

MINUTES

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

October 20, 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 9:00 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 September 15, 2022, MTS Board of Directors meeting. Board Member Elo-Rivera seconded the motion, and the vote was 13 to 0 in favor with Board Member Gastil and Board Member Hall absent.

3. Public Comment

Sam Kaplan-Pettus – Provided a statement to the Board prior to the meeting. The written comment is provided in the [October 20, 2022 Final Meeting Packet](#).

Blake Herrington – Provided a statement to the Board prior to the meeting. The written comment is provided in the [October 20, 2022 Final Meeting Packet](#).

David Aeschlimann – Provided a statement to the Board prior to the meeting. The written comment is provided in the [October 20, 2022 Final Meeting Packet](#).

Emanuel RB – Provided a statement to the Board prior to the meeting. The written comment is provided in the [October 20, 2022 Final Meeting Packet](#).

Leif Gensert – Provided a statement to the Board prior to the meeting. The written comment is provided in the [October 20, 2022 Final Meeting Packet](#).

Matthew R – Provided a statement to the Board prior to the meeting. The written comment is provided in the [October 20, 2022 Final Meeting Packet](#).

Connor Proctor – Provided a written and verbal statement to the Board during and prior to the meeting. The written comment is provided in the [October 20, 2022 Final Meeting Packet](#). Proctor encouraged changes to the PRONTO app to facilitate loading funds onto the app. Proctor acknowledged the coalition of riders called Ride SD that advocate for a better transit experience and cited the open letter submitted as written public comment. The coalition asks to 1) expedite support for a tap and pay feature, 2) that MTS add support for loading virtual PRONTO cards onto mobile phone wallets in lieu of the QR code that PRONTO currently uses, and 3) improve ease of signing up.

Alex Wong – Provided a verbal statement to the Board during the meeting. Wong noted the agency's success with post-COVID ridership recovery and commended its frequency for its quick recovery. Wong advocated for higher frequency and reliability, rather than no-cost fare.

Zack Defazio Farwell – Representing Ride SD, made a verbal statement to the Board during the meeting. Defazio Farwell supported the open letter written to the agency and encouraged the Board to adopt the recommendations enclosed in the letter.

Rusty Krumm – Provided a written and verbal statement to the Board both during and prior to the meeting. The written comment is provided in the [October 20, 2022 Final Meeting Packet](#). Krumm read the communication exchange enclosed in the meeting packet and advocated for non-in person interviews as part of the Paratransit Services application process.

Zack Thompson – Provided a verbal statement to the Board during the meeting. Thompson supported the Ride SD open letter.

COMMITTEE COMMENTS

Chair Fletcher asked staff to agendaize an item to address the PRONTO platform at the upcoming November 10, 2022 Board of Director's meeting.

4 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. Fiscal Year (FY) 2023 Transportation Development Act (TDA) Claim
Action would adopt Resolution Nos. 22-09, 22-10, and 22-11 approving FY 2023 TDA Article 4.0, 4.5, and 8.0 claims.
8. Innovations in Transportation, Inc. (INIT) Automated Passenger Counting (APC) Software – Sole Source
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2685.0-23 with INIT, in the amount of \$143,533.76 for 5 years of APC software and maintenance support.
9. Hewlett Packard Enterprise (HPE) Server Equipment Purchase and Maintenance Support– Contract Award
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2641.0-22 with Nth Generation Computing, Inc., in the amount of \$603,967.01, for a period of five (5) years for the provision of HPE server equipment and maintenance support.
10. Traction Power Substation (TPSS) Yard #2 And Yard #4 – Engineering Design Services – Work Order
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA354-AE-04 under MTS Doc. No. PWL354.0-22 with Mott MacDonald (MM) in the amount of \$224,069.22 to provide design services for electrical load capacity analysis to address the underlying causes, and prevent future recurrences of thermal overload failures to the TPSS Yard # 2 and Yard # 4.

11. Americans With Disabilities Act (ADA) Paratransit Client Certification Services – Contract Award
Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. B0742.0-22 with Medical Transportation Management, Inc. (MTM), a Woman Owned Business Enterprise (WBE), for the provision of ADA paratransit client certification services for eight (8) years, for a total of \$5,124,750.47; and 2) Authorize the CEO to exercise at their discretion the option for an additional Customer Care Representative (CCR) position during the term of the contract at a cost of \$430,043.67, for an overall contract total not-to-exceed \$5,554,794.14.
12. 2022 Transit and Intercity Rail Capital Program (TIRCP) Grant Award: Zero-Emission Transit Enhancement Project
Action would adopt Resolution No. 22-12 authorizing the following: 1) Acceptance of the 2022 Transit Intercity Rail Capital Program Grant Award for the Zero Emission Transit Enhancement Project, which includes the Orange Line Improvement Project, the 12th and Imperial Transit Center Rehabilitation Project, and the Electrification of the Imperial Avenue Division Project; 2) Determining each of the three projects is exempt from environmental review under the California Environmental Quality Act (“CEQA”); and 3) Approving the Orange Line Improvement Project, the 12th and Imperial Transit Center Rehabilitation Project, and the Electrification of the Imperial Avenue Division Project.
13. Approve Fiscal Year 2021-22 State Transit Assistance (STA) Claim Amendment
Action would adopt Resolution No. 22-13 approving the Fiscal Year (FY) 2021-22 STA claim amendment.
14. Federal Lobbying Services – Contract Award
Action would authorize the Chief Executive Officer (CEO) to 1) Execute MTS Doc. No. G2619.0-22 with Peyser Associates LLC for Federal Lobbying Services for a three (3) year base period and two (2) 1-year options for a total cost of \$462,000.00; and 2) Exercise each option year at the CEO’s discretion.
15. Additional Staffing – One (1) Capital Projects - Project Engineer and Two (2) Procurement Department - Procurement Specialists
Action would authorize the Chief Executive Officer (CEO) to add one (1) Project Engineer and two (2) Procurement Specialists to the position tables previously approved in the Fiscal Year 2022 budget.

COMMITTEE COMMENTS

Board Member Sandke commented on Agenda Item number 7’s funding for next year’s commuter ferry service. He encouraged the Board to think of the ferry service as an innovative transportation method as the Board thinks about alternative transportation.

Board Member Goble commended the projects in Agenda Item number 12 as exemplary and was enthusiastic to see the project, once implemented.

Action on Recommended Consent Items

Board Member Sandke moved to approve Consent Agenda Item Nos. 6 – 14. Chair Fletcher seconded the motion, and the vote was 14 to 0 in favor with Board Member Hall absent.

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS:

30. Site Selection, Approval/Adoption of Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program, Approval of Project, and Direction to Prepare a Workforce Development Plan for The Clean Transit Advancement Campus (CTAC) Project (Denis Desmond)

Denis Desmond, MTS Director of Planning presented on site selection, approval/adoption of mitigated negative declaration and a mitigation monitoring and reporting program, approval of project, and direction to prepare a workforce development plan for the CTAC project. He outlined the following items: community engagement and communication, Community Feedback prior to draft MND, project site selection, site considerations, California Environmental Quality Act (CEQA) mitigated negative declaration, comments received on draft MND, draft MND comment: residential character, draft MND comment Chollas Creek impacts, mitigated negative declaration, and CEQA recommendation. Karen Landers, MTS General Counsel spoke about the workforce development plan resolution and MTS recommendations.

PUBLIC COMMENT

Corinna Contreras – Representing Climate Action Campaign made a verbal statement to the Board during the meeting. Contreras thanked the agency for its early advancements towards the project. Contreras acknowledged that due to the nature of the current stormwater drainage, the Chollas Creek would experience better circumstances with the construction site. Contreras supported a workforce development plan and the building of the site.

Leslie Reynolds – Representing Groundworks San Diego, Chollas Creek made a verbal statement to the Board during the meeting. Reynolds expressed that their organization did not have an opportunity to participate in the process. They opposed the CTAC facility build in the Webster community and claimed the San Diego Canyon letter was spam blocked during the public comment period. Reynolds expressed disappointment for the agency to build at the site due to the pollution burdens, parks and transportation opportunities.

Gretchen Newsom – Representing IBEW 569 made a verbal statement to the Board during the meeting. Newsom supported the staff recommendation.

Daniel Laman – Provided a verbal statement to the Board during the meeting. Laman asked where the additional traffic signal would be placed on Federal Boulevard and also asked about the parking lot on the northern part of Site 3 where trash used to be burned.

Kristen Hurst – A resident of the Webster community, made a verbal statement to the Board during the meeting. Hurst opposed the CTAC site at Site 7 due to traffic and pollution concerns. Hurst suggested announcement mechanisms and meetings scheduled in the afternoon to allow more public participation.

Barry Pollard – Representing Urban Collaborative made a verbal statement to the Board during the meeting. Pollard disclosed his previous poor working relationship with MTS and acknowledged improvements in recent years. He noted the disinvestment in the community, thus their excitement for this area to be re-fortified and explained the favorable traffic patterns he anticipates. He stated that if he had any objections to the project, he would vocalize them.

Nicole Burgess – Representing Ground Work Chollas Creek Coalition, made a verbal statement to the Board during the meeting. Burgess was concerned about water run-off capture and alerted the Board of an alternative site option and asked about the work trips to access the site.

Patrice Baker – A resident of District 4, made a verbal statement to the Board during the meeting. Baker listed the various benefits but was concerned about the traffic and pollution increases and summarized opposition.

Richard Diaz – Representing Oak Park Community Council, made a verbal statement to the Board during the meeting. Diaz encouraged the Board to approve the development of Site 5 or 6. Diaz hoped the City downzoned the site for local commercial that would make the area more residential. Diaz expressed concerned that stormwater runoff would be directed to the creek and encouraged the Board to have runoff sent to Federal Boulevard or kept on site.

Carolina Martinez – Representing the Environmental Health Coalition, made a verbal statement to the Board during the meeting. Martinez supported the staff recommendation but asked about the land use and compatibility proximity to the nearby school at Site 2 that was not an obstacle for the Site 7 selection. Martinez also asked why the CalEnviroScreen tool was not used to compare the sites.

COMMITTEE COMMENTS

Ms. Landers responded to a public speaker that claimed the agency had not received other letters. She confirmed that there were no additional letters that the agency could verify receiving within the comment period.

Board Member Montgomery Steppe thanked community members for participation and advocacy on the item. She acknowledged the importance of the workforce development plan to assure local hire. While she agreed that the community deserved outdoor space and development, she supported the staff recommendation. She summarized comments and concerns from public comment and asked staff where the traffic signal is slated to be placed. Mr. Desmond replied that the signal would be placed at the lower portion of the project in the current driveway to the Nob Hill Industrial Park. She also asked about the school proximity differences between Site 2 and Site 7. Mr. Desmond explained that Site 2 would have the bus yard built directly in front of the school. However, at Site 7, the office building and parking lot would provide a buffer between the bus yard and school. Board Member Montgomery Steppe asked about the Chollas Creek enhancement plan along with the stormwater system concerns. Mr. Desmond explained that Site 7 borders the Chollas Creek. There are current warehouses that are not shown in the aerial view depiction of the picture in the presentation and stated that a full water quality review will be made. With the acquisition, the agency would adopt modern water quality standards so that water is pre-treated before being disposed, along with rebuilding drainage structures that might currently funnel to the creek. He also acknowledged an open space easement that exists on the edge of the parcels and stated that the agency would not encroach into the creek. The agency's commitment would be to continue working with interested parties to assure there are no negative impacts to the creek or Little League fields.

Board Member Montgomery Steppe was happy to hear the agency's dedication to working with the community and the informal discussions with City staff about the project. Ms. Landers added that City staff did not express concerns about this project. Later in the design, the agency will explore landscaping along the creek edge to add a buffer between the facility and the open space. Board Member Montgomery Steppe appreciated that the mitigation monitoring and reporting program will have an archeological and Kumeyaay Native American monitor as part of the process. Board Member Montgomery Steppe explained that the intent of the workforce development plan was to formalize and assure local commitment to hiring.

Chair Fletcher added that the agency has to build a CTAC facility to move towards zero emission buses in order to meet requirements set on the agency and the agency's personal goals. He noted the difficulties finding large parcels of land in urban environments and long-standing efforts to find a facility location. He was confident the agency selected the best possible location. He also stated that Board Member Montgomery Steppe captured public comments, questions and concerns noting the environmental benefits and limited impact to existing walking paths. He expressed excitement for the site as a resident of the area and the jobs it would create.

Board Member Elo-Rivera commended the agency's community outreach efforts. He noted community compliments for the project are impactful. He noted the importance of community engagement with the City Council District and MTS. He was confident about the agency's decision to benefit the community. He hoped that youth could have a seat at the table for a Workforce Development Plan.

Board Member Aguirre agreed with previous Board member comments and community participation. She encouraged staff to exceed stormwater best management practices to address community concerns, such as adding biofilters for pollution mitigation.

Board Member Shu asked if the agency would be proactive in the restoration of Chollas Creek. Mr. Desmond confirmed that the agency would be working closely in the design of the project with community stakeholders. Ms. Cooney added that the agency is under its own MS4 permit and therefore, heavily regulated for stormwater. Board Member Shu agreed with Board Member Aguirre that the agency should be exceeding baseline regulations. He commended the agency for working closely with community stakeholders.

Board Member Whitburn expressed excitement about moving forward with the infrastructure necessary for the zero emission busses and reduction of carbon in the San Diego area. He thanked staff, Board members and community leaders for their participation.

Board Member Sandke asked about power grid challenges and meeting power needs for this property and how these needs were factored into the selection of Site 7. Mr. Desmond noted MTS's collaboration with SDG&E on this type of issue and acknowledged the partnership with SDG&E would need to continue as the agency rolls out fleet electrification.

Vice Chair Sotelo-Solis echoed Board Member Montgomery Steppe's community engagement efforts acknowledgements and thanked staff. She was eager to support the workforce development plan and the future prospects this site would bring to the community.

Action Taken

Board Member Montgomery Steppe moved to 1) Approve “Site 7” as the Preferred Site for the CTAC Project, as supported by the Facility Siting Title VI & Social Equity Analysis in Attachment A and the Preferred Site Analysis; 2) Adopt Resolution 22-14 Approving and Adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the CTAC Project under the California Environmental Quality Act and Approving the CTAC Project; and 3) Adopt Resolution 22-15 Directing Staff to Prepare a Clean Transit Advancement Campus Workforce Development Plan. Chair Fletcher seconded the motion, and the vote was 14 to 0 in favor and Board Member Hall absent.

45. Fiscal Year (FY) 2022 Annual Performance Monitoring Report and Service Performance Reports (Denis Desmond, Neomi Woods, Mike Wygant, Wayne Terry)

Denis Desmond, MTS Director of Planning presented on FY 2022 annual performance monitoring report. He presented on: Policy 42 evaluation criteria, total passengers, weekday average, monthly passengers, passengers per revenue hour, on-time performance, other metrics, farebox recovery and youth opportunity pass. Mike Wygant Chief Operating Officer of Bus outlined transit services safety, ZEB pilot project, fleet highlights, MTS access services, support services highlight and bus on shoulder projects (BOS). Wayne Terry, Chief Operating Officer of Rail presented on statewide rail accidents, master concessionaire services FY 2022, Friars road crossing replacement, Vernon Way crossing replacement at El Cajon, Hill street crossing replacement at El Cajon, 25th & Commercial street track switch and crossing replacement, crossover switch and National Avenue Replacement, San Ysidro/Beyer track replacement, rail grinding program, Chollas Creek bridge structural reinforcement, snooper truck for bridge inspection, taxi building retrofit, LRV bogie shop, LRV maintenance facility C – catwalks, catwalks required for overhead maintenance, shop doors & flood protection, impedance bond protection, San Ysidro/Beyer Blvd. Landscape project, El Cajon terminal station landscaping project, 47th street station artwork, Massachusetts avenue station artwork, Euclid avenue transit center artwork and several significant projects needing completion before Mid-Coast extension start-UP, Mid-Coast Extension, student ridership, donations to Mendoza, Imperial double track project and El Cajon third track project.

COMMITTEE COMMENT

Board Member Montgomery Steppe suggested that the agency reconsider the Transportation Development Act (TDA) requirements and asked the agency to address the Board on efforts to pursue changes to TDA requirements.

Board Member Gastil commended Mr. Terry for his achievements at MTS.

Action Taken

No action taken. Informational item only.

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

The Board waived the staff report for this item.

OTHER ITEMS (TAKEN OUT OF ORDER):

63. Additional Public Comments on Items Not on the Agenda

Jessica Kramer – Representing REACH made a verbal statement to the Board during the meeting. Kramer expressed logging in difficulties and ADA compliance concerns. Kramer also added that the organization has received several complaints because constituents have been denied Paratransit services.

Rachel Graham – Representing Ride SD made a verbal statement to the Board during the meeting. Graham thanked the Chair for agendaizing a PRONTO update.

Nicole Burgess – Representing Ride SD made a verbal statement to the Board during the meeting. Burgess thanked the Chair for agendaizing a PRONTO update and showed appreciation to staff for their efforts to improve facilities. Burgess expressed difficulties navigating the PRONTO system.

Jason – Representing Ride SD made a verbal statement to the Board during the meeting. Jason expressed frustration with the QR code validation and asked for a tap to pay system.

60. Chair Report

There was no Chair report.

61. Chief Executive Officer's Report

There was no Chief Executive Officer's Report.

62. Board Member Communications

Board Member Campillo added about the PRONTO card reader program issues.

64. Next Meeting Date

The next regularly scheduled Board meeting is November 10, 2022 at 9:00 a.m.

CLOSED SESSION:

24. Closed Session Items

The Board convened to Closed Session at 11:25 a.m.

- a. Closed Session - Conference with Labor Negotiators Pursuant to California Government Code Section 54957.6
Agency: San Diego Trolley, Inc. (SDTI)
Employee Organization: Transit Enforcement Officers Association (TEOA) (Representing SDTI Code Compliance Inspectors)
Agency- Designated Representative: Jeffrey M. Stumbo, Chief Human Resources Officer (EEO Officer)

The Board reconvened to Open Session at 11:34 a.m.

Oral Report of Final Actions Taken in Closed Session

Karen Landers, General Counsel, reported the following:

- a. The Board unanimously voted to approve a tentative agreement, with 10 members voting including Fletcher, Aguirre, Elo-Rivera, Mullin, Gastil, Whitburn, Goble, Montgomery Steppe, Campillo and Sandke voting in favor and with Sotelo-Solis, Galvez, Hall, Salas and Shu absent.

65. Adjournment

The meeting was adjourned at 11:36am.

/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>October 20, 2022</u>	CALL TO ORDER (TIME):	<u>9:00am</u>
RECESS:	<u> </u>	RECONVENE:	<u> </u>
CLOSED SESSION:	<u>11:25am</u>	RECONVENE:	<u>11:34am</u>
PUBLIC HEARING:	<u> </u>	RECONVENE:	<u> </u>
ORDINANCES ADOPTED:	<u> </u>	ADJOURN:	<u>11:36am</u>

JURISDICTION	BOARD MEMBER		(Alternate)		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
County of San Diego (Chair)	FLETCHER	<input checked="" type="checkbox"/>	(Vargas)	<input type="checkbox"/>	9:00am	11:36am
City of National City (Vice Chair)	SOTELO-SOLIS	<input checked="" type="checkbox"/>	(Bush)	<input type="checkbox"/>	9:01am	11:23am
City of Imperial Beach	AGUIRRE	<input checked="" type="checkbox"/>	(Leyba- Gonzalez)	<input type="checkbox"/>	9:00am	11:36am
City of San Diego	ELO-RIVERA	<input checked="" type="checkbox"/>	(LaCava)	<input type="checkbox"/>	9:00am	11:36am
City of Poway	FRANK	<input type="checkbox"/>	(Mullin)	<input checked="" type="checkbox"/>	9:00am	11:36am
City of Chula Vista	GALVEZ	<input checked="" type="checkbox"/>	(Cardenas)	<input type="checkbox"/>	9:00am	11:01am
City of Lemon Grove	GASTIL	<input checked="" type="checkbox"/>	(Mendoza)	<input type="checkbox"/>	9:03am	11:36am
City of San Diego	GLORIA	<input type="checkbox"/>	(Whitburn)	<input checked="" type="checkbox"/>	9:00am	11:36am
City of El Cajon	GOBLE	<input checked="" type="checkbox"/>	(Ortiz)	<input type="checkbox"/>	9:00am	11:36am
City of Santee	HALL	<input type="checkbox"/>	(McNelis)	<input type="checkbox"/>	ABSENT	ABSENT
City of San Diego	MONTGOMERY STEPPE	<input checked="" type="checkbox"/>	(Von Wilpert)	<input type="checkbox"/>	9:00am	11:36am
City of San Diego	MORENO	<input type="checkbox"/>	(Campillo)	<input checked="" type="checkbox"/>	9:00am	11:36am
City of Chula Vista (Chair Pro Tem)	SALAS	<input checked="" type="checkbox"/>	(Cardenas)	<input type="checkbox"/>	9:00am	10:53am
City of Coronado	SANDKE	<input checked="" type="checkbox"/>	(Donovan)	<input type="checkbox"/>	9:00am	11:36am
City of La Mesa	SHU	<input checked="" type="checkbox"/>	(Arapostathis)	<input type="checkbox"/>	9:00am	10:58am

SIGNED BY THE CLERK OF THE BOARD:

/S/ Dalia Gonzalez