair Fletcher called the Executive Committee meeting to order at 9:14 a.m. A roll call sheet listing Executive Committee member attendance is attached.

2. Approval of Minutes

Chair Fletcher moved to approve the minutes of the September 9, 2021, MTS Executive Committee meeting. Board Member Gastil seconded the motion, and the vote was 5 to 0 in favor with Board Member Salas and Board Member Sandke absent.

3. Public Comment

There were no Public Comments.

COMMITTEE DISCUSSION ITEMS

4. Quarterly Mid-Coast Corridor Transit Project Update (Ramon Ruelas of SANDAG)

Ramon Ruelas of SANDAG presented on the Quarterly Mid-Coast Corridor Transit Project Update. He outlined: the project overview, connection to the region, project update, construction milestone, preparations for the start of service, public involvement, event timeline and milestone events.

Sharon Cooney, MTS Chief Executive Officer (CEO), clarified that the Clairemont Station was projected to have transit parking on a neighboring development to allow the surrounding community to access the station. She acknowledged that these plans are on hold because there was a change in developers. She asked Mr. Ruelas what the vision for parking development looks like at that station.

Mr. Ruelas clarified that the agreement with the developer/property owner required the transit parking spaces be constructed as part of the private development. He clarified the developer has until June 2023 to implement parking spaces. He noted that the details for the development do need to be synthesized with the new developer and they are optimistic to achieve the milestones listed in the original agreement. He suggested the Tecolote and Balboa stations as viable short-term parking solutions.

Ms. Cooney acknowledged that Mid-Coast Transit Constructors (MCTC) is currently using the site as a laydown area and asked if the developer would return it to its original state after use.

Mr. Ruelas replied that the site has been restored back to its original state.

Chair Fletcher acknowledged that the availability of this amenity was exciting. He stated that it should be advertised and announced that there may be delays to the project due to global supply chain interruptions.

Action Taken

Informational item only. No action taken.

5. Project Labor Agreements (Samantha Leslie & Rod Betts Of Paul, Plevin, Sullivan & Connaughton LLP)

Samantha Leslie, MTS Deputy General Counsel, and Rod Betts of Paul, Plevin, Sullivan & Connaughton LLP, presented on the proposed Project Labor Agreements (PLA) Policy. They outlined the following information: MTS's current construction program, previous \$1 million construction contracts, MTS's authority, background, legal requirements, potential benefits over current construction program, cost impacts, a pathway to implementation and staff recommendation.

PUBLIC COMMENTS

Gretchen Newsom – Representing IBEW 569 made a verbal statement to the Committee during the meeting. Newsom supported the recommendation by acknowledging equity and the competitive nature of the process with union and non-union contractors. Newsom listed local hire, apprenticeship opportunities, creation of construction careers for families and career entry programs. Newsom listed minority PLA impact breakdowns and announced their commitment to improve these statistics through partnerships with MTS and SANDAG.

Christina Marquez – A graduate of the IBEW 569 apprenticeship program made a verbal statement to the Committee during the meeting. Marquez supported the recommendation and emphasized the direct impacts local hires have on the community.

Hector Meza – An apprenticeship graduate made a verbal statement to the Committee during the meeting. Meza supported the recommendation and listed various benefits the agreements would create for the community.

Tom Lemmon – Representing San Diego Building and Construction Trades Council made a verbal statement in support of the recommendation.

Carol Kim – Representing San Diego Building and Construction Trades Council made a verbal statement to the Committee during the meeting. Kim supported the recommendation and acknowledged it as a policy tool to ensure and create criteria for hiring local labor.

Satomi Rash-Zeigler – Representing the San Diego and Imperial County Labor Council made a verbal statement to the Committee during the meeting. Rash-Zeigler supported the recommendation and acknowledged the targeted local recruitment opportunities along with the accompanying job benefits.

COMMITTEE COMMENTS

Vice Chair Sotelo-Solis supported the recommendation and benefits of a PLA. She listed various groups that would benefit from economic and localized labor.

Board Member Montgomery Steppe appreciated the equity strides in the construction industry, along with apprenticeship, disadvantaged business enterprise (DBE) and small businesses. She acknowledged the historically low participation of the black population in the industry due to

systemic racism caused by union representation. She acknowledged that only through agreements and discussions with union representatives, that such institutional mechanisms would break the current pattern. She asked if the Board would be involved after negotiations, if the recommendation received Board approval.

Chair Fletcher clarified that today's motion would recommend the Board to adopt the PLA policy. Upon the approval of the final agreement, the Board would then ratify the PLA for implementation.

Board Member Montgomery Steppe asked for the efforts to increase the labor pool in the union and for MTS to strive for a high local hire goal. She stated her support for the recommendation.

Board Member Elo-Rivera supported the comments made by Board Member Montgomery Steppe. He acknowledged the opportunities unions offer and the needed intentionality for inclusivity and awareness of anti-blackness. He clarified that the certification process is not an anti-racist document, additional work and support would be necessary. He was excited to hear how the community college district and district of continuing education are direct pipelines to job opportunities.

Board Member Sandke supported the inclusivity between union and non-union opportunities with this policy. He believed the policy should not be politically motivated. He looks forward to opportunities of negotiations in the near future. He acknowledged the benefits and obstacles the agency would have with the implementation of the policy.

Chair Fletcher clarified that today's motion would recommend the Board to adopt the PLA policy. Upon the approval of the final agreement, the Board would then ratify the PLA for implementation. He thanked staff for their work and the San Diego Building and Construction Trades Council for collaborating with MTS and Board Members to address concerns.

Action Taken

Chair Fletcher moved to forward a recommendation to the Board of Directors to adopt Board Policy No.66 Project Labor Agreement. Vice Chair Sotelo-Solis seconded the motion, and the vote was 6 to 0 in favor with Board Member Salas absent.

6. SANDAG'S Social Equity Early Action Transit Pilots (Denis Desmond and Brian Lane of SANDAG)

Denis Desmond, MTS Director of Planning, and Brian Lane of SANDAG, presented on SANDAG's Social Equity Early Action Transit Pilots. They provided details on: MTS participating in SANDAG's transit equity pilot working group, social equity commitment, acknowledgments to members and partners, 2021 draft regional plan projects and policies, pilot budget (FY22 - FY24), funding, pilot concepts – free fares for youth, pilot concepts – add trips to core routes in underserved areas, pilot concepts – education and research and timeline.

PUBLIC COMMENTS

Carolina Martinez – Representing Environmental Health Coalition made a verbal statement to the Committee during the meeting. Martinez acknowledged low income communities of color at the frontline of climate pollution and a community historically underinvested in transit. Martinez acknowledged this pilot as a model for performing transit. Martinez listed some key benefits of the pilot including community input from project inception, youth opportunity pass pilot programs

and improvements to bus services. Martinez listed the various community access benefits bus frequencies would bring the community and supported the recommendation.

Rosa Olascoaga – Representing the Office of Nora Vargas expressed support of the recommendation. Olascoaga acknowledged the Supervisor's participation to engage community organizations to develop the 2021 Regional Plan Early Action Transit Pilot. She listed the various stakeholders who presented recommendations to the SANDAG 2021 Regional Transportation Plan Social Equity Working Group and approved a recommendation be forwarded to the SANDAG Board. Olascoaga acknowledged the intent of the action is in direct response to the equity statement adopted by the SANDAG Board to invest in marginalized groups and acknowledged SANDAG's ability to create lifelong transit riders. Olascoaga noted current proposals advocated for free fares for 18 and younger, along with transit improvements that would invest in youth economic health.

Adriana Federico – Representing Mid-City CAN supported the project. Federico provided historical background to the organization's efforts for no cost youth passes. Federico provided an anecdote about their experience with transit.

Goyo Ortiz – Representing Casa Familiar expressed support for the program as a benefit for youth and ridership as a whole.

COMMITTEE COMMENTS

Chair Fletcher commended Supervisor Vargas and recognized the community effort, along with Board Member Elo-Rivera as an advocate for this program.

Board Member Elo-Rivera asked for clarification since MTS would spearhead the operational side of the program. He acknowledged SANDAG's position change in providing free transit passes and commended leaders for pushing this initiative. He also asked about targeted programs for youth 24 and under.

Mr. Lane clarified that an administrative process would need to be implemented to manage the certification and distribution process of youth transit passes. He noted that in order to execute the pilot program efficiently, SANDAG made the decision to provide free fares to youth 18 and under for the pilot.

Board Member Elo-Rivera thanked advocates and Supervisor Vargas, along with her office for their efforts with this program. He provided historical background about the pilot program when he was a representative for Mid-City CAN. He acknowledged that initial efforts encouraged free transit for youth 18 and under; however, the campaign reassessed community needs for youth 24 and under. He encouraged the Board to think about goals and expanded transit opportunity with intentionality to achieve equity. He clarified that a program is not a system and encouraged the Board to strive for a system that is sustainable. He continued that long-term transit riders are attainable with youth opportunity passes for youth 24 and under. In conversations with community-based organizations (CBOs) that serve transitional aged youth, they acknowledged that transportation is the biggest barrier and expense to participate in programs and resources. He encouraged the Board to expand the program to youth opportunity passes 24 and under. He acknowledged his office is committed to seeking funding to make this opportunity possible.

Board Member Montgomery Steppe acknowledged Board Member Aguirre for valuable input at the SANDAG Transportation Committee regarding a feasibility study being conducted for first

and last mile projects. She also acknowledged equity work as a difficult endeavor and supported the program as a pilot program. She acknowledged that the agency would need to look at budgetary expenditures as an investment. She clarified that the region has additional work to do and supported the program.

Board Member Gastil acknowledged that he has also been a longtime advocate as a Board Member for this program. He continued that extending the pilot to riders 24 years and younger is necessary since young adults are developing habits, which could allow for long time transit users and alleviate financial challenges. He provided anecdotal experience riding transit in his youth. He encouraged the Board to find long term funding to support free youth passes to riders 24 years and younger.

Chair Fletcher acknowledged that four-year institutions, such as UCSD, have integrated transit passes into student fees. He added that the institutional need was there and emphasized an alignment in goals between agencies and community asks. He continued that the goal of the pilot is a strive for the region's sustained effort.

Action Taken

Informational item only. No action taken.

OTHER ITEMS

7. REVIEW OF DRAFT October 14, 2021 BOARD AGENDA

Recommended Consent Items

6. Authorization of Remote Teleconferenced Meetings

Action would authorize remote teleconferenced meetings for any public meetings held by MTS, including all Brown Act committees, for the next thirty (30) days pursuant to Assembly Bill (AB) 361 and make the following findings: 1) The MTS Board has considered the current circumstances of the COVID-19 pandemic and its impact in San Diego County; and 2) State or local officials continue to recommend measures to promote social distancing. On September 23, 2021, County of San Diego Public Health Officer, Wilma J. Wooten, M.D., M.P.H., issued a recommendation supporting the use of teleconferencing for attendance at public meetings as “a social distancing measure that may help control transmission of the SARS-CoV-2 virus.”

7. Board Policy No. 26, Disadvantaged Business Enterprise Program – Policy Revision

Action would approve revisions to Board Policy No. 26, Disadvantaged Business Enterprise Program.

8. CrowdStrike Falcon Endpoint Protection Premium License and Support– Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2518.0-22 with Nth Generation Computing Inc. for CrowdStrike Falcon Endpoint Protection Premium Software (CrowdStrike) License and Support for a three (3) base term in the amount of \$190,029.09.

9. ADA (American With Disabilities Act) Client Certification Services – Contract Amendment
Action would 1) Ratify Amendment No. 5 to MTS Doc. No. G1901.0-16, with Medical Transportation Management (MTM), a Women Business Enterprise (WBE), in the total amount of \$68,799.00; and 2) Approve Amendment No. 6 to MTS Doc. No. G1901.0-16, with MTM, to authorize the Chief Executive Officer (CEO) to add a temporary position for a Mobility Assessment Evaluator (MAE) with MTM for ADA Paratransit Client Certification Services for a total of \$52,415.00.
10. Window Glass for Light Rail Vehicles (LRV) – Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute two (2) contracts for the provision of window glass for LRVs, with Citywide Auto Glass and Siemens Mobility, for a not-to-exceed aggregate amount of \$1,518,019.41, for five (5) years from November 1, 2021 to October 30, 2026.
11. Supplemental Renewable Energy Certificates (REC) Purchases – Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. G2524.0-22 with 3Degrees, Inc., G2525.0-22 with Kinect Energy Green Services AS, G2526.0-22 with Sol Systems, LLC, and G2527.0-22 with SRECTrade, Inc, for the purchase of Supplemental RECs for 5 years in the amount of \$6,101,320.00.
12. Provision of Hewlett Packard Enterprise (HPE) Nimble HF20 Array Equipment and Support for Regional Transit Management System (RTMS) Disaster Recovery – Purchase Order
Action would authorize the Chief Executive Officer (CEO) to execute a Purchase Order to Nth Generation Computing Inc. for the provision of HPE Nimble HF20 Array equipment and support for RTMS disaster recovery in the amount of \$173,335.21.
13. Planning Services for Trolley Yard and Building C Expansion - Work Order
Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTS Doc. No. WOA1947-AE-70 with HDR Engineering, Inc. (HDR) in the amount of \$249,367.48 to provide planning services for the Trolley Yard and Building C Expansion project.
14. Darktrace Cybersecurity Software- Extended Licensing Subscription and Antigena Email Module Software Solution – Contract Amendment
Action would 1) Ratify previous Amendment No.1 to MTS Doc. No. G2386.0-20 with Darktrace Limited for \$87,700.00 and 2) Authorize the Chief Executive Officer (CEO) to execute Amendment No. 2 to MTS Doc. No. G2386.0-20 with Darktrace Limited, in the amount of \$169,650.00 for the procurement of additional forty-one (41) months of EIS licensing subscription for the existing 2,500 devices 3) Authorize the CEO to execute Amendment 3 to MTS Doc. No. G2386.0-20 for the purchase of Antigena Email Inbox Artificial Intelligence (AI) Software Solution in the amount of \$108,609.00.

15. Design Services for South Bay Maintenance Facility (SBMF) Electric Bus Charging Project – Work Order Amendment
Action would authorize the Chief Executive Officer (CEO) to execute Work Order Amendment No. WOA2075-AE-50.04 under MTS Doc No. G2075.0-18 with Dokken Engineering (Dokken) in the amount of \$297,720.80, for Design Support During Construction (DSDC) services.
16. Building C Rollup Door Replacement Phase 2 – Work Order Amendment
Action would 1) Ratify Change Order No. MTSJOC275-15.03 under Job Order Contract (JOC) MTS Doc No. PWG275.0-19 with ABC General Contractor, Inc. (ABCGC) in the amount of \$20,700.03, for additional steel work for phase I due to unforeseen conditions; 2) Ratify Change Order No. MTSJOC275-15.04 under JOC MTS Doc No. PWG275.0-19 with ABCGC in the amount of \$10,446.41, for the addition of metal flashing the door openings for phase I; and 3) Authorize the Chief Executive Officer (CEO) to execute Change Order No. MTSJOC275.0-15.05, under JOC MTS Doc. No. PWG275.0-15, with ABCGC, for the provision of labor, materials and equipment in the amount of \$299,986.94 for phase II of the removal and replacement of the rollup doors, door threshold, and addition of flood barriers at Building C.
17. Approve the Fiscal Year (FY) 2021-22 State Transit Assistance (STA) Claim and STA Interest Claim
Action would adopt Resolution No. 21-17 approving the FY 2021-22 STA claim and withdrawal of available interest balance.

COMMITTEE COMMENTS

Ms. Cooney commented that staff would present the Palm Avenue Trolley Station Transit Oriented Development, Project Labor Agreements Policy, and SANDAG'S Social Equity Early Action Transit Pilots items at the upcoming October 14, 2021 meeting.

8. Committee Member Communications and Other Business

There was no Committee Member Communications and Other Business discussion.

9. Next Meeting Date

The next Executive Committee meeting is scheduled for November 4, 2021, at 9:00 a.m.

10. Adjournment

Chair Fletcher adjourned the meeting at 10:40 a.m.

/S/ Nathan Fletcher

Chairperson

San Diego Metropolitan Transit System

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
EXECUTIVE COMMITTEE

ROLL CALL

MEETING OF (DATE): October 7, 2021 CALL TO ORDER (TIME): 9:14 am
 RECESS: _____ RECONVENE: _____
 CLOSED SESSION: _____ RECONVENE: _____
 PUBLIC HEARING: _____ RECONVENE: _____
 ORDINANCES ADOPTED: _____ ADJOURN: 10:40 am

REPRESENTATIVE	BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
County	FLETCHER (Chair)	<input checked="" type="checkbox"/> (Vargas) <input type="checkbox"/>	9:14 am	10:40 am
Vice Chair	SOTELO-SOLIS	<input checked="" type="checkbox"/> (no alternate) <input type="checkbox"/>	9:14 am	10:40 am
City of San Diego	ELO-RIVERA	<input checked="" type="checkbox"/> (Montgomery Steppe) <input type="checkbox"/>	9:14 am	10:40 am
East County	GASTIL	<input checked="" type="checkbox"/> (Hall) <input type="checkbox"/>	9:14 am	10:40 am
SANDAG Transportation Committee	MONTGOMERY STEPPE	<input checked="" type="checkbox"/> (Aguirre) <input type="checkbox"/>	9:14 am	10:40 am
Chair Pro Tem	SALAS	<input type="checkbox"/> (no alternate) <input type="checkbox"/>	-	-
South Bay	SANDKE	<input checked="" type="checkbox"/> (Aguirre) <input type="checkbox"/>	9:38 am	10:00 am

SIGNED BY THE CLERK OF THE BOARD:

/S/ Dalia Gonzalez