MINUTES

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

July 27, 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 Board meeting to order at 9:03 a.m. A roll call sheet listing Board member attendance is attached.

2. Public Comment

David Roger – Provided a verbal statement to the Board during the meeting. Roger expressed concern for safety and health issues at the 5th Avenue Trolley Station and expressed dissatisfaction with the cleaning and security measures at the station.

Louis Pruitt – Provided a verbal statement to the Board during the meeting. Pruitt expressed dissatisfaction with the current Sunday schedule and asked if the Saturday schedule could replace the Sunday schedule.

Matthew Snyder – Representing Teamsters Local Union 542 made a verbal statement to the Board during the meeting. Snyder asked for conversations to continue on having Copley Park as part of the MTS operations. Snyder asked the Board what stage of the consolidation process the agency was in; if there was a formed ad hoc committee; when the meeting would take place; and who would compose the membership. Snyder asked for Local 542 representatives to be part of the membership and urged the subcommittee to be composed of MTS representatives, similar industries, San Diego Association of Governments (SANDAG) and service area representatives. Snyder noted the lack of sanitation and security at employee restrooms.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original DRA commented on the MTS vs Figueroa case and the financial severance option offered. They also commented on the recent strike and the increase in funding provided to Transdev. The Original DRA expressed dissatisfaction with these incidents and how MTS handled the situations.

Alex Wong – Provided a verbal statement to the Board during the meeting. Wong supported a people mover over the airport trolley in an effort to maximize high frequency service.

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 WOA2499CM01 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. B0759.023, 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.
- **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.

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. (ABCGC) in the amount of \$296,562.53 to modernize the Stadium Trolley Station elevator.

17. Billboard Lease Contract Renewals – Master Lease Agreement and Individual Site Leases

Action would authorize the Chief Executive Officer (CEO) to execute new Master Lease Agreements (MLA) and Location Specific Leases (LSL) (collectively Leases) (in substantially the same format as Attachment A and B) for thirteen (13) existing billboards on MTS property with Clear Channel Outdoor, LLC (CCO) and Outfront Media, LLC (OUT) (collectively Lessees) for a twenty (20) year term with a minimum annual revenue of \$458,559.

18. Additional Staffing – One (1) Bus Operations Training Instructor

Action would authorize the Chief Executive Officer (CEO) to add one (1) Bus Operations Training Instructor to the position tables previously approved in the Fiscal Year 2024 budget.

Public Comment

The Original DRA – Provided a verbal statement to the Board during the meeting. They expressed dissatisfaction with the meeting minutes. The Original DRA did not support item number 4 and urged the Board to join in partnerships where revenue from advertisement companies fund restroom maintenance costs.

Truth – Provided a verbal statement to the Board during the meeting. They believed that conflict of interest disclosure should include political interests. They commented about the vacant Caltrans position in the ASAC. They disapproved of various projects such as items: 8, 10, 11, 13, 14, 16, 17.

Action on Recommended Consent Items

Board Member Hall moved to approve Consent Agenda Item Nos. 3 to 18. Chair Whitburn seconded the motion, and the vote was 14 to 0 in favor with Board Member Vargas absent.

DISCUSSION ITEMS AND REPORT ITEMS:

19. San Ysidro Transit Center Improvements Project Update (Denis Desmond, Beverly Neff)

Beverly Neff, MTS Senior Planner, and Zack Hernandez, with SANDAG, presented on San Ysidro Transit Center Improvements Project Update. They outlined: challenges impacting San Ysidro, approach to solutions, various concepts, stakeholder and community outreach.

Public Comment

Truth – Provided a verbal statement to the Board during the meeting. Truth believed that not many people rode transit and suggested various design possibilities to maximize efficiency and safety for the project. Truth did not support the design C option.

The Original DRA – Provided a verbal statement to the Board during the meeting. They did not support any efforts to assist the Mexican Government. They did not agree with the survey strategies used, electric vehicle (EV) incentives, and an elevated platform design.

Committee Comment

Sharon Cooney, MTS Chief Executive Officer, alerted the Board that Concept C required the San Ysidro Station service to be suspended for 2-3 years during the construction period. She noted the importance to grade separate from pedestrian and vehicle crossings for maximizing trolley efficiency.

Board Member Moreno liked the San Ysidro Boulevard design concept and was excited about the plaza, bike, and restroom opportunities. She complemented staff on the user experience portion of the survey and highlighted the importance of rider survey participation to provide best service. She reminded the Board and audience of the highly trafficked border crossing the system services and urged planning for future growth not solely current demand. She noted the ongoing growth of Tijuana and recent San Ysidro point of entry improvement as markers for high cross border mobility and as incentives to use transit rather than cars. She noted that a previous San Ysidro Mobility Hub Project obstacle was a lack of space and encouraged continuous creative engineering solutions and supported Concept B as the best option for the area. She stated that this project should not be a solely MTS funded project and will require State and Federal funding. She stated that the agency could have addressed the project sooner with federal project infrastructure money. She supported the overall project and Concept B.

Board Member Hall asked if staff had performed cost estimates for the projects. Mr. Hernandez replied that traditionally, elevated structures were costlier and planners did not have definitive estimates at the current point of the project. Board Member Hall encouraged cost associations for the Board to be able to make fiscally appropriate decisions. He asked if traffic studies had been performed for the bus only lane concept. Mr. Hernandez replied that the agency has only looked at conceptual level assessments of what the area could support. He noted that there was a level of implementation feasibility within the next phase of engineering and design. Board Member Hall cautioned Mr. Hernandez about pricing themselves out of the market. Ms. Neff noted that both concepts would solicit costs whether it involved elevating the platform or implementing at grade separation. Board Member Hall asked how the Cross-Border Trolley concept integrated to the proposed project designs. Mr. Hernandez classified the project as a near term project that does not impact the addition or expansion of an alternative project such as the Cross-Border Trolley.

Board Member Chavez cautioned the consideration of Concept C due to the station requiring to be out of service for a 2-3-year timeline. She encouraged focus groups and supported the construction of restrooms in the area. She supported Concept B design. She noted that the area was a 24-hour crossing and encouraged a designated pick up and drop off zone. She cautioned about the highly dense traffic that causes congestion, limited pick up zones and bike related accidents. She encouraged rush hour connections to facilitate the transfer point from Ped West.

Board Member Elo-Rivera asked if there could be a temporary station nearby to consider Concept C as an option. Ms. Neff replied that temporary stations have been assessed but no satisfactory locations were identified and would have to be addressed with bus shuttles. He noted the efficient, effective and welcoming space the project will be for the region. He supported the bus only lane, flex curve opportunities, public space and the incorporation of restrooms. Board Member Elo-Rivera was curious about the survey engagement and if the survey captured riders throughout different times of day and he highlighted the needs of students. Mr. Hernandez cited a comprehensive travel behavior survey at the border that SANDAG finalized in 2019/2020 that showed work and school as large reasons for border crossings. He noted that additional outreach could be conducted to better serve communities, including schools. Board Member Elo-Rivera encouraged SANDAG to connect with community colleges. He agreed that the agency should anticipate the crossing demand growth.

Board Member Chavez suggested the construction of the project at night to reduce impacts.

Action Taken

Informational item only. No action taken.

20. State of California Budget – Transportation Funding (Sharon Cooney and Julia Tuer)

Julia Tuer, MTS Manager of Government Affairs, presented on State of California budget transportation funding. She provided details on: the state budget transportation funding, accountability requirements, statutory relief measures, transit transformation task force and next steps.

Public Comment

Truth – Provided a verbal statement to the Board during the meeting. Truth did not support funding of the various programs.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original DRA did not support funding, its various programs and the organization itself.

Committee Comment

Ms. Cooney added that Board Member Montgomery Steppe previously raised discussions about reinstating the Transportation Development Act (TDA) task force as part of a decision-making body. Ms. Cooney noted that it would be likely she is appointed the Chair of the California Transit Association and will likely be on the Transit Transformation Task Force.

Board Member Montgomery Steppe was happy to hear that the committee would be reinstated. She praised the additional funding that would be allocated to the region and looked forward to seeing the ideas that are created from the task force and the MTS Budget Development Committee. Board Member Montgomery Steppe asked about how funding would be distributed

over the following four years. Ms. Tuer explained that the majority of the funding would be allocated in the first two fiscal years (FY).

Board Member Donovan asked how the estimated FY 24 funding aligns with the projected budget. Ms. Cooney clarified that the funding presented on today was not reflected in the budget and noted that staff had not yet received full funding guidelines from the state.

Board Member Moreno thanked staff for their advocacy work at the state level. She noted that as Cahir of the MTS Budget Development Committee, they would allocate the funds appropriately and hoped to fund Youth Opportunity Passes (YOP) and a restroom study. Board Member Moreno asked who would compose the task force. Ms. Tuer replied that representatives would include: transit operators, Caltrans, local governments, regional planning agencies, transportation advocacy organizations, labor organizations, academic institutions, state/assembly transportation committees and additional stakeholders. Board Member Moreno claimed that this was MTS's opportunity for San Diego to be a leading transit agency in the state.

Action Taken

Informational item only. No action taken.

21. Transit Security and Passenger Safety Department Staffing Options (Al Stiehler)

Al Stiehler, MTS Director of Transit Security and Passenger Safety, presented on department staffing options. He presented on: the department's vision, mission & values, management department size, code compliance inspector (CCI) department size, INTERCON department size, K9 department size, homeless outreach team (HOT), bus enforcement support team (B.E.S.T.), camp team, passenger safety team, special details / community outreach, current department operations, trolley system, deployment, CCI inspections and enforcement, CCI total hand held unit (HHU) inspections, citations, challenges, light rail security issues survey, reimagining security, department expansion, benefits to expanding the department, additional expansion considerations, contracting with local law enforcement, and benefits of creating a transit police department.

Public Comment

David Roger – Provided a verbal statement to the Board during the meeting. Roger expressed dissatisfaction with MTS security and claimed lack of safety on the system.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original DRA critiqued the agency's perception of safety efforts presented.

Truth – Provided a verbal statement to the Board during the meeting. Truth expressed dissatisfaction with MTS security and claimed lack of safety on the system and provided anecdotal accounts.

Committee Comment

Board Member Dillard asked about the additional Transportation Security Association (TSA) K9 unit teams allocated to San Diego during Comic Con and the internal K9 unit. Mr. Stiehler replied that the agency has three K9 teams. She asked staff to describe how the unit is used. Mr. Stiehler stated that the unit is deployed when there is an unattended package to detect explosives. She invited staff's recommendations on La Mesa's HOME program.

Board Member Montgomery Steppe asked what staff's recommendation was based off of the three proposals. Mr. Stiehler suggested that they be considered as phases rather than options. He believed that the first phase should include a staff increase for visibility. Then, concurrently, the agency could contract with law enforcement, and while the contract was in place, the agency could begin to build an internal police department. Board Member Montgomery Steppe emphasized that a strategic plan would continue to be defined by existing principles, if the department were to be expanded. She encouraged the continuation of outreach workers, the ambassador program, along with additional cleanliness and lighting infrastructure. She noted that a partnership with the City Police Department or the Sheriff's department would be cumbersome as they are experience staffing impacts. She was wary of facing similar staffing issues, but preferred to have the services in-house rather than contracting them out. She emphasized a diverse police workforce and is open to exploring options to make the system safer. She cited the American Public Transportation Association (APTA) peer review, the Homelessness community plan and the balance between social impacts and safety.

Board Member Elo-Rivera noted the diverse ridership and finding balance of the perception of safety is a difficult task. He urged the Board to keep that framework present throughout the conversation. He validated the safety concerns expressed by the community. He believed that the agency needed the right tools to address arising issues. He asked to confirm that MTS is the only agency that does not have a law enforcement component and asked about the significant safety outcomes. Mr. Stiehler replied that transit as a whole is addressing similar issues, including: nuisances, loitering, drug use and mental health. Board Member Elo-Rivera suggested that the issues listed did not necessarily seem like they were law enforcement concerns and believed there were more appropriate resources to address the issues. He did not want to replicate traditional enforcement structures at MTS. He encouraged staff to continue to work with the MTS Security and Passenger Safety Community Advisory Group (CAG)? and expand staffing that trained to work with people experiencing homelessness. He asked staff how homelessness services were offered. Mr. Stiehler clarified that CCIs provide information on resources, and the Downtown Partnership has an unhoused CARE team who can facilitate better access opportunities than MTS. Board Member Elo-Rivera noted the importance of bridging folks with resources. He expressed reservations with contracting the Sheriff's department to yield the results the agency is looking for. He believed that the conversation should be had in a measured approach to ensure that MTS hosts a safe transit system for everyone who uses it.

Board Member Chavez asked what the cost difference would be to contract services versus hosting the program internally. Mr. Stiehler noted that the amount presented was a broad estimate and that to better assess the cost, the agency should higher a consultant. Board Member Chavez noted the prioritization of reliable, clean and safe service as well as continuing to solicit rider focus groups to better enhance the system. She also advocated for real time response. Mr. Stiehler noted the emergency buttons on the inside of each trolley car, and the agency's Ride Assured service where passengers can call or text to report an incident. He noted that the agency is currently working to introduce an application alert feature. Board Member Chavez acknowledged that MTS hosted elderly and disabled passengers on the system and suggested real time camera systems as a reliability tool. Mr. Stiehler replied that there are bandwidth and cost limitations to project a live feed.

Board Member Ortiz was concerned about distinguishing calls for service on MTS transit property and the various jurisdictions. Mr. Stiehler noted that there have been cases where 911 calls are not necessarily directed to jurisdictional dispatch centers and is rather transferred once

the caller disclosed their location. He noted that based off of that information, tracking the calls for service could be confusing where incidents are occurring on a trolley. He noted that law enforcement needs were defined by call for service metrics and asked if there was a way to track trolley specific call for services. Mr. Stiehler replied that the agency has recently created a Crime and Data Analyst position to appropriately deploy security to those areas. He added that once the agency has key data, they are able to accurately locate trolley cars because the dispatch center is within the trolley operator control center. Board Member Ortiz emphasized the importance of keeping accurate data to decision-making. He supported on-board, real-time cameras for accurate data collection.

Chair Whitburn liked the safety organizational goals. He was surprised by the number of MTS employees assaulted and believed that the agency should be able to protect its staff and respond effectively and efficiently. He believed that future conversations about this topic should be thoughtful and inclusive. He also commended the HOT for connecting people with shelters, benefits and family members.

Action Taken

No action taken. Informational item only.

22. Zero Emission Bus (ZEB) Program and Transition Plan Update (Mike Wygant, Kyle Whatley, and Heather Furey)

Mike Wygant, MTS Chief Operating Officer for Bus, and Kyle Whatley, Zero Emission Vehicle and Sustainability Manager, presented on ZEB Program and Transition Plan Update. They provided details on: policy history, timeline, ZEB program performance report, monthly fleet efficiency, average efficiency by route, efficiencies vs temperatures, compressed natural gas (CNG) vs battery electric bus (BEB) monthly millage, efficiency summary, CNG vs BEB fuel and maintenance, availability, ZEB program, summary, ZEB deployment, construction at bus division, South Bay bus maintenance facility, Imperial Ave division, Kearney Mesa and East County, new all-ZEB Division, funding, transition costs, upcoming milestones, upcoming ZEB procurement timeline, early adoption pathway, and final summary.

Public Comment

Truth – Provided a verbal statement to the Board during the meeting. Truth did not support the program due to cost, environmental and safety concerns.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original DRA did not support the program due to radiation health concerns.

Committee Comment

Board Member Montgomery Steppe noted that the Clean Transit Advancement Campus (CTAC) project's design build allows smaller businesses to be part of the construction process.

Action Taken

No action taken. Informational item only.

23. Grants Administration Report (Kena Teon and Julia Tuer)

The Board deferred the staff report for this item to the next meeting.

24. Operations Budget Status Report for May 2023 (Gordon Meyer)

The Board deferred the staff report for this item to the next meeting.

OTHER ITEMS:

25. Chair Report

There was no Chair report.

26. Chief Executive Officer's Report

There was no Chief Executive Officer's Report.

27. Board Member Communications

There were no Board Member communications.

28. Remainder of Public Comments Not on The Agenda

Truth – Provided a verbal statement to the Board during the meeting. Truth disagreed with the Comic-Con, homeless and YOP populations to be included as ridership metrics. They requested the Purple line pass through Kearney Mesa up to Mira Mesa in order to create major transit connections. Truth cited topics in the SANDAG June 23rd Agenda Packet and the Eno Center for Transportation.

William Moore – Provided a verbal statement to the Board during the meeting. Moore spoke about Circulate San Diego's support of Open Loop Payments and upcoming events on the subject.

ADJOURNMENT

29. Next Meeting Date

The next regularly scheduled Board meeting is September 14, 2023 at 9:00am.

30. Adjournment

The meeting was adjourned at: 12:03pm.

/S/ Stephen Whitburn	
Chairperson	
San Diego Metropolitan Transit System	
Filed by:	Approved as to form:
/S/ Dalia Gonzalez	/S/ Karen Landers
Clerk of the Board	General Counsel
San Diego Metropolitan Transit System	San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS ROLL CALL

MEETING OF (DATE): July 27, 2023		(CALL TO ORDER (TIME): 9:03 am				
RECESS:		F	RECONVENE:				
CLOSED SESSION:			F	RECONVENE:			
PUBLIC HEARING:			F	RECONVENE:			
ORDINANCES ADOP	TED:		A	ADJOUR	N: <u>12:03pm</u>		
JURISDICTION	BOARD MEMBER		ALTERNATE		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)	
City of Chula Vista	Chavez	\boxtimes	Cardenas		9:03am	12:03pm	
City of Chula Vista	McCann	\boxtimes	Cardenas		9:03am	10:05am	
City of Coronado	Donovan	\boxtimes	Duncan		9:03am	12:03pm	
County of San Diego	Vacant		Vargas		ABSENT	ABSENT	
City of El Cajon	Goble (Vice-Chair)		Ortiz	\boxtimes	9:03am	12:03pm	
City of Imperial Beach	Leyba-Gonzalez	\boxtimes	Aguirre		9:03am	12:03pm	
City of La Mesa	Dillard	\boxtimes	Arapostathis	₃ 🗖	9:03am	12:03pm	
City of Lemon Grove	Gastil		Mendoza		9:03am	12:03pm	
City of National City	Bush		Rodriguez		9:07am	10:17am	
City of Poway	Frank		Pepin		9:03am	11:46am	
City of San Diego	Montgomery Steppe	\boxtimes	Von Wilpert		9:03am	12:03pm	
City of San Diego	Elo-Rivera	\boxtimes	LaCava		9:03am	11:41am	
City of San Diego	Gloria		Moreno		9:03am	12:03pm	
City of San Diego	Whitburn (Chair)	\boxtimes	Campillo		9:03am	11:28am	
City of Santee	Hall	\boxtimes	Koval Minto		9:03am	12:03pm	

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