

MINUTES
MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
EXECUTIVE COMMITTEE

July 13, 2023

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. The full comment can be heard by reviewing the recording at the [MTS website](#).]

1. Roll Call

Chair Whitburn called the Executive Committee meeting to order at 9:31 a.m. A roll call sheet listing Executive Committee member attendance is attached.

2. Public Comment

There were no Public Comments.

3. Approval of Minutes

Board Member Hall moved to approve the minutes of the June 8, 2023, MTS Executive Committee meeting. Vice Chair Goble seconded the motion, and the vote was 5 to 0 in favor with Board Member Vargas and Board Member Bush absent.

DISCUSSION ITEMS

4. MTS Access Services Overview (Michael Wygant, Jay Washburn)

Michael Wygant, MTS Chief Operating Officer for Bus, and Jay Washburn, MTS Manager of Paratransit and Mini Bus, presented on Access Services Overview. They outlined: the program, governing regulations, operating standards, eligibility certification, operations, modes of transportation, contract overview, ridership, bridging the gap, performance levels, work stoppage, return to work, next steps and innovations.

Committee Comment

Sharon Cooney, MTS Chief Executive Officer, thanked Board Member Moreno for bringing the item to the Executive Committee. She emphasized the importance of the service, and she added that the agency has requested an American Public Transportation Association (APTA) peer review of the program.

Board Member Moreno praised the agency's initiative and asked if the item will be presented at the Board level. Ms. Cooney replied that the July Agenda was impacted, but the item could be prioritized to be presented at a future meeting. Board Member Moreno explained to the Committee about her brother's need for this service and the challenges he faced subscribing to the program. She asked staff to clarify if the program was maintained by a third-party contractor. Mr. Wygant confirmed MTM contract services administered the program. Board Member Moreno asked about the contract amount annually and asked to confirm that MTS conducts all reviews. Mr. Wygant replied that the contract was approximately \$500,000 annually and added that during the pandemic, MTM held temporary at home administrative sign up services in response to the emergency health orders. Ms. Moreno asked if the program was marketed. Mr. Wygant replied that details about the program could be found on the MTS website and the agency partners with centers to promote the service. Ms. Cooney added that the agency relies on the community-based organizations and employee partners too. Board Member Moreno referred back to the slide deck to clarify that there were driver staff that were furloughed due to the COVID-19 pandemic, and asked if they were furloughed before or after the CARES Act funding was available to the agency. Mr. Wygant replied that the work is demand response

based and that the agency tries to give staff as much full-time work as possible. He did not have the proper dates to definitively say if the furlough happened before or after the receipt of the CARES Act funding. Board Member Moreno clarified that if she were a paratransit driver and service was not needed, then she would not receive work. Mr. Wygant confirmed and explained that the trips are being brokered through the system. The agency attempts to fill as much work as possible with the staff available, and during COVID, the agency saw a decline in trips. Ms. Cooney asked what the guarantee negotiation outcomes were for the Transdev strike negotiations. Mr. Washburn replied that the new contract offers a four-hour minimum for extra drivers who do not have an initial set start time. They are given that information the night before based on call-offs. Additionally, the drivers with a set schedule are guaranteed a six-hour minimum. Board Member Moreno replied that the uncertainty seemed tough and understood why the agency was losing drivers. Board Member Moreno recalled a public commenter from a previous meeting stated that their mother with Alzheimer's disease was left unattended and encouraged staff to remedy that issue. She acknowledged that when passengers do not offer a physical address, it makes it difficult for drivers to drop off passengers. She asked staff the last time the program was internally audited. Mr. Wygant was not aware of an official audit date and stated that the agency does audit processes on a weekly, monthly and quarterly basis. Ms. Cooney replied that the Federal Transit Administration reviewed the program as part of the Triennial Audit in 2022. She confirmed that the program has not been reviewed internally and that is why the agency is soliciting a peer review through APTA. Board Member Moreno expressed her support for the audit and hoped to reach more riders to use the service.

Vice Chair Goble asked for the distinction between trips and passengers. Mr. Washburn replied that the count included passengers and personal care attendants or companions, which are 3%-5% on top of the trip count. Mr. Washburn replied that federal reporting standards require the agency to track all passengers, regardless of direct requestor. Vice Chair Goble asked staff for an example. Mr. Washburn clarified that a round trip counts as two trips and two passengers, plus any accompanying companions. Vice Chair Goble asked if the agency is able to track the number of passengers prior to COVID-19 and if a majority of the agency's growth is from new clients. He found that measuring a potential shift difference could help the agency re-gain former passengers, and understand how new passengers heard about the system to attract additional riders. Mr. Wygant replied that he is unable to reference that data; however, analytically, the agency has not seen an increase that would suggest that a majority of new ridership is coming from this sector. He noted that while the agency has not reached out to previous riders, they have communicated with the center partners, which represents 40%-50% of the program's service. During COVID-19 and the strike, the agency would communicate with the center on a daily basis. Vice Chair Goble asked why the agency does a 3-year certification. Mr. Wygant replied that is what is currently written in the regulation charter. He explained that some regulations are in place to assure efficiencies, and he confirmed that the agency is not seeing fraud in the program and there are cost savings by minimizing the number of certifications.

Board Member Elo-Rivera asked if the requirements from the federal government were diminished by contracting out the services. Mr. Wygant replied that the agency is the grant recipient and is ultimately responsible for all adherence, including of its contractors. Board Member Elo-Rivera asked if MTS is liable for any service disruption. Mr. Wygant confirmed MTS is liable. Board Member Elo-Rivera believed it was important to have a system in place where the agency has complete confidence to maintain service levels. He also asked how the agency guarantees language access for passengers. Mr. Washburn replied that the assessment personnel, eligibilities and reservation center are all bilingual. Board Member Elo-Rivera asked what the protocol would be if a non-English or Spanish speaker were to call for a reservation.

Mr. Washburn replied that the reservation and eligibility center have language assistant lines and can receive third-party interpretation. In conversations with employees of the reservation center, Board Member Elo-Rivera asked staff to clarify that the agency has been moving away from solely contracting bi-lingual personnel. Mr. Washburn replied that there is not a contractual obligation that staff be bi-lingual. Board Member Elo-Rivera asked how the calls are being disbursed. Mr. Wygant explained that the reservations are received through the internal reservation center and during COVID-19, the agency had to have a third-party assist. The calls are streamlined through a brokerage process and are intentional about directing as much of the work to direct employees. The agency continues to use the contractors to mitigate the high and low peak demands and assured the Board that the work is dispersed to internal employees first. Subcontractors enter a vetting process with First Transit, and all of their subcontractors are reviewed by MTS with oversight by both the contractor and MTS. Mr. Washburn added that subcontractor operators are regulated and approved by the For-Hire Vehicle Administration at MTS. He explained that all reservations come from the central reservation center at First Transit and noted that there are subcontractor restrictions for passengers with physical and cognitive limitations. Board Member Elo-Rivera was concerned about morale as folks work with those who crossed the picket line. Mr. Washburn replied that all subcontractors work out of their respective third-party locations. Board Member Elo-Rivera emphasized the importance of this service and urged that the work environment be prioritized. He stated it was necessary for the agency to recognize the importance of the work, because drivers take pride in who they are serving.

Action Taken

Informational item only. No action taken.

5. MTS Park-and-Ride Parking Usage and Alternatives Market Study (Denis Desmond and Matt Marquez)

Denis Desmond, MTS Director of Planning, Matt Marquez, Associate Planner, and Phuong Nguyen, with CR Associates, presented on park-and-ride parking usage and alternatives market study. They outlined the following items: background, CR Associates assessment contractor, project goals, other considerations, process, study area selection, existing conditions and findings, future parking demand calculations, findings, and strategies.

Committee Comment

Board Member Elo-Rivera acknowledged the importance of parking for the system. He expressed interest in creative options for underutilized spaces in parking lots such as electric vehicle (EV) spaces and designated shuttle parking. Mr. Nguyen noted that local mobility shuttles can be implemented, and they typically cost significantly higher over time to operate due to grant funding. He noted that unless there is an additional parking district to fund additional parking infrastructure, it would not be feasible for MTS to support such a project. He noted that EV charging could be incorporated; however, enforcement becomes an issue to disincentivize someone from using an EV space as premium parking. Board Member Elo-Rivera clarified that there could be partnership opportunities for incorporating EV parking. Mr. Nguyen confirmed that such an opportunity could exist and highlighted a net positive opportunity for the site. Board Member Elo-Rivera asked about solar project opportunities that could help with the agency's energy demand. Mr. Desmond added that Policy 18 prioritizes intensifying the development of the station, rather than using parking and said that those were conversations that could be had with each potential developer. He cautioned the Board about stations that are not suitable for new developments and would remain surface parking. Board Member Elo-Rivera asked staff about overnight parking regulations. Mr. Desmond replied that the agency

has a 24-hour limit on parking and does not prohibit overnight parking in order to accommodate workers that have evening/overnight shifts, along with event parking. Board Member Elo-Rivera encouraged the maximization of MTS property.

Board Member Moreno acknowledged the importance of park-and-ride as part of the transit system. She asked staff to confirm that there were 24 park-and-ride sites in the system. Mr. Nguyen replied that study sites were identified based on the potential for redevelopment. Mr. Desmond replied that there are about 30-35 total park-and-ride sites. Board Member Moreno asked if the raw data from the study was in the report. Mr. Nguyen replied that a summary is provided only to protect rider privacy. She supported the project as a tool to offer to developers. Board Member Moreno asked to clarify if it was recommended that the agency charge for parking. Mr. Nguyen clarified that this recommendation would be only for developed sites as a way to ensure there is parking available for MTS riders and not occupied by residential parking.

Vice Chair Goble praised the contractor's data security practices and idea measurements. He asked if SANDAG's initiative for less vehicle miles traveled was incorporated into calculations. Mr. Nguyen confirmed that the initiative was included. Mr. Nguyen chose 2035 rather than 2050, because the latter had such an aggressive network. He added that the near-term development is incorporated that SANDAG has assumed in its model, along with a road user charge.

Karen Landers, MTS General Counsel, added concurrent issues that the agency is managing. She stated that all transit-oriented development projects that are at various phases of design are incorporating the ability to add EV charging. The agency will need to develop an implementation policy for a charging program. Ms. Landers noted that the agency must balance efficient ways of using EV charging stations with a parked car average of 6-7 hours. Ms. Landers also listed concurrent parking management strategies from Mid-Coast stations and cited the University Transit Center Westfield Center Mall enclosed parking issue as an example.

Vice Chair Goble asked if it was feasible for the agency to have an application-based system that would show available parking for each station. Mr. Nguyen replied that technologically this can be done; however, it adds onto the development cost since it would be managed by a parking operating vendor.

Board Member Hall noted that as far as enforcement for parking at EV spots, an electric vehicle that is plugged in more than the necessary time will incur a surcharge. He suggested that that funding for the EV stations be funded by another entity and not MTS.

Board Member Elo-Rivera added that the agency could charge for the time parked at each spot in addition to, or in lieu of the charging itself. He encouraged space for multiple uses for revenue or cost savings standpoint and did not support free EV charging. He was curious about long term charging stations for riders.

Action Taken

Informational item only. No action taken.

OTHER ITEMS

6. Review of Draft July 27, 2023 Board Agenda

Recommended Consent Items

3. Approval of Minutes

Action would approve the June 8, 2023 Special Board of Directors and the June 15, 2023 Board of Directors meeting minutes.

- 4. Adoption of 2023 Conflict of Interest Code – Amendment**
Action would 1) Adopt Resolution No. 23-09 amending the MTS Conflict of Interest Code pursuant to the Political Reform Act of 1974; 2) Adopt the amended 2023 MTS Conflict of Interest Code and 3) Forward the amended 2023 MTS Conflict of Interest Code to the County of San Diego (the designated code-reviewing body) (Gov. Code § 82011) requesting approval of the amendment as required under Government Code section 87303.
- 5. Proposed Revisions to The Accessible Services Advisory Committee Membership Guidelines**
Action would approve the proposed revisions to the Accessible Services Advisory Committee (ASAC) Membership Guidelines.
- 6. Additional Staffing – One (1) Planning – Transportation Planner**
Action would authorize the Chief Executive Officer (CEO) to add one (1) Transportation Planner to the position tables previously approved in the Fiscal Year 2024 budget.
- 7. Trolley Track Improvement – Construction Management (CM) Services - Work Order**
Action would authorize the Chief Executive Officer (CEO) to execute Work Order WOA2499-CM01 under MTS Doc. No. G2499.0-21 with PGH Wong, a Minority Business Enterprise (MBE), in the amount of \$149,474.37 for CM services for Trolley Track Improvements.
- 8. Orange/Blue/Green Lines Variable Message Sign (VMS) Installation Project – Work Order Agreement**
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA355-AE-17, under MTS Doc. No. PWL355.0-22 with Psomas in the amount of \$410,078.68 to prepare plans, specifications, and estimates (PS&E) for the Orange/Blue/Green Lines VMS Installation Project.
- 9. J Street Corrugated Metal Pipe Emergency Repair – Work Order Agreement**
Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC347-16 under Job Order Contract (JOC) to MTS Doc. No. PWG347.0-22, with ABC General Contractor, Inc. (ABCGC) in the amount of \$146,929.97 for the repair of the corrugated metal pipe located at J Street along the Blue Line right-of-way.
- 10. Motorola Solutions, Inc. Radio System Maintenance Services – Contract Award**
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0759.0-23, a Sole Source agreement, with Motorola Solutions, Inc. (Motorola) for provision of Regional Transit Management System (RTMS) radio system maintenance services for a four (4) year period effective August 1, 2023 in the amount of \$1,185,954.08.
- 11. Blue Line Bridge Repair – Work Order Agreement**
Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC347-08 under Job Order Contract (JOC) to MTS Doc. No. PWG347.0-22, with ABC General Contractor, Inc. (ABCGC), in the amount of \$149,887.28 for the repair of the bridges located at 8th Street and 18th Street along the Blue Line right-of-way.

- 12. Microsoft Enterprise Licensing and Software Assurance – Contract Amendment**
Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 4 to MTS Doc. No G2378.4-20, with Crayon Software Experts, LLC (Crayon) in the amount of \$160,874.78 bringing the contract total to \$1,150,551.61.
- 13. Grantville Transit-Oriented Development (TOD) Painting – Contract Award**
Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. PWL370.0-23 with Prime Painting Contractors Inc. for Grantville Station Painting Improvements in the amount of \$1,330,000; and 2) Authorize the CEO to execute amendments or change orders up to a 20% contingency (\$266,000) for this construction contract bringing total expenditure authority to \$1,596,000.
- 14. Grantville Transit-Oriented Development (TOD) Painting Construction Management Services – Work Order Agreement**
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA2496-CM01 under MTS Doc. No. G2496.0-21 with AECOM Technical Services (AECOM) for the Grantville TOD Painting Construction Management (CM) Services in the amount of \$190,425.76.
- 15. Bayside Double Track Imperial Avenue Transit Center (IMT) Construction Management (CM) Services – Work Order Amendment**
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA2498-CM05 under MTS Doc. No. G2498.0-21 with Kleinfelder Construction Services, Inc., to provide Construction Management (CM) Services for the Bayside Double Track IMT Project in the amount of \$500,027.93.
- 16. Modernization of Stadium Trolley Station Elevator – Work Order Agreement**
Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC347-21 to MTS Doc. No. PWG347.0-22 with ABC General Contractor, Inc. (ABC GC) in the amount of \$296,562.53 to modernize the Stadium Trolley Station elevator.

Ms. Cooney noted that a security staffing information item would be added to the agenda, based on Board direction.

7. Other Staff Communications and Business

Ms. Cooney reminded the Board about MTS's full service for Comic-Con and participation at the Pride Parade.

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 September 7, 2023, at 9:00 a.m.

10. Adjournment

The meeting was adjourned at 11:05 a.m.

/S/ Stephen Whitburn
Chairperson
San Diego Metropolitan Transit System

/S/ Dalia Gonzalez
Clerk of the Board
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
EXECUTIVE COMMITTEE

ROLL CALL

MEETING OF (DATE): July 13, 2023 CALL TO ORDER (TIME): 9:31 a.m.
 RECESS: _____ RECONVENE: _____
 CLOSED SESSION: _____ RECONVENE: _____
 PUBLIC HEARING: _____ RECONVENE: _____
 ORDINANCES ADOPTED: _____ ADJOURN: 11:05 a.m.

REPRESENTING	BOARD MEMBER	ALTERNATE	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
Chair	Whitburn <input checked="" type="checkbox"/>	No Alternate <input type="checkbox"/>	9:31 a.m.	11:05 a.m.
City of San Diego	Elo-Rivera <input checked="" type="checkbox"/>	Montgomery Steppe <input type="checkbox"/>	9:31 a.m.	11:05 a.m.
County of San Diego	Vacant <input type="checkbox"/>	Vargas <input type="checkbox"/>	ABSENT	ABSENT
East County	Hall <input checked="" type="checkbox"/>	Frank <input type="checkbox"/>	9:31 a.m.	11:05 a.m.
SANDAG Transportation Committee	Moreno <input checked="" type="checkbox"/>	Bush <input type="checkbox"/>	9:31 a.m.	11:05 a.m.
South Bay	Bush <input type="checkbox"/>	Leyba-Gonzalez <input type="checkbox"/>	ABSENT	ABSENT
Vice Chair	Goble <input checked="" type="checkbox"/>	No Alternate <input type="checkbox"/>	9:31 a.m.	11:05 a.m.

SIGNED BY THE CLERK OF THE BOARD: /S/ Dalia Gonzalez