

MINUTES

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

June 16, 2022

[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 Board meeting to order at 9:05 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Board Member Sandke moved to approve the minutes of the May 12, 2022, MTS Board of Directors meeting. Board Member Elo-Rivera seconded the motion, and the vote was 14 to 0 in favor with Board Member Galvez absent.

3. Public Comment

Clive Richard – Provided a verbal statement to the Board during the meeting. Richard was concerned about the debris hazard from a broken digital display at a bus shelter at San Diego State University.

Nate Fairman – Business Manager for local IBEW 465 made a verbal statement to the Board during the meeting. Fairman was concerned about the slated compressed natural gas (CNG) bus procurement and advocated for the purchase of electric buses. Fairman acknowledged the infrastructure and driver shortage obstacles the agency faces.

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. Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards and Payments

8. Employee Background and Reference Investigation Services – Contract Amendment

Action would 1) Ratify Amendment No. 1 to MTS Doc. No. G1800.1-15 with Kristy Investigative Services, Inc. in the amount of \$64,505.00 (\$53,000.00 option years plus \$11,505.00 additional funds); and 2) Ratify Amendment No. 2 to MTS Doc. No. G1800.2-15 with Kristy Investigative Services, Inc. in the amount of \$24,165.50; and 3) Ratify Amendment No. 3 to MTS Doc. No. G1800.3-15 with Kristy Investigative Services, Inc. in the amount of \$25,000.00; and 4) Ratify Amendment No. 5 to MTS Doc. No. G1800.5-15 with Kristy Investigative Services, Inc. in the amount of \$39,328.50; and 5) Authorize the Chief Executive Officer (CEO) to execute

Amendment No. 6 to MTS Doc. No. G1800.6-15, with Kristy Investigative Services, Inc. to extend the contract through December 31, 2022 and add additional funds of \$28,500.00 for employee background and reference investigation services.

9. Light Rail Vehicle (LRV) Router Upgrade – Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2583.0-22 to Wireless Investors, LLC dba Ensemble Solutions Group (ESG) for LRV Router Upgrade in the amount of \$475,399.46.
10. Fare Collection – Contract Amendments
Action would 1) Ratify Amendment 10 to MTS Doc. No. G2091.0-18, with Innovations in Transportation, Inc. (INIT), in the amount of (\$902.11) as shown in; and 2) Authorize the Chief Executive Officer (CEO) to execute Amendment 11 to MTS Doc. No. G2091.0-18, with INIT, in the amount of \$1,768,948.64.
11. Information Technology Service Management (ITSM) Software Licenses and Onboarding Services – Contract Award
Action would 1) Execute MTS Doc. No. G2604.0-22 with Compulink Technologies, Inc. (Compulink), in the amount of \$292,456.91, for a period of two (2) base years, and three (3) one-year options for the provision of ITSM software licenses and onboarding services; and 2) Exercise the option years at her discretion.
12. On-Call Job Order Contracting (JOC) Railroad Construction Services – Contract Award
Action would 1) Execute MTS Doc. No. PWG348.0-22 with Veterans Engineering Services, Inc. (Veterans), a Disadvantaged Veterans Business Enterprise (DVBE) and Small Business (SB), for on-call railroad construction services, in the amount of \$4,000,000.00, for one (1) base year and three (3) one-year options commencing on July 1, 2022; and 2) Exercise the option years at her discretion.
13. Hastus Regional Scheduling System Annual Software Maintenance and Support Services – Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2624.0-22 with GIRO, Inc. (GIRO), on a sole source basis, for the provision of HASTUS Regional Scheduling System (RSS) annual software maintenance and support services for a period of three (3) years in the amount of \$955,060.33.
14. On-Call Job Order Contracting (JOC) Building and Facilities Construction Services – Contract Award
Action would 1) Execute MTS Doc. No. PWG347.0-22 with ABC General Contractor, Inc. (ABCGC) for on-call civil construction services, in the amount of \$6,000,000.00, for one (1) base year and three (3) one-year options commencing on July 1, 2022; and 2) Exercise the options at her discretion.
15. Additional Budgeted Position – Associate Transit Services Data Analyst
Action would approve the addition of an Associate Data Analyst position to the fiscal year 2023 Planning & Scheduling Department budget.

COMMENTS – CONSENT ITEMS

Action on Recommended Consent Items

Chair Fletcher moved to approve Consent Agenda Item Nos. 6 to 15. Vice Chair Sotelo-Solis seconded the motion, and the vote was 14 to 0 in favor with Board Member Galvez absent.

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS:

30. Fiscal Year (FY) 2023 Capital Improvement Program (CIP) Amendment (Mike Thompson)

Mike Thompson, MTS Director of Financial Planning and Analysis presented on FY 2023 CIP Amendment. He outlined: the revenue summary, projects not funded originally, projects with additional funding, new projects, capital project category summary, five-year summary and the staff recommendation.

Board Member Sandke asked about the projections for monetary needs between fiscal years 2024 and 2025, with years after 2025 having an increase in capital needs for major initiatives. He asked about the significant changes that would cause the increase.

Mr. Thompson listed examples of various projects such as the construction of Division 6 and the purchase of zero emission bus (ZEB).

Board Member Sandke noted the decline in retail in the previous month. He hoped that SANDAG was conscious about the changes in the economy and cautioned that the projections may vary because of this change.

Mr. Thompson clarified that the figures represented April's activity with May projections accounting for the revenue being presented.

Sharon Cooney, MTS Chief Executive Officer, added that the projected CIP does not reflect the bus supplier 7% increase to all orders above the contracted rates. New Flyer disclosed that even with the increase, this increase will still not satisfy marketplace costs. She clarified that the agency is currently procuring both CNG and ZEB.

Board Member Shu was concerned about moving forward with the procurement of additional CNG buses. He acknowledged that the agency was on track to attain an all zero-emission vehicle (ZEV) fleet by 2040 and asked staff why the agency was moving forward with CNG bus procurement.

Ms. Cooney replied that if the agency continues to operate an old vehicle, that vehicle can create more environmental harm than newer models. CNG buses are the only vehicles that can support the agency's daily 500 mile or more Rapid routes. The procurement of both CNG and ZEV is part of the agency's transition plan. Current CNG routes that can be supported by ZEV will be prioritized. A congruent step in the transition is installing charging stations. She noted the agency's aggressive strides to implementing the infrastructure in advance of the state mandates.

Board Member Shu thanked Ms. Cooney for the explanation and added that the ZEV buses will serve impacted communities along with providing cleaner air. He agreed that newer CNG buses

would cause less pollution but still emit some pollution. He encouraged staff to be more aggressive in their strategies.

Board Member Montgomery Steppe asked staff about the bus route station improvements budget to assure there is enough funding to address her constituents' concerns. She also noted that the 7% bus purchase increase was not reflected in the budget and asked where it would be reflected on the overall projections.

Ms. Cooney replied that the letter was submitted to the agency yesterday and is currently under legal review. She clarified that the agency has approved some purchases that would be affected and would require Board approval for the amended amount.

Denis Desmond, MTS Director of Planning, replied that bus stop improvements include laying down concrete foundation needed to expand the sidewalk in order to add shelters and benches wherever possible throughout the system.

Board Member Goble noted current brown outs and asked how SDG&E is increasing its supply and whether public agencies receive priority at the expense of residents.

Mike Wygant, MTS Chief operating Officer for Bus, explained the active relationship between MTS and SDG&E to develop the agency's transition plan. Mr. Wygant explained that the agency is researching a redundancy grid such as solar and battery backup to support unscheduled electricity shortages. He noted that this research is in the preliminary phase, but the dialogue is ongoing. The agency does have electricity priority, but not over other industries such as hospitals.

Board Member Goble acknowledged how hospitals have their own cogent plan to generate electricity so they are independent of the grid. He encouraged the agency to consider the infrastructure development.

Action Taken

Board Member Moreno moved to 1) Approve the FY 2023 CIP amendment with the revised federal and nonfederal funding levels (Attachments A and B); 2) Recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the amendment of Federal Section 5307, 5337, and 5339 grants for the amended MTS FY 2023 CIP (shown in Attachment A); and 3) Recommend that the SANDAG Board of Directors approve amendment number 13 of the 2021 Regional Transportation Improvement Program (RTIP) in accordance with the amended FY 2023 CIP recommendations. Chair Fletcher seconded the motion, and the vote was 14 to 0 in favor with Board Member Galvez absent.

31. PRONTO Extend Pilot Program Launch (Stacie Bishop)

Stacie Bishop, MTS Manager of Marketing and Communications presented on the PRONTO Extend Pilot Program launch. She presented on: the program Overview, Extend Application, Pass Download, customer education, pilot program goals, next steps and staff recommendation.

PUBLIC COMMENT

Zaccary Bract – Zaccary Bract, representing SANDAG, made a verbal statement to the Board during the meeting. Bract was the project manager for the Youth Opportunity Pass (YOP) pilot program. Bract showed SANDAG's support of the PRONTO extend Fare Subsidy Program. During the YOP outreach, various agencies and organizations voiced concerns for foster youth

that age out of the foster care system. The extension allows students to commute to job opportunities and higher education without cost obstacles. SANDAG is excited to support MTS and NCTD in their provision of the program to make the transportation system more affordable and accessible for the community. They look forward to working together to create long term funding to implement this program.

Esmeralda Munos – Esmeralda Munos, representing Just in Time, made a verbal statement to the Board during the meeting. Munos stated they are both an advocate and a former foster youth. Munos thanked the Board for the program so this community can expand their career, education and enhance their social life. Munos highlighted the consistent need for transportation for foster youth and thanked the Board for the program creation.

COMMITTEE COMMENT

Board Member Elo-Rivera thanked Board member partnerships on this program. He acknowledged the impacts foster youth can face when they exit the system. He noted the likelihood for former foster youth to experience homelessness, once they exit the system. He appreciated the data from the pilot program in order to recommend sustainable implementation. It can become a road map to sell other sponsorship opportunities to corporations and philanthropy to expand ridership. He hoped qualitative data is captured in order to advertise programs. He thanked staff and the Board for supporting the project.

Chair Fletcher added that the County's Child Welfare Services supported the program and was happy to assist in the partnership to create its inception.

Board Member Montgomery Steppe thanked MTS staff and the Board for the support and advocacy. She added that the Board should continuously be responsible for creating programs similar to this one which would enhance the community. She looks forward to seeing the data generated from the pilot.

Board Member Shu commended the Board and staff for the launch of the program. He acknowledged the good work the agency is doing. He also asked for demographic and application accessibility data be captured.

Board Member Goble acknowledged the difficulty young adults must face when a system has supported them for most of their life. He agreed that collecting traveling data would allow the agency to partner with said institutions to fund the cost of providing transit, once the pilot is over. He hoped that this program could facilitate independence beyond the pilot.

Ms. Cooney cited a conversation with the County where they envisioned this program be a learning pathway to understanding the system so that these young adults could be autonomous once they are no longer eligible. She explained that the application process was intentional and from the County's recommendations.

Board Member Elo-Rivera replied to Board Member Goble that the State is currently investing into youth internships. The opportunities are targeted towards vulnerable youth susceptible to long term poverty. He acknowledged that the congruent launch of the new programs could make great impacts.

Action Taken

Board Member Elo-Rivera moved to approve the launch of the PRONTO Extend Pilot Program from July 1, 2022 through December 31, 2023. Chair Fletcher seconded the motion, and the vote was 14 to 0 in favor with Board Member Galvez absent.

REPORT ITEMS:

45. Clean Transit Advancement Campus Update (Denis Desmond)

Denis Desmond, MTS Director of Planning presented on Clean Transit Advancement Campus Update. He outlined: the project need, location site, site selection for environmental technical studies, selection explanation, community engagement, feedback, charging infrastructure renderings, overall project schedule and budget and current activities.

Chair Fletcher acknowledged the challenges the project has endured to be presented at today's meeting.

Board Member Montgomery Steppe acknowledged the outreach and community suggestions and concerns for this project. She noted her future focus on community benefit agreements and its impact on economic opportunity, along with the future employment opportunities the site would bring.

Board Member Sandke highlighted the educational opportunity branding. He noted that this item spoke to Board Member Shu's earlier comments to accelerate an electrified fleet, along with the strides the agency has made. He noted that a joint partnership could be made with the Las Chollas Creek community as a solution to the pollution program.

Chair Fletcher acknowledged potential employee child care opportunities was a common obstacle but a great benefit to offer employees.

Action Taken

No action taken. Informational item only.

46. Operations Budget Status Report for April 2022 (Gordon Meyer)

Gordon Meyer, MTS Operating Budget Supervisor presented on Operations Budget Status Report for April 2022. He outlined the following information: federal stimulus funding, total operating revenues, total operating expenses, and total operating activities.

Board Member Sandke asked why there is not a close correlation between revenue and ridership.

Mr. Meyer replied that free ride month created the disparity, along with a lack of tapping.

Board Member Sandke encouraged the revenue be monitored.

Ms. Cooney added that the agency will have to begin enforcing for fare payment because passenger tapping has plateaued.

Board Member Sandke asked about a disclaimer upon ticket purchase about the fine that would be imposed if a passenger did not have a valid fare.

Ms. Cooney listed various sign and personnel encouraging validating their pass at the 12th and Imperial station about tapping. While resources to tap are available, riders continue to board without a fare because there are repercussions.

Karen Landers, MTS General Counsel made the Board aware of staff's intent to propose the Public Security Committee recommendation to make the Fare Evasion Diversion Pilot Program permanent with modified adjustments to resolve citations in a fair and equitable way.

Action Taken

No action taken. Informational item only.

OTHER ITEMS:

60. Chair Report

There was no Chair report.

61. Chief Executive Officer's Report

Ms. Cooney commented on the successful APTA Rail Conference in San Diego. 1,550 participants registered to the event. The hosted technical tours received high praise.

62. Board Member Communications

There were no Board Member communications.

63. Additional Public Comments on Items Not on the Agenda

There were no additional public comments.

64. Next Meeting Date

The next regularly scheduled Board meeting is July 21, 2022 at 9:00 am.

CLOSED SESSION (ITEMS TAKEN OUT OF ORDER):

24. Closed Session Items

The Board convened to Closed Session at 10:35 a.m.

- a. CLOSED SESSION - PUBLIC EMPLOYEE PERFORMANCE EVALUATION/
CONFERENCE WITH LABOR NEGOTIATORS – CHIEF EXECUTIVE OFFICER Pursuant
to California Government Code Sections 54957 and 54957.6;
Agency-Designated Representative: Nathan Fletcher, Chair
Employee: Sharon Cooney, CEO

The Board reconvened to Open Session at 11:23 a.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board conducted a performance evaluation and gave instruction to its negotiator.

65. Adjournment

The meeting was adjourned at 11:25 am.

Board of Directors – MINUTES

June 16, 2022

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/S/ Nathan Fletcher

Chairperson

San Diego Metropolitan Transit System

Filed by:

Approved as to form:

/S/ Dalia Gonzalez

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):	<u>June 16, 2022</u>	CALL TO ORDER (TIME):	<u>9:05am</u>
RECESS:	<u> </u>	RECONVENE:	<u> </u>
CLOSED SESSION:	<u>10:35am</u>	RECONVENE:	<u>11:23am</u>
PUBLIC HEARING:	<u> </u>	RECONVENE:	<u> </u>
ORDINANCES ADOPTED:	<u> </u>	ADJOURN:	<u>11:25am</u>

BOARD MEMBER		(Alternate)		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
FLETCHER	<input checked="" type="checkbox"/>	(Vargas)	<input type="checkbox"/>	9:05am	11:25am
SOTELO-SOLIS	<input checked="" type="checkbox"/>	(Bush)	<input type="checkbox"/>	9:05am	11:25am
AGUIRRE	<input checked="" type="checkbox"/>	(Leyba-Gonzalez)	<input type="checkbox"/>	9:05am	11:25am
ELO-RIVERA	<input checked="" type="checkbox"/>	(LaCava)	<input type="checkbox"/>	9:05am	11:25am
FRANK	<input checked="" type="checkbox"/>	(Mullin)	<input type="checkbox"/>	9:05am	10:35am
GALVEZ	<input type="checkbox"/>	(Cardenas)	<input type="checkbox"/>	ABSENT	ABSENT
GASTIL	<input type="checkbox"/>	(Mendoza)	<input checked="" type="checkbox"/>	9:06am	11:25am
GLORIA	<input type="checkbox"/>	(Whitburn)	<input checked="" type="checkbox"/>	9:05am	11:25am
GOBLE	<input checked="" type="checkbox"/>	(Ortiz)	<input type="checkbox"/>	9:05am	11:25am
HALL	<input checked="" type="checkbox"/>	(McNelis)	<input type="checkbox"/>	9:05am	11:25am
MONTGOMERY STEPPE	<input checked="" type="checkbox"/>	(Von Wilpert)	<input type="checkbox"/>	9:05am	11:25am
MORENO	<input checked="" type="checkbox"/>	(Campillo)	<input type="checkbox"/>	9:05am	11:25am
SALAS	<input type="checkbox"/>	(Cardenas)	<input checked="" type="checkbox"/>	9:05am	11:25am
SANDKE	<input checked="" type="checkbox"/>	(Donovan)	<input type="checkbox"/>	9:05am	11:25am
SHU	<input checked="" type="checkbox"/>	(Arapostathis)	<input type="checkbox"/>	9:05am	11:25am

SIGNED BY THE CLERK OF THE BOARD:

/S/ Dalia Gonzalez