



**TECHNICAL ADVISORY COMMITTEE TO THE MSRC
THURSDAY, August 3, 2023 MEETING MINUTES
21865 Copley Drive, Diamond Bar, CA 91765**

MSRC-TAC MEMBERS PRESENT:

MSRC-TAC Chair Kelly Lynn, representing San Bernardino County Transportation Authority (SBCTA)
MSRC-TAC Vice-Chair Minh Le, representing the Los Angeles County Board of Supervisors
Denis Bilodeau, representing Orange County Board of Supervisors
Jenny Chan, representing Riverside County Transportation Commission (RCTC)
Chris Escobedo, representing the Cities of Riverside County
Jason Farin, representing the Riverside County Board of Supervisors
Jack Garate, representing the Regional Rideshare Agency
Steve Hillman, representing the City of Los Angeles
Steven Lee, representing Los Angeles County Metropolitan Transportation Authority
David Leyzerovsky (alt), representing Los Angeles County Metropolitan Transportation Authority
Rongsheng Luo, representing Southern California Association of Governments
Scott Strelecki (alt), representing Southern California Association of Governments
Mark McCullough, representing San Bernardino County Board of Supervisors
Ash Nikravan, representing South Coast AQMD

OTHERS PRESENT:

Sam Emmersen – Better World Group
Angie Ramirez – City of Los Angeles
Eva Moon – Los Angeles County Metropolitan Transportation Authority
Louis Zhao – OCTA
Marty Amundson
Nicole Mi
Richard Lam – SCAG
Lauren Dunlap
Amir Abraham – Los Angeles County Public Works

SCAQMD STAFF & CONTRACTORS

Maria Allen, MSRC Administrative Liaison
Sindy Enriquez, Contracts Assistant
Ray Gorski, MSRC Technical Advisor - Contractor
Daphne Hsu, Principal Deputy District Counsel
Aaron Katzenstein, Deputy Executive Officer

8/3/2023 MSRC-TAC Meeting Minutes

Matt MacKenzie, Contracts Assistant
Anish Pathak, Financial Analyst
Debra Ashby, Sr. Public Affairs Specialist
Lane Garcia, Program Supervisor
Lauren Henninger, Administrative Assistant I
Rainbow Yeung, Sr. Public Information Specialist

CALL TO ORDER

- Call to Order
MSRC-TAC Chair Kelly Lynn called the meeting to order at 1:30 p.m.

MSRC-TAC VOTING

Though SCAG Member Rongsheng Luo was present, SCAG Alternate Scott Strelecki represented Southern California Association of Governments at this meeting and voted.

CONSENT CALENDAR

Receive and Approve

Agenda Item #1 - Minutes of the February 2, 2023 MSRC-TAC Meetings

The minutes for the February 2, 2023 MSRC-TAC Meeting were included in the agenda package.

ON MOTION BY MSRC-TAC MEMBER JASON FARIN AND SECONDED BY MSRC-TAC MEMBER JENNY CHAN, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 – #5, THE MSRC-TAC UNANIMOUSLY VOTED TO APPROVE THE MINUTES OF THE FEBRUARY 2, 2023, MSRC-TAC MEETING.

ACTION: The meeting minutes were received and approved. MSRC staff will place the minutes on the MSRC's website.

Agenda Item #2 – Summary of Final Report by MSRC Contractors

One final report was submitted for MSRC-TAC review and approval during August:

- Los Angeles County Metropolitan Transportation Authority (LA Metro), Contract #MS18073 (\$2,000,000 – Procure 40 Zero-Emission Transit Buses)

ON MOTION BY MSRC-TAC MEMBER JASON FARIN AND SECONDED BY MSRC-TAC MEMBER JENNY CHAN, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 - #5, THE MSRC-TAC UNANIMOUSLY VOTED TO RECEIVE AND RECOMMEND APPROVAL OF THE MSRC CONTRACTOR'S FINAL REPORT SUMMARY LISTED ABOVE.

ACTION: The Final Report Summary was received and approved. It will be included on the MSRC's next agenda for final action.

Information Only – Receive and File

Agenda Item #3 – MSRC Contracts Administrator's Report

The Contracts Administrator's Report for May 25, 2023, through July 26, 2023 was included in

the agenda package.

ON MOTION BY MSRC-TAC MEMBER JASON FARIN AND SECONDED BY MSRC-TAC MEMBER JENNY CHAN, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 – #5, THE MSRC-TAC UNANIMOUSLY VOTED TO RECEIVE AND FILE THE MSRC CONTRACTS ADMINISTRATOR’S REPORT LISTED ABOVE.

ACTION: The Contracts Administrator’s Report was received and filed. It will be included on the MSRC’s next agenda for final action.

Agenda Item #4 – Financial Report on AB 2766 Discretionary Fund

The Financial Report on the AB 2766 Discretionary Fund for June 2023 was included in the agenda package.

ON MOTION BY MSRC-TAC MEMBER JASON FARIN AND SECONDED BY MSRC-TAC MEMBER JENNY CHAN, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 – #5, THE MSRC-TAC UNANIMOUSLY VOTED TO RECEIVE AND FILE THE FINANCIAL REPORT FOR THE MONTH OF JUNE 2023.

ACTION: The June 2023 financial report was received and filed. No further action is required.

Agenda Item #5 – Report on Outreach Activities

Sam Emmersen, Vice President of Programs, Better World Group, provided an update on the outreach activities, communications, and policy activities undertaken on behalf of the MSRC. A summary of the Spring 2023 quarterly report was included in the agenda package. Ms. Emmersen wanted to highlight bill AB1609 by Eduardo Garcia. This bill would have imposed an additional annual four-dollar surcharge on each motor vehicle registration which could have potentially doubled the amount of funding allocated to the MSRC. In May the bill was held in the Assembly Appropriations Committee. Because it did not pass out of its house of origin by the deadline it has become a two-year bill which means it could be brought back in next year’s legislative session. South Coast AQMD and the Bay Area Air Quality Management District are sponsors of this bill. At the end of June, Governor Newsom signed the 2023-24 State budget. For zero emission vehicles, the budget reduced the 2023 funding from \$1.1 billion to \$847 million, with \$1.4 billion promised in 2024, \$1.5 billion in 2025 and \$906 million in 2026. For now, the 2023 allocations include \$80 million for Clean Cars 4 All and other transportation projects, \$1 million for equitable at-home EV charging, \$165 million for drayage trucks and infrastructure at CARB and CEC, \$220 million for transit buses and infrastructure at CalSTA, and \$145 million for clean trucks, buses and off-road equipment at the CEC. The budget also provided \$1.5 billion for public transit capital funding over the next three years. In July, CARB and the Engine Manufacturers Association entered into a historic agreement that inoculates California from some of the legislative threats that are being posed to the Heavy-duty Omnibus Truck Rule and California’s Clean Air Act authority in exchange for some concessions on the heavy-duty rule. CARB agreed to adopt a minimum four-year wait time for future heavy-duty regulations and the OEMs agreed to comply with CARB’s ZEV criteria for regulations, regardless of any outcomes

of pending litigation. At the end of July, the Governor signed a set of infrastructure and budget bills to streamline infrastructure to support the State's main transportation and climate goals.

ON MOTION BY MSRC-TAC MEMBER JASON FARIN AND SECONDED BY MSRC-TAC MEMBER JENNY CHAN, UNDER APPROVAL OF CONSENT CALENDAR ITEMS #1 – #5, THE MSRC-TAC UNANIMOUSLY VOTED TO RECEIVE AND FILE THE REPORT ON OUTREACH ACTIVITIES.

ACTION: The report on outreach activities was received and filed. No further action is required.

ACTION CALENDAR

MSRC-TAC Vice-Chair Minh Le joined during the discussion of item #6 at 1:51pm.

Agenda Item #6 - Consider 37-Month Term Extension by LA Metro, Contract #MS14057 (\$1,250,000 - Implement Various Signal Synchronization Projects)

Ray Gorski, MSRC Technical Advisor, explained that LA Metro was awarded \$1.25 million to synchronize traffic signals along three corridors throughout greater Los Angeles County. This program has received two (2), two-year extensions totaling four years. \$248,000 in MSRC funds have been spent, however no billing or reimbursement has been made to date from the Discretionary Fund. This contract is currently scheduled to end on October 6, 2023. LA Metro has requested a three-year extension because no project corridors will be completed by the contract termination date. Per correspondence the MSRC has received from LA Metro, there's a provision in the contract that says that in the event a corridor has not been completed, LA Metro would not be eligible to invoice for any funds and would not be eligible for any reimbursement of MSRC funds. The reason cited in the correspondence is due to disruptions caused by the COVID-19 pandemic, as well as labor shortages that they've encountered and increased costs associated with the signal synchronization program. The Contracts Administrator denied LA Metro's request since the contract has already been extended for greater than two years and the current extension is greater than one year.

MSRC-TAC Member Jason Farin asked if LA Metro indicated that they secured funding for the additional costs?

Mr. Gorski answered stating that to his knowledge, LA Metro has not received any additional funding and would not have any additional funding to cover any escalated costs.

LA Metro Representative Eva Moon stated that there has been a cost issue that they have addressed internally. There are four corridors. They have been meeting with Los Angeles County Public Works (LA County Public Works), which is the agency that will implement these projects. LA Metro has decided on how to move certain items within their grant for them to ensure that they complete the traffic signal synchronized corridors.

MSRC-TAC Member Jenny Chan asked if the project was awarded in 2013 and COVID started in 2020, what caused delays those seven years prior?

Ms. Moon answered stating that these are major regional corridors within Los Angeles County. These four specific corridors run through 12 different jurisdictions and 84 intersections. It has not been easy collaborating implementation of these projects with a very large number of meetings being held.

Ms. Chan asked Ms. Moon to explain the current situation with LA Metro's stakeholders and what is the current project status.

Ms. Moon stated that the design is completed. Harry Avenue, which is one of the corridors, is ready to start construction. The rest of the three are waiting for approval to get their award to start construction. They are requesting three years to make sure that the equipment that they need can be delivered within those three years. The signal poles take about nine months to order and get delivered, post pandemic.

MSRC-TAC Vice Chair Minh Le asked how much of the grant has been expended.

Ms. Moon stated that the MSRC funds only cover the design phase. From what the MSRC has granted, all has been expended.

Mr. Le asked if the original grant was to cover the design phase, why is the MSRC extending the contract for construction, did the original grant require construction.

Mr. Gorski answered stating that yes, the way the contract was written, unless these corridors are completed, the LA Metro is not entitled to any reimbursement and they would forego the \$1.25 million.

Mr. Le asked if the MSRC had any other LA Metro open contracts.

Mr. Gorski stated that to the best of his recollection, the MSRC does not have any other LA Metro open contracts.

MSRC-TAC Member Chris Escobedo asked if the design is one hundred percent complete, approved and does LA Metro have a construction schedule that would fit within this timeframe.

Ms. Moon responded stated that the design is completed and they have a construction schedule for each corridor. For Perry Avenue they are expecting to be complete by February 2024, for Olympic they expect to be complete by July 2025, for Washington Boulevard they expect to be complete by September 2025 and for South Street they expect to complete by December 2025.

Mr. Escobedo asked if the construction contracts have been awarded.

Ms. Moon stated that construction contracts have not been awarded except for one.

Mr. Escobedo asked if all 12 communities have signed the participation agreements.

Representing the LA County Public Works Department, Amir Abraham, stated that to the best of his knowledge, all of the agreements have been secured.

MSRC-TAC Member Jack Garate asked if this contract requires a one-year period of performance after the end of the construction for this project to be complete.

Mr. Gorski answered stating that for the MSRCs existing contract, there is no requirement to demonstrate beyond the commissioning of these corridors. Once the projects are deemed complete and accepted, LA Metro would be entitled to their reimbursement.

Mr. Garate asked if there are any kind of foreseeable issues that may arise between now and the last construction date of December 2025.

Ms. Moon stated that she doesn't see any issue committing to finishing with the three-year requested extension. The only issue that she may see would be if something were to happen relative to the signal manufacturing. She doesn't see that being an issue and is confident that the project will be completed within the allotted time. She also added that the LA County Public Works Department has started a new division to expedite these projects and has been staffing them up for the past 18 months.

Mr. Le asked if there is a scoring criterion on new awards that the MSRC is making regarding past performances.

Mr. Gorski answered stating that for future awards we currently do not. That is something which has been discussed in past work program development cycles, but currently there's no criterion which looks at past performance when doing an evaluation for a current program opportunity.

ON MOTION BY MSRC-TAC MEMBER MARK MCCULLOUGH AND
SECONDED BY MSRC-TAC MEMBER CHRIS ESCOBEDO, THE MSRC-
TAC UNANIMOUSLY VOTED TO RECOMMEND TO APPROVE FOR LA
COUNTY METRO, CONTRACT #MS14057, A 37-MONTH TERM
EXTENSION.

ACTION: MSRC staff will include this contract modification on the next MSRC agenda for approval.

FYs 2018-21 WORK PROGRAM

Agenda Item #7- Consider Request by Southern California Association of Governments (SCAG) to Allow Modification of MOU With Participating Truck Purchasers, Contract #MS21005 (\$16,751,000 – Last Mile Freight Program)

Ray Gorski, MSRC Technical Advisor, explained that SCAG was awarded \$16.75 million under the 2021 Work Program to implement the Last Mile Freight Program on behalf of the MSRC. The current MOU being used by SCAG with participating truck purchasers was originally approved through the MSRC Committee process. The MSRC's contract with SCAG requires deviations from the MOU template be reviewed and affirmed by the MSRC. Per the existing MOU, truck payments made prior to the execution of the MOU may not be reimbursed or considered part of the required match funding. SCAG is requesting to approve modifications to the MOU to allow reimbursements for payments made by truck purchasers before they entered into the MOU with SCAG.

MSRC-TAC Vice-Chair Minh Le asked if there is there a specific time bound for the reimbursement request.

Mr. Gorski stated that these are two unique cases in which SCAG would like to reimburse the truck purchasers for their out-of-pocket expenses. If this request were approved, the benefit of the bargain to the MSRC would not change, meaning that the intent of the MSRC when they entered into this agreement and approved the MOU was that these truck purchasers would get the full increment of MSRC funding. In the event this request is not approved, the truck purchasers would not be entitled to reimbursement, and they would not be entitled to use the payments as a match towards their funding obligation. The MSRC would have that money revert to the Discretionary Fund.

Mr. Le asked if an approval of up to six months prior to the signing of the MOU would encompass the two unique cases.

Mr. Gorski stated that it would encompass the cases that SCAG wishes to support, but it would not be a good fit with the contract the MSRC has with SCAG, because the contract that the MSRC has with SCAG does not get into that level of detail. The MOU language that is in the contract states that if there's a deviation or modification, it needs to be reviewed and approved by the MSRC. There is nothing in there that the MSRC would modify to put a timeframe for specific cases in which there was an action prior to the MOU signature. Mr. Gorski added that staff has been working with South Coast AQMD Legal and they have proposed language to modify the contract which moving forward would allow the MSRC to address these types of issues. If they're not substantive, the MSRC staff would modify internally, if they were substantive, then they would go to the MSRC. The recommendation from the Contracts Administrative staff would be to approve and allow the South Coast AQMD District Counsel and MSRC staff to modify the contract accordingly.

MSRC-TAC Member Jack Garate asked if there are any delays that Mr. Gorski is aware of in terms of the MOUs being signed that created the situation that the two cases are involved in.

Mr. Gorski stated that he is not aware of the reason for the delay, but when the MSRC granted funding for this program, they also granted administrative authority.

MSRC-TAC Member Ash Nikravan asked if the replacement trucks are low NOx or zero emission.

MSRC-TAC Alternate Scott Strelecki answered stating that the replacement trucks are natural gas.

Mr. Nikravan stated that the reason for his questions is that various incentive programs that the South Coast AQMD implements have experienced delays due to the manufacturers. He cautioned putting a timeframe deadline for this program because the delays may be out of the control of the applicant.

ON MOTION BY MSRC-TAC MEMBER DENIS BILODEAU AND
SECONDED BY MSRC-TAC VICE-CHAIR MINH LE, WITH THE

EXCEPTION OF MSRC-TAC ALTERNATE SCOTT STRELECKI WHO ABSTAINED, THE MSRC-TAC UNANIMOUSLY VOTED TO RECOMMEND TO APPROVE FOR SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS, CONTRACT #MS21005, ALLOW REIMBURSEMENTS FOR PAYMENTS MADE BY TRUCK PURCHASERS BEFORE THEY ENTERED INTO THE ORIGINAL MOU WITH SCAG.

ACTION: MSRC staff will include this contract modification on the next MSRC agenda for approval.

FYs 2021-24 WORK PROGRAM

Agenda Item #8 - Consider Modification to Project Implementation Schedule by the City of Huntington Beach, Proposed Contract #MS24005 (\$279,186 – Circuit Transit Rideshare Program)

Ray Gorski, MSRC Technical Advisor, explained that the MSRC approved awards under the Micro Transit Program. The City of Huntington Beach was awarded \$279,186 to implement the Circuit Micro Transit Program; this contract has not yet been executed. When the MSRC and the South Coast AQMD Governing Board approved this project they anticipated operation would commence July 2023. The City was recently awarded funding from OCTA for this program. OCTA's funding will fully cover the operational cost for the next two years of micro transit service. The City is requesting for the schedule to be modified and the MSRC's contribution to commence at the fiscal year three, which would be July 1, 2025. If the request is denied the \$279,186 will revert to the MSRC Discretionary Fund. If approved, this contract modification would need to go through the MSRC and the South Coast AQMD Governing Board because the original program that was anticipated would have been completed prior to the newly proposed start date.

ON MOTION BY MSRC-TAC MEMBER DENIS BILODEAU AND SECONDED BY MSRC-TAC MEMBER JACK GARATE, THE MSRC-TAC UNANIMOUSLY VOTED TO RECOMMEND TO APPROVE FOR THE CITY OF HUNTINGTON BEACH, PROPOSED CONTRACT #MS24005, CONTRACT MODIFICATION OF PROGRAM IMPLEMENTATION DATE TO COMMENCE JULY 1, 2025.

ACTION: MSRC staff will include this contract modification on the next MSRC agenda for approval.

Agenda Item #9- Consider Funding Award to Prologis under MSRC RFI 2023-01, Publicly Accessible Goods Movement Zero-Emission Infrastructure

Ray Gorski, MSRC Technical Advisor, explained that this request comes from Prologis. They submitted a package under the Zero-Emission Goods Movement Infrastructure RFI. Prologis is seeking to partner with the MSRC to implement DC fast chargers and hydrogen refueling hubs at their logistics facilities throughout the greater South Coast AQMD region. Subsequent to their submittal of an information package under the MSRC's RFI, Prologis teamed with the South Coast AQMD and sought additional funding from the California State Transportation Agency

(CalSTA) - and they won. Prologis and the South Coast AQMD are requesting the MSRC to enter into a partnership in which the South Coast AQMD, Prologis and the MSRC would fund an expanded project. This project with CalSTA funding would expand from five locations to seven, DCFC Ports from 284 to 376, H₂ dispensers from 15 to 19. A map of the locations of the Prologis zero emission hub locations was provided in the agenda package. They have sites within both the western portion of the region as well as the Inland Empire. South Coast AQMD and CalSTA would be funding \$38,930,570, Prologis would be funding \$155,722,278 and the MSRC funding request would be reduced from \$35,000,000 to \$11,679,171.

This project was reviewed by the MSRC Goods Movement Subcommittee. It was felt that there is leveraging of seed money, there are partnerships with public agencies, there is geographic equity with sites within the Inland Empire and the western portion of the region, and through the \$155 million dollar contribution Prologis is showing they are willing to make an investment in zero emissions goods movement. The Subcommittee recommends for the MSRC-TAC to forward the Prologis/South Coast AQMD partnership opportunity to the MSRC with a recommendation for approval.

ON MOTION BY MSRC-TAC MEMBER STEVE HILLMAN AND
SECONDED BY MSRC-TAC MEMBER JASON FARIN, WITH THE
EXCEPTION OF MSRC-TAC MEMBER ASH NIKRAVAN WHO
ABSTAINED, THE MSRC-TAC UNANIMOUSLY VOTED TO
RECOMMEND TO APPROVE FOR PROLOGIS/SOUTH COAST AQMD, A
\$11,679,171 AWARD.

ACTION: MSRC staff will include this award on the next MSRC agenda for approval.

Agenda Item #10- Consider Conditional Funding Award to the Los Angeles Cleantech Incubator (LACI) under MSRC RFI 2023-01, Publicly Accessible Goods Movement Zero-Emission Infrastructure

Ray Gorski, MSRC Technical Advisor, explained that this request is a partnership request from the Los Angeles Clean Tech Incubator (LACI) and the Port of Los Angeles (POLA) on a project to implement charging for zero emission drayage trucks. LACI and POLA were respondents under the MSRC's 2021-2024 Work Program Goods Movement RFI. LACI was recently awarded \$1.5 million in federal funding to develop two sites at the Port of Los Angeles. POLA is the property owner, but they are releasing a Request for Information for the development of those two sites and the outcome of that process will be selection of an entity to develop the sites. POLA has identified funding that they will be putting towards these projects and LACI has committed funding. LA Metro has indicated that they will consider putting in funding towards this project. POLA is asking the MSRC to partner on these two sites. LACI's role in this partnership will be to act as the project implementer. The Goods Movement Subcommittee recommends approval of a \$3,000,000 award, conditioned upon the successful POLA RFI process and selection of site developer, co-funding commitments being formalized and LACI successfully assuming the role of project implementor on behalf of POLA. The MSRC's award would be matched by an equal contribution of equal from the Port of Los Angeles, and consideration of a contribution from Los Angeles Metro in the amount of \$3 million, as well as the \$1.5 million contribution which has been awarded to LACI for implementing zero emission infrastructure at these two sites at POLA.

ON MOTION BY MSRC-TAC MEMBER CHRIS ESCOBEDO AND SECONDED BY MSRC-TAC VICE-CHAIR MINH LE, WITH THE EXCEPTION OF MSRC-TAC MEMBER STEVE HILLMAN WHO ABSTAINED, THE MSRC-TAC UNANIMOUSLY VOTED TO RECOMMEND TO APPROVE FOR LACI, A \$3 MILLION CONDITIONAL AWARD.

ACTION: MSRC staff will include this award on the next MSRC agenda for approval.

PUBLIC COMMENTS:

NO PUBLIC COMMENT

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, THE MSRC-TAC MEETING ADJOURNED AT 2:39P.M.

NEXT MEETING: Next meeting: Thursday, September 7, 2023, 1:30 p.m.

(Minutes prepared by Maria M. Allen)