



# Board of Directors Agenda

Click link to access the meeting:

<https://us02web.zoom.us/j/98288032362>

Zoom Meeting ID

## Ways to Join



**Computer:** Click the link above. You will be prompted to run the Zoom browser or Zoom application. Once signed on to the meeting, you will have the option to join using your computer audio system or phone.

### Webinar Features:

	▶	Use the <b>raise hand</b> feature every time you wish to make a public comment.
	▶	Participants can enable <b>closed captioning</b> by clicking the CC icon. You may also view the full transcript and change the font size by clicking 'subtitle settings'. These features are not available via phone.
	▶	This symbol shows you are <b>muted</b> , click this icon to unmute your microphone.
	▶	This symbol shows you are currently <b>unmuted</b> , click this button to mute your microphone.
	▶	The chat feature should be used by panelists and attendees solely for "housekeeping" matters as comments made through this feature will not be retained as part of the meeting record. See the <b>Live Verbal Public Comment</b> for instructions on how to make a public comment.



**Smartphone or Tablet:** Download the Zoom app and join the meeting by clicking the link or using the webinar ID (found in the link).



### Phone:

1. If you are joining the meeting audio by phone and viewing the meeting on a device, dial the number provided in the 'join audio' phone call tab of the initial pop-up, and enter the Meeting ID (found in the link).
2. If you are joining by phone only, dial: **+1-669-900-9128** or **+1-253-215-8782** and type the meeting ID found in the link, press #. You will have access to the meeting audio, **but will NOT be able to view the PowerPoint presentations.**



### Live Verbal Public Comments:

Use the 'Raise Hand' icon every time you wish to make a public comment on an item. Raise your hand once the agenda item you wish to comment on has been called. In person public comments will be taken first, virtual attendees will be taken in the order in which they raise their hand. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion. General Public Comment, at the beginning of the Board of Directors meeting only, will be limited to five speakers. Additional speakers with general public comments will be heard at the end of the meeting. Two-minutes of time is allotted per speaker, unless otherwise directed by the Chair.

### Public Comments Made Via Zoom

1. Click the link found at the top of this instruction page
2. Click the raise hand icon located in the bottom center of the platform
3. The Clerk will announce your name when it is your turn to speak
4. Unmute yourself to speak

### Public Comments Made by Phone Only

1. Dial **+1-669-900-9128**
2. Type in the zoom meeting ID found in the link and press #
3. Dial \*9 to raise your hand via phone
4. The Clerk will call out the last 4 digits of your phone number to announce you are next to speak
5. Dial \*6 to unmute yourself



**Written Public Comments (before the meeting):** Written public comments will be recorded in the public record and will be provided to MTS Board Members in advance of the meeting. Comments must be emailed or mailed to the Clerk of the Board\* by 4:00pm the day prior to the meeting.

---



**Translation Services:** Requests for translation services can be made by contacting the Clerk of the Board\* at least four working days in advance of the meeting.

---



**In-Person Participation:** In-person public comments will be heard first. Following in-person public comments, virtual attendees will be heard in the order in which they raise their hand via the Zoom platform. Speaking time will be limited to two minutes per person, unless specified by the Chairperson. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion.

**Instructions for providing in-person public comments:**

1. Fill out a speaker slip located at the entrance of the Board Room;
2. Submit speaker slip to MTS staff seated at the entrance of the Board Room;
3. When your name is announced, please approach the podium located on the right side of the dais to make your public comments.

Members of the public are permitted to make general public comment at the beginning of the agenda or specific comments referencing items on the agenda during the public comment period. General Public Comment, at the beginning of the Board of Directors meeting only, will be limited to five speakers. Additional speakers with general public comments will be heard at the end of the meeting.

---



**Assistive Listening Devices (ALDs):** ALDs are available from the Clerk of the Board\* prior to the meeting and are to be returned at the end of the meeting.

---



**Reasonable Accommodations:** As required by the Americans with Disabilities Act (ADA), requests for agenda information in an alternative format or to request reasonable accommodations to facilitate meeting participation, please contact the Clerk of the Board\* at least two working days prior to the meeting.

---



**\*Contact Information:** Contact the Clerk of the Board via email at [ClerkoftheBoard@sdmts.com](mailto:ClerkoftheBoard@sdmts.com), phone at (619) 398-9681 or by mail at **1255 Imperial Ave. Suite 1000, San Diego CA 92101.**



# Agenda de la Junta de Directores

Haga clic en el enlace para acceder a la reunión:

<https://us02web.zoom.us/j/98288032362>






ID de la reunión  
en Zoom

## Formas de Participar



**Computadora:** Haga clic en el enlace más arriba. Recibirá instrucciones para operar el navegador de Zoom o la aplicación de Zoom. Una vez que haya iniciado sesión en la reunión, tendrá la opción de participar usando el sistema de audio de su computadora o teléfono.

## Funciones del Seminario En Línea:

 Levantar la mano	▶	Use la herramienta de <b>levantar la mano</b> cada vez que desee hacer un comentario público.
	▶	Los participantes pueden habilitar el <b>subtitulado</b> haciendo clic en el ícono CC. También puede ver la transcripción completa y cambiar el tamaño de letra haciendo clic en “configuración de subtítulos”. Estas herramientas no están disponibles por teléfono.
	▶	Este símbolo indica que usted se encuentra en <b>silencio</b> , haga clic en este ícono para quitar el silenciador de su micrófono.
	▶	Este símbolo indica que su micrófono se encuentra <b>encendido</b> . Haga clic en este símbolo para silenciar su micrófono.
	▶	La herramienta de chat deben usarla los panelistas y asistentes únicamente para asuntos “pertinentes a la reunión”, ya que comentarios realizados a través de esta herramienta no se conservarán como parte del registro de la reunión. Consulte el <b>Comentario público verbal</b> en vivo para obtener instrucciones sobre cómo hacer un comentario público.



**Teléfono Inteligente o Tableta:** Descargue la aplicación de Zoom y participe en la reunión haciendo clic en el enlace o usando el ID del seminario web (que se encuentra en el enlace).



## Teléfono:

1. Si está participando en la reunión mediante audio de su teléfono y viendo la reunión en un dispositivo, marque el número indicado en la pestaña de llamada telefónica “unirse por audio” en la ventana emergente inicial e ingrese el ID de la reunión (que se encuentra en el enlace).
2. Si está participando solo por teléfono, marque: **+1-669-900-9128** o **+1-253-215-8782** e ingrese el ID de la reunión que se encuentra en el enlace, pulse #. Tendrá acceso al audio de la reunión, **pero NO podrá ver las presentaciones en PowerPoint.**



**Comentarios Públicos Verbales en Vivo:** Use la herramienta “levantar la mano” cada vez que desee hacer un comentario público sobre alguno de los artículos. Levante la mano una vez que el artículo de la agenda sobre el que desea comentar haya sido convocado. Los comentarios públicos en persona se escucharán primero, se escuchará a los asistentes virtuales en el orden en el que levanten la mano. No se aceptarán solicitudes para hablar después de que termine el periodo para hacer comentarios públicos, a menos de que el presidente determine de otra forma a su discreción. Comentarios públicos generales, únicamente al inicio de la reunión de la Junta de Directores, se limitarán a cinco personas que deseen hablar. Las personas adicionales que deseen aportar comentarios públicos generales podrán hacerlo al final de la reunión. Se otorga dos minutos de tiempo por persona que desee hablar, a menos de que el presidente instruya de otra forma. (Consulte la página 2 para obtener instrucciones sobre cómo hacer un comentario público.)

## Comentarios Públicos a Través de Zoom

1. Haga clic en el enlace que se encuentra en la parte superior de esta página de instrucciones
2. Haga clic en el ícono de levantar la mano en el centro inferior de la plataforma
3. El secretario anunciará su nombre cuando sea su turno de hablar
4. Desactive el silenciador para que pueda hablar

## Comentarios Públicos Realizados Únicamente por Teléfono

1. Marque el **+1-669-900-9128**
2. Ingrese el ID de la reunión en Zoom que se encuentra en el enlace y pulse #
3. Marque \*9 para levantar la mano por teléfono
4. El secretario indicará los últimos 4 dígitos de su número de teléfono para anunciar que usted será el siguiente en hablar
5. Marque \*6 para desactivar el silenciador



**Comentarios Públicos por Escrito (Antes de la Reunión):** Los comentarios públicos por escrito se registrarán en el registro público y se entregarán a los miembros de la Junta de MTS antes de la reunión. Los comentarios deben enviarse por correo electrónico o postal al secretario de la Junta\* antes de las 4:00 p.m. el día anterior a la reunión.



**Servicios de Traducción:** Pueden solicitarse servicios de traducción comunicándose con el secretario de la Junta\* por lo menos cuatro días hábiles antes de la reunión.



**Participación en Persona:** Los comentarios públicos en persona se escucharán primero. Después de los comentarios públicos en persona, se escuchará a los asistentes virtuales en el orden en el que levanten la mano a través de la plataforma de Zoom. El tiempo para hablar se limitará a dos minutos por persona, a menos de que el presidente especifique de otra forma. No se recibirán solicitudes para hablar después de que termine el periodo para hacer comentarios públicos, a menos de que el presidente determine de otra forma a su discreción.

### Instrucciones para brindar comentarios públicos en persona:

1. Llene la boleta para personas que desean hablar que se encuentran en la entrada de la Sala de la Junta.
2. Entregue la boleta para personas que desean hablar al personal de MTS que se encuentra sentado en la entrada de la Sala de la Junta.
3. Cuando anuncien su nombre, por favor, acérquese al podio ubicado en el lado derecho de la tarima para hacer sus comentarios públicos.

Los miembros del público pueden hacer comentarios públicos generales al inicio de la agenda o comentarios específicos que hagan referencia a los puntos de la agenda durante el periodo de comentarios públicos. Los comentarios públicos generales únicamente al inicio de la reunión de la Junta de Directores, se limitarán a cinco personas que deseen hablar. Las personas adicionales que deseen aportar comentarios públicos generales podrán hacerlo al final de la reunión.



**Dispositivos de Asistencia Auditiva (ALD, por sus siglas en inglés):** Los ALD están disponibles con el secretario de la Junta\* antes de la reunión y estos deberán ser devueltos al final de la reunión.



**Facilidades Razonables:** Según lo requerido por la Ley de Estadounidenses con Discapacidades (ADA, por sus siglas en inglés), para presentar solicitudes de información de la agenda en un formato alternativo o solicitar facilidades razonables para facilitar su participación en la reunión, por favor, comuníquese con el secretario de la Junta\* por lo menos dos días hábiles antes de la reunión.



**\*Información de Contacto:** Comuníquese con el secretario de la Junta por correo electrónico en [ClerkoftheBoard@sdmts.com](mailto:ClerkoftheBoard@sdmts.com), por teléfono al **(619) 398-9681** o por correo postal en **1255 Imperial Ave. Suite 1000, San Diego CA 92101.**





**Metropolitan  
Transit  
System**

**REVISED**

**Board of Directors  
Agenda**

March 14, 2024 at 9:00 a.m.

**In-Person Participation:** James R. Mills Building, 1255 Imperial Avenue, 10th Floor Board Room, San Diego CA 92101

**Teleconference Participation:** (669) 444-9171; Webinar ID: 982 8803 2362, <https://zoom.us/j/98288032362>

NO.	ITEM SUBJECT AND DESCRIPTION	ACTION
1.	<b>Roll Call</b>	
2.	<b>Public Comments</b> This item is limited to five speakers with two minutes per speaker. Others will be heard after Board Discussion items. If you have a report to present, please give your copies to the Clerk of the Board.	
CONSENT ITEMS		
3.	<b>Approval of Minutes</b> Action would approve the February 8, 2024 Board of Director meeting minutes.	Approve
4.	<b>Public Hearing: Proposed Amendments to For-Hire Vehicle Services Regulations</b> Action would 1) Adopt the proposed amendments to MTS Ordinance No. 11 “An Ordinance Providing for the Licensing and the Regulating of Transportation Services within the City and the County by the Adoption of a Uniform Paratransit Ordinance”; 2) Waive the requirements of MTS Board Policy No. 22 “Rules of Procedure for MTS Board of Directors”, Sections 22.4.3, stating all ordinances shall be read in full either at the time of introduction or passage (per MTS Board Policy No. 22, unanimous vote of the Board members present is required in order to waive further reading); and 3) Approve the proposed revisions to MTS Board Policy No. 34 “For-Hire Vehicle Services”.	Approve
5.	<b>Adoption of 2024 Conflict of Interest Code – Amendment</b> Action would 1) Adopt Resolution No. 24-02 amending the MTS Conflict of Interest Code pursuant to the Political Reform Act of 1974; 2) Adopt the amended 2024 MTS Conflict of Interest Code; and 3) Forward the amended 2024 MTS Conflict of Interest Code to the County of San Diego (the	Approve



designated code-reviewing body) (Gov. Code § 82011) requesting approval of the amendment as required under Government Code section 87303.

6. **Addition of Full-Time Equivalent (FTE) Position: Staff Attorney** Approve  
Action would authorize the Chief Executive Officer (CEO) to add one (1) Staff Attorney to the position tables previously approved in the Fiscal Year 2024 budget.
7. **Investment Report – Quarter Ending December 31, 2023** Informational
8. **Bayside Double Track Imperial Avenue Transit Center (IMT) Construction Management (CM) Services – Work Order Amendment** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA2498-CM05.01 under MTS Doc. No. G2498.0-21, with Kleinfelder Construction Services, Inc. (KCS), to CM Services for the Bayside Double Track IMT project in the amount of \$318,443.22.
9. **Trolley On-Board Video Surveillance System (OBVSS) Preventative Maintenance, Repairs and All Related Support Services – Contract Amendment** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1603.2-22 with Seon Design USA Corp (“Seon”) for twenty (20) NH16 systems and cameras with installation in the amount of \$238,545.00.
10. **On-Call Job Order Contracting (JOC) Building and Facilities Construction Services – Contract Amendment** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 5 to MTS Doc. No. PWG324.5-21, with ABC General Construction Services, Inc., (ABCGC) for an increase in capacity to the JOC Building and Facilities Construction Services Contract in the amount of \$11,000,000.00.
11. **On-Call Job Order Contracting (JOC) General Civil Construction Services – Contract Amendment** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 2 MTS Doc. No. PWG347.2-22 with ABC General Construction Services, Inc., (ABCGC) for an increase in capacity to the JOC General Civil Construction Services Contract in the amount of \$5,000,000.00.
12. **On-Call Job Order Contracting (JOC) Railroad Construction Services – Contract Amendment** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 2 MTS Doc. No. PWG348.2-22 with Veterans Engineering Services, Inc., (Veterans) for an increase in capacity to the JOC General Civil Construction Services Contract in the amount of \$4,000,000.00.

13. **Job Order Contracting (JOC) Consulting Programming Software Services – Contract Amendment** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 4 MTS Doc. No. L1282.4-15 with The Gordian Group (Gordian) for an increase in capacity to the JOC Consulting Programming Software Services Contract in the amount of \$400,000.00.
14. **Propane Fueling Services at Copley Park Division (CPD) – Contract Award** Approve  
Action would 1) authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0760.0-24 with Suburban Propane for Propane Fueling Services, in the amount of \$14,409,695.44, for a five (5) base year period with two (2) 1-year options, for a total of seven (7) years; and 2) 1) Exercise option years at CEO's discretion.
15. **SAP Support Services – Contract Award** Approve  
Action would 1) Authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2782.0-24 with Sage Group Technologies, Inc. (Sage) to provide SAP support services in the amount of \$600,000.00 for a contract period of thirty-two (32) months with one (1) option year. 2) Authorize the CEO to execute MTS Doc. No. G2783.0-24 with Sierra Digital, Inc. (Sierra), a Disadvantaged Business Enterprise (DBE), to provide SAP support services in the amount of \$600,000.00 for a contract period of thirty-two (32) months with one (1) option year. 3) Exercise the option year of each agreement at the CEO's discretion.
16. **Light Rail Vehicle (LRV) Pantograph Carbon Strips - Contract Award** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1660.0-24 with Schunk Carbon Technology (Schunk) for the purchase of LRV Pantograph Carbon Strips for a five (5) year base period in the amount of \$687,536.59.
17. **Property Insurance Renewal** Approve  
Action would authorize the Chief Executive Officer (CEO) to renew the property insurance coverage for MTS, San Diego Transit Corporation (SDTC), and San Diego Trolley, Inc. (SDTI) with the Public Risk Innovation, Solutions, and Management (PRISM) Property Insurance Program, effective March 31, 2024 through March 31, 2025, with various coverage deductibles of \$50,000 (real property, personal property and business interruption), \$100,000 (bus fleet), \$250,000 (light rail fleet) and a \$3,000,000 sublimit for each occurrence subject to a \$500,000 deductible for unscheduled infrastructure.
18. **Excess General Liability (Liability) And Excess Workers' Compensation (Workers' Compensation) Insurance Renewals** Approve  
Action would 1) Authorize the Chief Executive Officer (CEO) to purchase a Liability insurance program, effective March 31, 2024, that results in a not to

exceed premium amount of \$3,976,021 (excluding the State of California surplus lines taxes) based on the coverage structure of \$75 million total program coverage, inclusive of a \$7.5 million Self Insured Retention (SIR) on Bus and Rail Operations, and a \$5 million SIR on Public Entity Errors and Omissions, and Employment Practices Liability; 2) Approve a two-year commitment from Mid-West Employers for MTS Excess Workers' Compensation Insurance program, excess of a \$1 million SIR effective March 31, 2024, for an annual deposit premium of \$228,499, for a total of approximately \$456,998.

#### DISCUSSION AND REPORT ITEMS

19. **Fiscal Year (FY) 2024 Operating Budget Midyear Amendment (Gordon Meyer)** Approve  
Action would enact Resolution No. 24-01 amending the FY 2024 operating budget for MTS, San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), MTS Contract Services, and the Coronado Ferry.
20. **Fiscal Year (FY) 2025 Capital Improvement Program (CIP) (Mike Thompson)** Approve  
Action would 1) Approve the FY 2025 CIP with the estimated federal and non-federal funding levels. As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels; 2) Recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of Federal Section 5307, 5337, and 5339 applications for the MTS FY 2025 CIP; and 3) Recommend that the SANDAG Board of Directors approve amendment number 12 of the 2023 Regional Transportation Improvement Program (RTIP) in accordance with the FY 2025 CIP recommendations.
21. **Hearing to consider adoption of a Resolution of Necessity and authorization of condemnation proceedings to acquire property interests for the 12th & Imperial Transit Center Rehabilitation Project (Project). (2/3 Vote Required by Code Civil Procedure section 1245.360)** Approve  
**Resolution of Necessity Hearing**  
Action would adopt the attached Resolution of Necessity, authorizing the commencement of eminent domain proceedings to acquire the private property interests necessary for the Project. Staff recommends the Board of Directors: Open hearing and receive public testimony; 2) Determine that offers to acquire the necessary real property were made to the owners of the subject properties pursuant to Section 7267.2 of the Government Code; 3) Adopt Resolution of Necessity No. 24-03 (Attachment 1) pertaining to the acquisition of private real property interests in the subject public street right-of-way property parcels in support of the 12th & Imperial Transit Center Rehabilitation Project, and find that: a) the public interest and necessity require the project; b) the project is planned or located in a manner that will be the most compatible with the greatest public good and least private injury; and c) the interests in the

~~property sought to be acquired is necessary for the project; d) MTS has complied with the requirements of Government Code § 7267.2 to the extent applicable to the subject property, made the required offers to acquire the property together with the accompanying statement of and summary of the basis for the amount established as just compensation to the owner or owners of record, which offers and accompanying statement/summary were in a form and contained all of the factual disclosures required by law, and complied with all conditions and statutory requirements necessary to exercise of the power of eminent domain to acquire the property; and 4)Authorize the General Counsel and staff, through outside counsel, to proceed with condemnation proceedings necessary to acquire the private property interests in the subject public street right of way property parcels.Hearing would consider adoption of a Resolution of Necessity and authorization of condemnation proceedings to acquire property interests for the 12th & Imperial Transit Center Rehabilitation Project (Project). (2/3 Vote Required by Code Civil Procedure section 1245.360)~~

- 22. **Fiscal Year (FY) 2024 Mid-Year Performance Monitoring Report (Denis Desmond, Neomi Woods)** Informational
- 23. **Vehicle Assignment and Transit Amenities Policies (Samantha Leslie & Denis Desmond)** Informational

OTHER ITEMS

- 24. **Chair, Board Member and Chief Executive Officer’s (CEO’s) Communications and [CEO Report](#)** Informational
- 25. **Remainder of Public Comments Not on The Agenda**  
This item is a continuation of item No. 2 (Public Comment), in the event all speakers who request to comment on item No. 2 are not called. If all Public Comment is accepted during item No. 2, no additional public comment will be accepted under this item.

CLOSED SESSION

- 26. **Public Comment for Closed Session**
- 27. **Closed Session – Conference with Real Property Negotiators Pursuant to California Government Code Section 54956.8** Possible Action  
5801 and 5805 Fairmount Ave, San Diego, CA (APNs 461-320-20 and 461-320-21)  
Agency Negotiators: Sharon Cooney, Chief Executive Officer; Karen Landers, General Counsel; Heather Furey, Director of Capital Projects; Sean Myott, Manager of Real Estate Assets;  
Negotiating Parties: Four D Properties, Inc.  
Under Negotiation: Price and Terms of Payment

- 28. Closed Session - Conference with Labor Negotiators Pursuant to California Government Code Section 54957.6** Possible Action
- Agencies: San Diego Transit Corporation (“SDTC”), San Diego Trolley, Inc. (“SDTI”)  
Employee Organization: International Brotherhood of Electrical Workers, Local 465 (“IBEW”)  
Employee Organization: International Association of Sheet Metal, Air, Rail, And Transportation Workers (“SMART”)  
Agency- Designated Representative: Jeffrey M. Stumbo, Chief Human Resources Officer (EEO Officer)

ADJOURNMENT

- 29. Next Meeting Date**  
The next Board of Director’s meeting is scheduled for April 25, 2024 at 9:00am.
- 30. Adjournment**



Case Type: **Z\_01 Customer Case**Printed on: **02/12/2024**

<b>SECTION 1:</b>	<b>GENERAL DATA</b>	<b>SECTION 5:</b>	<b>PROCESSING DATA</b>
Type:	<b>Customer Case</b>	Priority:	
Case ID:	<b>463042</b>	Comm. Received:	<b>Email</b>
Description:	<b>Route 227 Imperial Beach</b>	Reply Req. Code:	<b>Email</b>
Category:	<b>Comments and Suggestions</b>	Status:	<b>Pending</b>
Refer To Dept:	<b>Scheduling / Planning</b>		
Reason:	<b>Scheduling</b>	<b>SECTION 6:</b>	<b>VEHICLE DATA</b>
		Information Type:	<b>Bus</b>
<b>SECTION 2:</b>	<b>DRIVER DATA</b>	Bus:	
Driver Badge:		Bus Route:	<b>227</b>
Driver First Name:		Stop:	
Driver Last Name:		Run/Duty:	
Driver Description:		Schedule Block:	
		Division Code:	
<b>SECTION 3:</b>	<b>CUSTOMER DATA</b>	Time Point Location:	
Anonymous:	<b>No</b>	Travel Direction:	
Saved Customer ID:	<b>5955</b>	Actual Location:	
Cust. First Name:	<b>DAVE</b>		
Cust. Last Name:	<b>NEARING</b>	<b>SECTION 0:</b>	<b>CASE DATA</b>
Cust. Phone No.:	<b>6195759292</b>	Created By:	<b>MSANCHEZ</b>
Cust. Email:	<b>IBDAVE236@GMAIL.COM</b>	Created On:	<b>12/11/2023</b>
		Changed By:	<b>BFRAGGER</b>
<b>SECTION 4:</b>	<b>DATES</b>	Changed On:	<b>01/08/2024</b>
Incident Date:	<b>12/11/2023</b>	Closed By:	
Incident Time:	<b>09:16:00</b>		
Reported Date:	<b>12/11/2023</b>		
Reported Time:	<b>13:19:11</b>		
Closing Date:			

**Notes**

Description MSANCHEZ 12/11/2023 13:21:24

Please Board Members take the time to read this. The whole town is upset with the 227 Route. We have much more to say.

Description MSANCHEZ 12/11/2023 13:22:27

Dear MTS Board members:

RE: May I try and explain to you why Route 227 through Imperial Beach is not in the best interest of our Imperial Beach community.

First and foremost; The proposed Route 227 has impacted our way of life in Imperial Beach not for the better. Giving up our #peace and tranquility# for an item that is not needed is not ok.

I have chosen to live here like so many of my neighbors to enjoy our community by the Beach and the Tijuana Estuary. Route 227 is a blight on our community, ridership does not support the 277 Route, from my home that is located on Third Street and Ebony Ave. I have a good view of I.B. Blvd. and down Third St. From November 8, 2023, to December 3, 2023

Case Type: Z\_01 Customer Case

Printed on: 02/12/2024

(not trying to keep tabs on the buses but noted the ones I have seen from my home only when I am in the front). I have witnessed 130 buses going down Third St. and counted 26 riders. I also recorded a #log# when I am in the front of the house from October 22, 2023, to November 7, 2023, and there were 78 buses and 5 riders. Like any new business it takes time for the start-up to be profitable. Then I found out that MTS is a non-profit? Finding out that this was another grant money boondoggle only exacerbates the situation and is a waste of taxpayer funds.

The current bus routes are 933 and 934 serve the community along with many others. The ridership on the existing buses is very low IN OUR COMMUNITY, understanding we need a means of transportation for folks that prefer or need to travel by bus. What is the number of buses at any given time in our #one mile square# city? You can answer that question by flying a drone and taking a picture each hour to show the influx of buses in our little community? On Nov. 19 at 11:23 AM, I encountered 4 buses within 3 mins. Two in front of CVS, one alongside Grocery Outlet, and driving home there was one in front of Filippi#s at 11:26 AM. Is our little community slated for #driver training# of bus drivers, like one would take their kids to the mall parking lot? It seems to be that way. I experienced a 60-footer, running the stop sign on Third and Palm at approximately 7:30 AM on Sunday the 3rd of December. The sign said, #Not In Service#. This bus was traveling at a very high rate of speed. We are very thankful to you MTS for the #backing off# of the buses coming down Third St. and they generally are going slower. Truly an eyeopener that we had come to expect serenity and mild traffic on our residential street. Then Route 227 was forced upon us. We now appreciate the lower number of buses coming down Third St. and are more appreciative for the times that the buses do not interrupt our way of life. I only hope this is not to placate us until the full implementation of the ill-conceived Route 227 is implemented. Please stop the buses from coming down 3rd St.

I would like to address the proposed city eyesore to be installed on the Northeast corner of Third St. and I.B. Blvd.

For years I have worked extra hard to maintain that corner so it would have curb appeal to hopefully inspire others to clean up their properties. The trees are kept there to buffer the original bus stop, attempting to block out the noise and visual blight of the buses and various disruptions that happens at bus stops. Now with the latest road realignment the bus stop has been moved back in front of 310 I.B. Blvd, which has no buffer. I purchased 310 to #clean up the corner# and give some relief to my tenants which their back yards are adjacent to. If you can remember the mess (with unsavory tenants, put in by property management) it was a few years ago. During that realignment 310 I.B. Blvd lost 2 parking spaces in front of their home. On that corner my properties have 134 feet of red curb, and MTS / City are looking to take the remaining parking in front of 1059 Third St. by adding an additional 47 feet of red curb.

Most disturbing is the #new shelter and Variable Message Signs.# I, like many others, enjoy the feeling of openness of the streets and sidewalks

in our community, this corner with the Estuary provides that feeling now. The proposed new shelter is not required for the Rapid 227 route at this corner and is inappropriate in a residential neighborhood.

If you get on the Rapid 227 at Third St. and I.B. Blvd. it will take you down Third St, up Palm Ave to Seacoast, and back to I.B. Blvd, then back to Third St. again. You are now across the street from the proposed #new shelter# location.

This takes 7 to 12 min. If the drivers do not stop and take #a break# in front of the Pier Plaza, blocking the view, which I find reprehensible for the business trying to make a living paying top dollar for their location, so the customers can view the pier plaza, sunsets and enjoy our little community.

The solution: If Rapid 227 goes away the alternative is to walk across the street and pick up the same bus, thus saving the customer valuable time, especially in the morning going to work. Let#s just say it is 9 min.

9 min. x 5 days x 4 weeks = 180 min. / 60 min. = 3 hours saved by using the existing #covered bus stop# at the Estuary, and not build another eyesore on the Northeast corner. The cost is unknown to us taxpayers, may we get an estimate of what this proposal will cost us?

The solution: If Rapid 227 goes away: Variable Message Signs. Wow! Overkill is the best term I can think of now, we keep the quiet residential character of our neighborhood. If you have not been to Iris Station and observed the mess with the signs flashing information, one should go and experience it. Truly not needed or a requirement for riding on the bus. If and when you get to Iris Station walk across the parking lot to the folks handing out stuff, they will give you a FREE phone if needed. Now, you, like all others with cell phones, can download the MTS app. It will tell you the same thing the Variable Message Signs say, just now it#s in the palm of your hand, and not creating another eyesore in Imperial Beach.

I would like to request that MTS return the bus stop to the original position, back to the corner, of Third St. and I.B. Blvd that has worked for years. I do not like it, but the property is protected where 310 is not.

I would like to request that MTS and the City return the two parking spaces removed to accommodate the moving the bus stop east one property. May I suggest the MTS put on hold any plans to do #improvements# in Imperial Beach until we resolve the issues pertaining to the new Rapid 227 route.

Sincerely,  
Dave Nearing

Action Taken	MSANCHEZ	12/11/2023	13:25:00
Case sent to Dalia - see attached email.			
Description	MSANCHEZ	12/12/2023	09:55:07
Per Dalia - The email will be incorporated into the 12/14/23 Board packet			
Action Taken	BNEFF	01/05/2024	08:08:58
MTS is in the process of working toward a solution with the City of IB.			

MINUTES  
MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

February 8, 2024

[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 9:02 a.m. A roll call sheet listing Board member attendance is attached.

**2. Public Comment**

Dave Nearing – Provided a written statement to the Board prior to the meeting. David expressed opposition to the existing Route 227. The written comment is provided in the February 8, 2024, Final Meeting Packet.

Alex Wong – Representing Ride SD made a verbal statement to the Board during the meeting. Alex expressed support for the automated people mover connection to the airport.

Truth – Provided a verbal statement to the Board during the meeting. Truth expressed dissatisfaction with MTS operations including photo ID for youth pass verification, low volume of the meeting audio, low sentences for crimes committed, and the transit pass assistance program.

Louis Pruitt – Provided a verbal statement to the Board during the meeting. Louis advocated for the implementation of the 901 Express.

**CONSENT ITEMS:**

**3. Approval of Minutes**

Action would approve the January 18, 2024 Board of Directors meeting minutes.

**4. Direct Fixation Fasteners – Sole Source Contract Award**

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1661.0-24, a sole source award to Voestalpine Railway Systems Nortrak (Nortrak), in the amount of \$989,145.00 for the purchase of 4,500 direct fixation (DF) fasteners and incidentals for the Maintenance of Way (MOW) department.

**5. Payroll and Human Resources Information System (HRIS) Solution & Implementation Services – Contract Amendment**

Action would 1) Ratify Amendment 2 to MTS Doc. No. G1935.2-17, in the amount of \$50,132.50; and 2) Authorize the Chief Executive Officer (CEO) to execute Amendment No. 3 to MTS Doc G1935.3-17, with ADP, LLC, to add \$125,774.00 for Learning Management System and training software and implementation, for a total of \$175,906.50.

**6. Background Investigative Services – Contract Amendment**

Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 1 to MTS Doc No. G2646.1-22, with Kristy Investigative Services, Inc., to add \$300,000.00 for employee background and reference investigation services.

- 7. MTS Excess Liability and Workers' Compensation Insurance Renewals**  
Action would 1) Authorize the Chief Executive Officer (CEO) to agree to an extension of the current Excess Liability Insurance Program to March 15, 2024, to allow for further negotiation of terms and conditions of coverage through the next 30 days; and 2) Authorize the CEO to either agree to an extension of the current Excess Workers Compensation Program to March 15, 2024, or at the CEO's discretion, renew the coverage effective March 1, 2024, in an amount not to exceed \$335,000.
- 8. Operations Budget Status Report for December 2023**
- 9. Additional Staffing – Two (2) Bus Operations Training Instructor**  
Action would authorize the Chief Executive Officer (CEO) to add two (2) Bus Operator Training Instructor to the position tables previously approved in the Fiscal Year 2024 budget.
- 10. External Auditing Services – Contract Award**  
Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. G2788.0-24, with The Pun Group, Inc. (The Pun Group) for External Auditing Services for a five (5) year base period in the amount of \$1,143,722.35, plus three (3) 1-year options in the amount of \$771,190.85 for a total contract amount of \$1,914,913.20; and 2) Exercise the option years at the CEO's discretion.

#### **Public Comment – Consent Items**

Truth – Provided a verbal statement to the Board during the meeting. Truth commented on the following consent items: (4) cost of goods, (5) concerns about the contract cost allocations, (6) concerns with background checks, (7) claims that public transit is a high cost to taxpayers, (8) lack of fare collection, (9) salary cost for additional staffing and (10) cost of contract.

#### **Action on Recommended Consent Items 3-10**

Board Member Hall moved to approve Consent Agenda Item Nos. 3 to 10. Board Member Gastil seconded the motion, and the vote was 12 to 0 in favor with Board Member Gonzalez, Board Member Bush, and Board Member Frank absent.

#### **DISCUSSION ITEMS AND REPORT ITEMS:**

- 11. San Diego Transit Corporation (SDTC) Pension Investment Status (Jeremy Miller, with RVK Inc., and Mike Thompson)**  
Jeremy Miller, with RVK Inc., and Mike Thompson, MTS Director of Financial Planning and Analysis, presented on SDTC Pension Investment Status. They outlined: the investment structure as of 6/30/23, investment details, FY 2023 performance, long term performance details and investment structure summary.

#### **Action Taken**

No action taken. Informational item only.

**12. San Diego Transit Corporation (SDTC) Employee Retirement Plan's Actuarial Valuation as of July 1, 2023 (Anne Harper and Alice Alsberghe with Cheiron Inc., and Mike Thompson)**

Anne Harper and Alice Alsberghe with Cheiron Inc., along with Mr. Thompson, presented on SDTC Employee Retirement Plan's Actuarial Valuation as of July 1, 2023. They outlined the following information: background, Revised Actuarial Standard of Practice (ASOP) No. 4, plan contributions for Fiscal Year 2024-2025 (based on 2023 Actuarial Valuation), PEPR Member Contributions July 1, 2024 (based on 2023 Actuarial Valuation), plan history, and plan projections.

**Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth read a series of sound bites from the presentation that caught their attention.

**Board Comment**

Board Member Campillo asked about the discount rate and referenced the strengthened assumption model of 6% and asked to clarify that the discount rate's intent was the long-term return of funds over time. Ms. Harper confirmed. He asked staff why the discount rate is now at 6%, rather than 8.4%. Ms. Harper replied that economic assumptions predict future forecasts, while historical rates allowed low risk bond markets an 8%-12% return. When setting the discount rate, they consider how funds are invested into asset classes and capital market assumption. The expected return is created based off how assets are invested. While MTS has become more conservative in its investments due to it being a closed plan, the 6% rate of return was set based on the current market conditions. Board Member Campillo replied that after realizing that a 6% has been favorable, he questioned why the rate has been maintained low and if there were plans to re-assess the percentage on a year-by-year basis. Ms. Harper replied that the annual adjustment could be made; however, the discount rate determines the cost of the discounted benefit payments. She noted higher discounted benefit payments are due to low discount rates, compared to other systems. Actual investment earnings is the most important and assured the Board that valuations are a self-adjusting process, and actual returns are taken into account. The discount rate acts as a budgeting lever and there are hopes to exceed the expected return more than 50% of the time. Board Member Campillo asked that a year over year variance slide be presented at future meetings, to track the standard deviation.

Board Member Moreno noted that she had previously asked for the percentage to be lowered to 6%, which proved to be a fiscally conservative recommendation.

Vice Chair Goble asked about the discretion of the discount rate as a budgeted amount. Vice Chair Goble asked if exceeding a 6% investment return results in a lower contribution from the participants to fund the plan. Ms. Harper confirmed and clarified that employer contributions are affected; employee contributions are based on asset returns and are collectively bargained. Ms. Alsberghe recalled a previous slide where the reconciliation of the prior year's contribution to the current year's contribution, was an above-expected return for the year, due to actuarial asset smoothing techniques, and noted there is still a deferred loss over a course of five years to balance losses. Vice Chair Goble commended Board Member Moreno for her fiscal conservatism. He praised lowering the expectations of the return, to conserve investment of additional taxpayer money. Ms. Alsberghe added that Cheiron is asked to perform periodic



experience studies every three to five years, all assumptions are on an annual basis, and they work with RVK to look at expectations to ensure the discount rate is on track with expectations.

**Action Taken**

Board Member Campillo moved to receive the SDTC Employee Retirement Plan’s (Plan) Actuarial Valuation as of July 1, 2023, and adopt the pension contribution amount of \$20,174,660 for fiscal year 2025. Vice Chair Goble seconded the motion, and the vote was 13 to 0 in favor with Board Member Gonzalez and Board Member Frank absent.

**13. Overnight Downtown – Border Express Bus Service Implementation (Denis Desmond)**

Denis Desmond, MTS Director of Planning and Scheduling, presented on overnight downtown border express bus service implementation. He provided details on: SB 125 funding, bus service enhancements, early implementation for border express route, early implementation for Route 910, and Route 961.

**Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth expressed frustration with 15-minute frequencies, night running times for certain lines, low night security staffing, and supported the downtown to border express route.

**Board Comment**

Board Member Moreno commended staff for capturing the community’s vision to implement the service. She asked staff for an implementation timeline. Mr. Desmond replied that the intention was to start the pilot in September. Board Member Moreno supported the timeline.

Board Member Chavez commended staff for the route. She noted that Chula Vista will be opening a university and requested routes such as this one to better serve those areas.

Board Member Bush expressed support for the project.

Board Member Montgomery Steppe asked Mr. Desmond about the transit optimization plan in 2017 and how it plays a part moving forward as MTS gathers new information to incorporate into the plan. Mr. Desmond replied that a comprehensive operational analysis evaluates the entire system and all routes, compared to looking at optimizing service on a route by route basis. The annual Performance Monitoring report presented to the Board details the performance of each route to adjust for changes.

**Action Taken**

No action taken. Informational item only.

**14. MTS Safety Performance Targets Annual Review & Update (Fabeann Soberg and Jared Garcia)**

Fabeann Soberg, MTS System Safety Manager for Rail, and Jared Garcia, MTS Manager of Safety for Bus, presented the annual review of safety performance targets. They outlined: Public Transportation Agency Safety Plan (PTASP), safety performance measures, statewide rail accidents CY 2023, Washington Street crossing safety mitigations, Beardsley grade crossing 2023 nine vehicles stuck on the track, 2023 Internal Safety & Security Audit (ISSA), FTA safety advisory 22-4 suicide prevention on public transit, bus performance targets for fatalities, injuries,

safety events, system reliability in CY 2023, fixed route preventable accidents KPI, rapid preventable accidents PIP goal, El Cajon Blvd bus only lane pilot, results and mitigations, electronic mirror survey results, BEB charger thermal camera testing, and CHP annual terminal inspections.

**Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth expressed frustration with trolley security, operations, and similar light rail operators throughout the nation. Truth agreed with many of the infrastructure upgrades as presented.

**Board Comment**

Vice Chair Goble asked staff what the difference was between MTS versus Transdev operations. Mr. Garcia replied that both organizations abide by a comprehensive safety training program. Some minor differences include personnel performing the training and Transdev’s national standardized training that has been customized to support the San Diego region. Vice Chair Goble asked about the mechanical failures between buses operated by Transdev versus MTS. Mr. Garcia replied that the following variances between the two fleets contributed to failures: a mixed fleet of articulated and 40-foot buses with extra axles and number of components, general electrical faults, various outdated vehicles, and a recent transition to new pistons have led to cylinder head failures. Vice Chair Goble asked staff to confirm that the type of buses Transdev uses would explain the milage differences. Mr. Garcia confirmed. Mike Wygant, Chief Operating Officer for Bus, added that the COVID-19 pandemic caused delays to bus procurements, with mileage changes due to speed of the system, and Zero Emission Bus (ZEB) vehicles contributed to fleet variances.

Board Member Elo-Rivera asked if there is bus technology that could capture automated bus lane enforcement. Mr. Wygant replied that the technology does exist but is primarily used for buses that are parked in the lane. He clarified that MTS sees less issues with lane parking but rather public confusion with when to enter the bus only lane. Board Member Elo-Rivera suggested a partnership with the City to red stripe the entirety of the bus only lane. Mr. Wygant replied that red striping has been successful on the freeway. Mr. Desmond added that there were ongoing conversations with the City, based on the location of the bus lanes, cars are allowed to enter the lane under certain circumstances and therefore cannot be compared to the freeway striping. Board Member Elo-Rivera encouraged MTS to make El Cajon Boulevard as safe as possible for pedestrians.

**Action Taken**

No action taken. Informational item only.

**OTHER ITEMS:**

**15. Chair, Board Member and Chief Executive Officer’s (CEO’s) Communications and CEO Report**

**Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth expressed frustration with flood costs.

**Committee and CEO Comments**

Board Member Leyba-Gonzalez looked forward to receiving ridership data for the Rapid 227 bus to reassess the route of the bus. He asked the name of the contractor who was assisting with the Orange Line repairs. Staff confirmed the contractor to be Blue Iron.

Board Member Gastil thanked MTS for the Orange Line shuttle. He noted the efficiency of the bus on the same route. He asked staff when the Orange Line was expected to reopen.

[Clerk’s note: The Orange Line reopened February 16, 2024]

Ms. Cooney presented on the damage to MTS property from the January 22, 2024 storm.

**16. Remainder of Public Comments Not on The Agenda**

There were no additional public comments.

CLOSED SESSION:

**17. Public Comment for Closed Session**

Truth – Provided a verbal statement to the Board during the meeting. Truth stipulated about the discussions that would be had during closed session.

The Board convened to Closed Session at 11:22 a.m.

**18. Closed Session – Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1)**

Lourdes Maria Guerra, et al. vs. Metropolitan Transit System, et al.  
San Diego Superior Court Case No. 37-2022-00023104-CU-PA-CTL

**19. Closed Session - Conference with Labor Negotiators Pursuant to California Government Code Section 54957.6**

Agency: San Diego Transit Corporation (“SDTC”)  
Employee Organization: Amalgamated Transit Union, Local 1309 (“ATU”)  
Agency- Designated Representative: Michael Wygant, Chief Operating Officer

**Closed Session Reconvening**

The Board reconvened to Open Session at 12:22 p.m.

Karen Landers, General Counsel, reported the following oral report of final actions taken in Closed Session:

- 18. The Board received a report and gave instructions to legal counsel.
- 19. The Board received a report, gave instructions to negotiators, and approved a tentative agreement with the ATU with 13 members in favor (Members: Bush, Dillard, Donovan, Elo-Rivera, Gastil, Goble, Campillo, Hall, Leyba Gonzalez, Chavez, Montgomery Steppe, Moreno and Whitburn) and 2 members absent (Members: Gonzalez and Frank).

ADJOURNMENT

**20. Next Meeting Date**

The next regularly scheduled Board meeting is March 14, 2024 at 9:00 a.m.

**21. Adjournment**

The meeting was adjourned at 12:24 p.m.

---

Chairperson  
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

---

Clerk of the Board  
San Diego Metropolitan Transit System

---

General Counsel  
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS  
ROLL CALL

MEETING OF (DATE): February 8, 2024 CALL TO ORDER (TIME): 9:02 a.m.  
 RECESS: \_\_\_\_\_ RECONVENE: \_\_\_\_\_  
 CLOSED SESSION: 11:22 a.m. RECONVENE: 12:22 p.m.  
 PUBLIC HEARING: \_\_\_\_\_ RECONVENE: \_\_\_\_\_  
 ORDINANCES ADOPTED: \_\_\_\_\_ ADJOURN: 12:24 p.m.

JURISDICTION	BOARD MEMBER		ALTERNATE		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
City of Chula Vista	Gonzalez	<input type="checkbox"/>	Chavez	<input type="checkbox"/>	ABSENT	ABSENT
City of Chula Vista	McCann	<input type="checkbox"/>	Chavez	<input checked="" type="checkbox"/>	9:11 a.m.	12:24 p.m.
City of Coronado	Donovan	<input checked="" type="checkbox"/>	Duncan	<input type="checkbox"/>	9:02 a.m.	12:24 p.m.
County of San Diego	Montgomery Steppe	<input checked="" type="checkbox"/>	Vargas	<input type="checkbox"/>	9:02 a.m.	12:24 p.m.
City of El Cajon	Goble (Vice-Chair)	<input checked="" type="checkbox"/>	Ortiz	<input type="checkbox"/>	9:02 a.m.	12:24 p.m.
City of Imperial Beach	Leyba-Gonzalez	<input checked="" type="checkbox"/>	Aguirre	<input type="checkbox"/>	9:02 a.m.	12:24 p.m.
City of La Mesa	Dillard	<input checked="" type="checkbox"/>	Arapostathis	<input type="checkbox"/>	9:02 a.m.	12:24 p.m.
City of Lemon Grove	Gastil	<input checked="" type="checkbox"/>	Mendoza	<input type="checkbox"/>	9:02 a.m.	12:24 p.m.
City of National City	Bush	<input checked="" type="checkbox"/>	Rodriguez	<input type="checkbox"/>	9:28 a.m.	12:24 p.m.
City of Poway	Frank	<input type="checkbox"/>	Pepin	<input type="checkbox"/>	ABSENT	ABSENT
City of San Diego	Moreno	<input checked="" type="checkbox"/>	Campbell	<input type="checkbox"/>	9:05 a.m.	12:24 p.m.
City of San Diego	Elo-Rivera	<input checked="" type="checkbox"/>	LaCava	<input type="checkbox"/>	9:05 a.m.	12:24 p.m.
City of San Diego	Gloria	<input type="checkbox"/>	Campillo	<input checked="" type="checkbox"/>	9:02 a.m.	12:24 p.m.
City of San Diego	Whitburn (Chair)	<input checked="" type="checkbox"/>	Lee	<input type="checkbox"/>	9:02 a.m.	12:24 p.m.
City of Santee	Hall	<input checked="" type="checkbox"/>	Koval	<input type="checkbox"/>	9:02 a.m.	12:24 p.m.
			Minto	<input type="checkbox"/>		

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



**Metropolitan  
Transit  
System**

## **Agenda Item No. 4**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Public Hearing: Proposed Amendments to For-Hire Vehicle Services Regulations

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors:

- 1) Adopt the proposed amendments to MTS Ordinance No. 11 “An Ordinance Providing for the Licensing and the Regulating of Transportation Services within the City and the County by the Adoption of a Uniform Paratransit Ordinance” (Attachment A);
- 2) Waive the requirements of MTS Board Policy No. 22 “Rules of Procedure for MTS Board of Directors,” Sections 22.4.3, stating all ordinances shall be read in full either at the time of introduction or passage (per MTS Board Policy No. 22, unanimous vote of the Board members present is required in order to waive further reading); and
- 3) Approve the proposed revisions to MTS Board Policy No. 34 “For-Hire Vehicle Services” (Attachment B).

Taxicab Advisory Committee (TAC) Recommendation

At its February 21, 2024 meeting, the TAC Meeting (16 voting members) approved a motion to forward a recommendation to the Board of Directors to approve the staff recommendation, with 10 in favor (Committee Members: Chair Sean Elo-Rivera, Agustin Hodoyan, Alfred Banks, Akbar Majid, Antonio Hueso, George Abraham, Michael Anderson, Margo Tanguay, Letty Canizalez, and Peter Zschiesche voted in favor), and 6 absent (Committee Members David Tasem, Able Seifu, Karen Higareda, Daryl Mayekawa, Michael Trimble, and Zewdu Girma were absent).

Budget Impact

None with this action. All costs to administer for-hire vehicles would be paid for by fees assessed on permit holders.





DISCUSSION:

Per MTS's enabling legislation, MTS may enter into agreements with San Diego County jurisdictions to regulate for-hire vehicles, such as taxicabs, non-emergency medical vehicles, low-speed vehicles, charter vehicles and jitneys. For-hire vehicle regulation includes: ensuring each vehicle has undergone a safety inspection; each vehicle has valid liability insurance; each permit holder (i.e. business owner) has passed a fingerprint-based criminal background check; confirming drivers have been validly licensed by the Sheriff's Department; investigating passenger complaints; and in the field monitoring and enforcement. The MTS For-Hire Vehicle Administration (FHVA) is statutorily required to be full cost recovery. The cost to administer for-hire vehicle regulations is covered by fees assessed on permit holders.

MTS Ordinance No. 11 describes the requirements for-hire vehicle transportation service. MTS Board Policy No. 34 describes how MTS establishes maximum rates of fares and regulatory fees. MTS continually aims to identify ways to reduce or remove its regulatory requirements so long as its main policy goals of ensuring public safety and consumer protection are being met. MTS also looks for way to assist the for-hire vehicle industry to remain competitive. Aligned with this purpose, the proposed revisions to MTS Ordinance No. 11 and MTS Board Policy No. 34 are as follows:

Electronically Booked Taxicab Trips and Fares Charged

Recently, UBER Technologies, a Transportation Network Company (TNC), and Yellow Cab announced a partnership in which taxicabs provide prearranged trips to UBER customers booked through its app. The UBER customer agrees to an up-front fare based on TNC dynamic pricing. The trip request is then connected to the Yellow Cab app, dispatching the trip to an available taxicab.

At the request of TAC, to leverage new technologies in the for-hire vehicle market that could increase business for taxicabs, For-Hire Vehicle Administration (FHVA) developed proposed revisions to MTS Ordinance No. 11, Section 1.1, to enable taxicabs to accept and provide trips that are booked through an authorized dispatch service or TNC online-enabled application or internet website that provides an up-front price.

Currently MTS Ordinance No. 11, Section 1.13 states that permits may be suspended or revoked by the Chief Executive Officer if the taxicab is operated at a rate of fare greater than the authorized maximum rates of fare. Further, MTS Board Policy No. 34, Section 34.2, requires that the maximum rates of fare apply to all taxicab trips. As Electronically Booked trips are based on an up-front price that may be higher than the maximum rates of fare, the proposed revisions will add an exemption for taxicab trips that are Electronically Booked to not follow taxicabs maximum rates of fare. The proposed revisions will also clarify that any taxicab trips that are requested through walk-up, street hail or phone call to a dispatch service will still be subject to the taxicab maximum rates of fare.

It is possible passengers booking a taxicab trip through a mobile application or internet website may be paying more or less than the maximum rate of fare for their trip. However, such passengers would have the ability and option to compare multiple transportation options (e.g. TNC app, taxicab dispatch app) to choose which for-hire transportation mode may provide them the best rate and/or quickest trip. Further, a passenger will continue to have the option to call a

dispatch service organization or go straight to a taxicab stand or street hail, if they want their taxicab trip regulated under the maximum rate structure.

As Electronically Booked trips may be higher than the posted maximum rates of fare, to prevent possible passenger confusion on the appropriate rates, the proposed revisions to MTS Ordinance No. 11, Section 2.2 would also require a notice stating that maximum rates do not apply for trips Electronically Booked to be conspicuously posted wherever maximum rates of fare are disclosed or posted.

Additionally, the proposed revisions to MTS Ordinance No. 11, Section 2.2 will also prohibit a dispatch service organization, permit holder or driver to demand a passenger that is requesting a taxicab trip through a walk-up, street hail or phone call to a dispatch service to instead have the taxicab trip be Electronically Booked.

Lastly, as an Electronically Booked trip is based on an up-front price that may be higher or lower than the maximum rates of fare, drivers may not want to agree to the resulting fare the driver would receive from providing the trip. The proposed revisions to MTS Ordinance No. 11, Section 1.8, would allow drivers to decline to accept Electronically Booked taxicab trips.

#### Definition of Low-Speed Vehicle (LSV)

Currently, MTS Ordinance No. 11, Section 1.1(r) defines a LSV as a motor vehicle, other than a motor truck, having four wheels on the ground and an unladen weight of 1,800 pounds or less, that can propel itself at a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour, on a paved level surface.

FHVA has received a permit application for a three-wheeled vehicle that meets all other definitions for an LSV and meets California Department of Motor Vehicles safety criteria. The proposed revision would remove the four wheels on the ground requirement to enable this new type of vehicle to be permitted as an LSV.

#### Corporate Permit Applicants

Currently, it is FHVA practice that when a corporation is applying to become a permit holder, staff requires certain operating records of the corporation. The proposed revisions to MTS Ordinance No. 11, Section 1.3 clarifies that this is a requirement for permit applicants if a corporation.

Currently, MTS Ordinance No. 11, Section 1.10 requires permit holders to maintain a variety of financial ownership and operating records for a minimum of six months and to make them available to the Chief Executive Officer upon request. While most records listed are still relevant for the purpose of keeping an operating permit in good standing, FHVA will no longer require permit holders to maintain or produce any stock register recording the issuance or transfer of corporate stock shares. FHVA will only conduct business with a designated corporate officer at the time of a permit application, irrespective of their percentage of company shares. The proposed revisions would remove the requirement to maintain records relating to stock register if the permit holder is a corporation.

### Prohibition of Refusing a Trip Based on Trip Purpose

Drivers are currently prohibited from refusing a taxicab fare based on trip length, method of payment, and based on discriminatory purposes. Drivers are also prohibited from refusing a trip if the passenger was going to be transporting groceries or intended to go to a medical appointment.

The proposed revisions to MTS Ordinance No. 11, Section 1.8 would clarify that refusing a trip based on any trip purpose, including if going grocery shopping or going to medical appointment, is prohibited. The proposed revisions also clarify that the prohibition on refusing trips or charging a greater fare based on discriminatory purposes not only applies to drivers and permit holders, but also to dispatch service organizations.

### Taxicab Soft Meter Certificate of Approval

MTS Ordinance No. 11 requires taxicab soft meters to be certified by California Department of Food and Agriculture Division of Measurement Standards. The County of San Diego of Department of Weights and Measures has confirmed the acceptance of certification provided by the National Conference of Weight and Measures for soft meters as well. The proposed revision to MTS Ordinance No. 11, Section 2.2 will add the National Conference on Weights and Measures as a certifying organization for soft meters.

### Dispatch Services

Currently MTS Ordinance No. 11, Section 2.6 requires that dispatch services are able to receive and respond to service requirements or other operational questions 24 hours a day, be computerized, and be able to locate vehicles in service using a GPS or similar technology. To facilitate compliance for each of these requirements, the following revisions clarify the operation and technology elements for 24 hours, electronic dispatch and GPS tracking:

Currently, MTS Ordinance No. 11 requires dispatch service organizations to receive and respond to service requests or other operational questions 24 hours a day. The proposed revision will allow dispatch services to meet this requirement through a live person answering phone calls, automated voice recognition technology that allows the prospective passenger the option to connect to a live person, or by forwarding trip requests to a dispatch service organization that provides 24-hour operations.

Currently, MTS Ordinance No. 11 does not define a computerized dispatch system. This has caused some dispatch services to utilize WhatsApp or other phone messaging apps as their primary method to dispatch trip requests to their subscriber. The proposed revision would require a dispatch service organization to utilize a transportation or fleet management specialized computerized system designed to automate the flow of information between a dispatch service organization and driver and at a minimum, electronically record trip information start/end locations, route taken, and up-front price if Electronically Booked.

Currently, MTS Ordinance No. 11 does not explicitly explain the method dispatch services should use to locate vehicles in service using a GPS or similar technology. The proposed revision would require a dispatch service organization to provide in real time, the GPS location of every taxicab while the taxicab is in service, and that the GPS tracking method be provided through a computerized dispatch software or other similar technology.

Other revisions to MTS Ordinance No. 11 are minor and non-substantive (e.g. moving certain provisions from one section to another section for consistency purposes). Please note that per statute, any revisions to an MTS Ordinance requires a Public Hearing. MTS has accordingly posted notice in a newspaper of general circulation, at the MTS Transit Store, and on MTS's website.

Thus, it is staff's recommendation that the MTS Board of Directors:

- 1) Adopt the proposed amendments to MTS Ordinance No. 11 "An Ordinance Providing for the Licensing and the Regulating of Transportation Services within the City and the County by the Adoption of a Uniform Paratransit Ordinance" (Attachment A);
- 2) Waive the requirements of MTS Board Policy No. 22 "Rules of Procedure for MTS Board of Directors," Sections 22.4.3, stating all ordinances shall be read in full either at the time of introduction or passage (per MTS Board Policy No. 22, unanimous vote of the Board members present is required in order to waive further reading); and
- 3) Approve the proposed revisions to MTS Board Policy No. 34 "For-Hire Vehicle Services" (Attachment B).

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Proposed Revisions to MTS Ordinance No. 11 (red-line track changes)  
B. Proposed Revisions to MTS Board Policy No. 34 (red-line track changes)

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

CODIFIED ORDINANCE NO. 11

*(as amended through ~~October 19, 2023~~ March 14, 2024)*

An Ordinance Providing for the Licensing and the Regulating of  
Transportation Services Within the City and County by the Adoption of  
a Uniform Paratransit Ordinance

MTS CODIFIED ORDINANCE NO. 11

TABLE OF CONTENTS

Description	Page No.
SECTION 1.0 - GENERAL REGULATIONS .....	1
Section 1.1 - Definitions .....	1
Section 1.2 - Operating Permits .....	5
Section 1.3 - Application for Permit .....	5
Section 1.4 - Issuance of Permit .....	6
Section 1.5 - Transfer and Administration of Permits .....	7
Section 1.6 - Blank .....	7
Section 1.7 - Blank .....	<del>8</del> 87
Section 1.8 - Equipment and Operating Regulations .....	8
Section 1.9 - Public Liability .....	<del>15</del> 1514
Section 1.10 - Financial Ownership and Operating Records: Reporting Requirements.....	15
Section 1.11 - Destruction, Permanent Replacement, Retirement or Inactive Status of For-Hire Vehicles .....	17
Section 1.12 - Driver's Identification Cards .....	18
Section 1.13 - Suspension and Revocation of Permit .....	20
Section 1.14 - Suspension and Revocation of Driver's Identification Cards.....	<del>22</del> 2224
Section 1.15 - Surrender of Medallion .....	22
Section 1.16 - Right of Administrative Appeal from Denial, Suspension or Revocation of Permit or Driver's Identification Card or Related Adverse Action.....	<del>23</del> 2322
Section 1.17 - Procedure Upon Administrative Appeal .....	23
Section 1.18 - Exceptions to Provisions .....	24
Section 1.19 - Chief Executive Officer's Authority to Adopt Rules and Promulgate a Schedule of Fines .....	<del>25</del> 2524
Section 1.20 - Americans with Disabilities Act.....	25
SECTION 2.0 - TAXICABS AND/OR LSVs .....	25
Section 2.1 - Types of Service.....	25
Section 2.2 - Rates of Fare .....	25
Section 2.3 - Equipment and Specifications .....	<del>28</del> 2827
Section 2.4 - Operating Regulations.....	<del>31</del> 3130
Section 2.5 - Stands .....	<del>33</del> 3332
Section 2.6 - Dispatch Services.....	<del>34</del> 3433
Section 2.7 - Driver Safety Requirements .....	<del>35</del> 3534
Section 2.8 – Prearranged Trips by Taxicabs .....	35
SECTION 3.0 - CHARTER VEHICLES .....	<del>36</del> 3635
Section 3.1 - Rates of Fare .....	<del>36</del> 3635



Section 3.2 - Operating Regulations.....	<u>3635</u>
SECTION 4.0 - SIGHTSEEING VEHICLES .....	<u>3736</u>
Section 4.1 - Rates of Fare .....	<u>3736</u>
Section 4.2 - Operating Regulations.....	<u>3736</u>
SECTION 5.0 - NONEMERGENCY MEDICAL VEHICLES .....	<u>3736</u>
Section 5.1 - Rates of Fare .....	<u>3736</u>
Section 5.2 - Operating and Equipment Regulations .....	<u>3837</u>
Section 5.3 - Driver Identification Cards .....	<u>3837</u>
SECTION 6.0 - JITNEY VEHICLES .....	<u>3837</u>
Section 6.1 - Rates of Fare .....	38
Section 6.2 - Jitney Routes .....	<u>3938</u>
Section 6.3 – Operating Regulations.....	<u>4039</u>
Section 6.4 - Jitney Holding Zones.....	<u>4140</u>
Section 6.5 - Equipment and Specifications .....	<u>4140</u>
SECTION 7.0 – LOW-SPEED VEHICLES .....	<u>4244</u>
Section 7.1 – Low-Speed Vehicle (LSV) Definition .....	<u>4244</u>
Section 7.2 – Establishment of Zones .....	<u>4244</u>
Section 7.3 – Zone Rates of Fare.....	<u>4244</u>
Section 7.4 – Spare Vehicle Policy.....	42
Section 7.5 – LSV Driver Identification Cards .....	43
Section 7.6 - Equipment and Specifications .....	<u>4443</u>
SECTION 8 - EFFECTIVE DATE OF ORDINANCE .....	<u>4544</u>

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

CODIFIED ORDINANCE NO. 11

*(as amended through ~~October 19, 2023~~ March 14, 2024)*

An Ordinance Providing for the Licensing and the Regulating  
of Transportation Services Within the City and County By the Adoption of  
a Uniform Paratransit Ordinance

SECTION 1.0 - GENERAL REGULATIONS

Section 1.1 - Definitions

The following words and phrases, wherever used in this section, shall be construed as defined in this section, unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases.

(a) "Board" shall mean the Board of Directors of the San Diego Metropolitan Transit System (MTS).

(b) "Charter vehicle" shall mean every vehicle which:

- (1) Transports passengers or parcels or both over the public streets of the City;
- (2) Is routed at the direction of the hiring passenger;
- (3) Is prearranged in writing for hire;
- (4) Is not made available through "cruising"; and
- (5) Is hired by and at the service of a person for the benefit of themselves or a specified group.

(c) "Chief Executive Officer" shall mean the Chief Executive Officer of MTS or their designated representative.

(d) "City" and "Cities" shall mean the incorporated areas of the Cities of Chula Vista, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, Santee and any other City that has entered into a contractual agreement with MTS for the licensing and regulation of transportation services.

(e) "Compensation" shall mean any money, thing of value, payment, consideration, reward, tip, donation, gratuity or profit paid to, accepted, or received by the driver or owner of any vehicle in exchange for transportation of a person, or persons; whether paid upon solicitation, demand or contract, or voluntarily, or intended as a gratuity or donation.

(f) "County" shall mean the unincorporated area of the County of San Diego located within MTS's jurisdictional boundaries if entered into a contractual agreement with MTS for the licensing and regulation of transportation services.

(g) "Cruising" shall mean the movement over the public streets of a taxicab or low-speed vehicle (LSV) in search of prospective passengers; except the term does not include either the travel of a taxicab or LSV proceeding to answer a call for service received by telephone or radio

from an intended passenger or the travel of such a vehicle, having discharged a passenger or passengers, returning to the owner's place of business or to its established point of departure.

(h) "Days" shall mean working days, exclusive of weekends and holidays for which MTS offices are closed.

(i) "Doing business" shall mean accepting, soliciting or transporting passengers for hire or compensation in a City or County.

(j) "Driver" shall mean every person operating any for-hire vehicle.

(k) "Driver's identification card" shall mean license, issued pursuant to this Ordinance, which permits a person to drive a for-hire vehicle within the City or County.

(l) "Electronically Booked" shall mean a taxicab trip booked through a taxicab dispatch service organization or transportation network company's online enabled application or internet website that provides an up-front price. An up-front price shall be considered the total cost including all fees, exclusive of tip, that a passenger has agreed to pay at the time of booking.

~~(m)~~ "Employ" as used in this Ordinance includes any form of agreement or contract under which the driver may operate the permit holder's for-hire vehicle.

~~(n)~~ "Exclusive ride" shall mean exclusive use of a for-hire vehicle by one or more related passengers at a time.

~~(o)~~ "For-hire vehicle" shall mean every vehicle, other than public transit vehicles or vehicles involved in an organized carpool not available to the general public, which is operated for any fare for compensation and used for the transportation of passengers over public streets, irrespective of whether such operations extend beyond the boundary limits of said City or County. Such for-hire vehicles shall include taxicabs, vehicles for charter, jitneys, nonemergency medical vehicles, sightseeing vehicles, and LSVs.

~~(p)~~ "Group ride" shall mean shared use of a taxicab or LSV where a group of related passengers enter at the same point of origin and disembark at the same destination and pay a single fare for the trip.

~~(q)~~ "Hearing officer" shall mean any person or entity that meets the requirements of this Ordinance and that has been retained to conduct administrative hearings.

~~(r)~~ "Jitney" shall mean every vehicle which:

(1) Transports passengers or parcels or both over the public streets of the City;  
and

(2) Follows a fixed route of travel between specified locations along its route on a variable schedule or operates a flexible route within a geographic boundary and specific timeframes as approved by MTS, with the fare based on a per capita charge established in its permit.

~~(s)~~ A "low-speed vehicle" or "LSV" is a motor vehicle, other than a motor truck, having ~~four wheels on the ground and~~ an unladen weight of 1,800 pounds or less, that is capable of propelling itself at a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour, on a paved level surface. It shall only operate within a geographic boundary as approved by

MTS. For the purposes of this section, a "low-speed vehicle" or "LSV" is not a golf cart, except when operated pursuant to California Vehicle Code Section 21115 or 21115.1.

(~~st~~) "Medallion" shall mean the numbered plate, sticker, or decal issued by MTS to the permit holder which is displayed on a for-hire vehicle to indicate the authorized use or uses of that vehicle.

(~~tu~~) "MTS" shall mean the San Diego Metropolitan Transit System, a public agency created pursuant to Public Utilities Code Section 120050 et seq.

(~~uv~~) "MTS inspector" shall mean those individuals, regardless of job title, who are authorized by the Board, by ordinance, to enforce the provisions of this Ordinance.

(~~wv~~) "Nonemergency medical vehicle" shall mean every vehicle which: transports persons, regardless of whether specialized transportation equipment or assistance is needed, for primarily medical purposes, over the public streets of the City. Medical purposes is defined as providing transportation services to or from the following places: hospitals, convalescent homes, retirement homes, homes receiving funding for the board and care of residents living in those homes, medical or rehabilitation clinics, senior citizen centers, and any other like social service category, over the public streets of the City. It shall be the responsibility of the transportation provider to determine if the service is primarily for medical purposes.

(~~wx~~) "Operate" or "Operating" shall refer to the solicitation or acceptance of a fare within City or County for compensation or providing passenger transportation for compensation, regardless if such compensation is obtained from the passenger or a third party. It shall also include, as the context may require, the act of driving, managing or directing the utilization of one or more for-hire vehicles.

(~~xy~~) "Owner" shall mean the person, partnership, association, firm or corporation that is the registered owner of any for-hire vehicle and that holds the right to use the vehicle for its advantage.

(~~yz~~) "Passenger" shall mean every occupant other than the driver of the for-hire vehicle.

(~~zaa~~) "Permit" shall mean the authority under which a person, firm, partnership, association, or corporation may operate a for-hire vehicle as a business.

(~~aabb~~) "Permit holder" shall mean any person or approved entity operating a business under a for-hire vehicle permit.

(~~bbcc~~) "Shared ride" shall mean nonexclusive use of a for-hire vehicle by two or more unrelated passengers traveling between different points of origins and/or destination, and traveling in the same general direction.

(dd) "Sightseeing vehicle" shall mean every vehicle which:

(1) Transports passengers for sightseeing purposes of showing points of interest over the public streets of the City; and

(2) Charges a fee or compensation therefor; regardless of whether any fee or compensation is paid to the driver of such sightseeing vehicle, either by the passenger or by

the owner or by the person who employs the driver or contracts with the driver or hires such sightseeing vehicle with a driver to transport or convey any passenger; and irrespective of whether or not such driver receives any fee or compensation for their services as driver.

(ee) "Stands" shall mean public areas designated for specific use of for-hire vehicles.

(ff) "Street" shall mean any place commonly used for the purpose of public travel.

(gg) "Substantially Located" shall mean where the primary business address of the taxicab permit holder is located and/or the jurisdiction where the largest share of the taxicab permit holder's total number of prearranged and non-prearranged trips originate over the previous calendar year, as determined annually. Trip logs and/or other documentation shall be used to substantiate the jurisdiction where the largest share of taxicab permit holder's total number of originating trips occur over the applicable time period.

(hh) "Taxicab" shall mean every vehicle other than a vehicle-for-charter, a jitney, a nonemergency medical vehicle, a sightseeing vehicle, or LSV which:

(1) Carries not more than eight (8) passengers excluding the driver;

(2) Transports passengers or parcels or both over City or County public streets;

(3) Is made available for hire on call or demand through "cruising," at taxi stands, by telephone, mobile telephone application, or other communication devices to destination(s) specified by the hiring passenger; and

(4) Is Substantially Located within the jurisdiction of City and/or County.

(ii) "Taximeter" shall mean any instrument, appliance, device, or machine by which the charge for hire of a passenger-carrying vehicle is calculated, either for distance traveled or time consumed, or a combination of both, and upon which such charge is indicated by figures. Includes both a Hard Meter and a Soft Meter.

(1) A Hard Meter is a Taximeter that has a prefixed fare with an external seal approved by the County of San Diego Agriculture, Weights and Measures and mileage is calculated based on distance and time.

(2) A Soft Meter is a Taximeter that is provided through a smartphone or tablet that uses GPS or other on-board diagnostics approved by the California Department of Food and Agriculture Division of Measurement Standards to calculate distance and rates.

(jj) "Vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a street, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

(kk) "Vehicle for Developmentally Disabled Persons (VDDP) driver certificate" shall mean certificate issued by California Highway Patrol pursuant to Vehicle Code section 12523.6, which is required for any driver who primarily transports persons with developmental disabilities on a for-hire basis. A VDDP driver certificate with a commercial driver's license may be used in lieu of a driver identification card to drive a for-hire vehicle within the City or County, unless for a taxicab.

**(Section 1.1 amended 3/14/2024)**  
**(Section 1.1 amended 10/19/2023)**  
**(Section 1.1 amended 1/20/2022)**  
**(Section 1.1 amended 11/12/2020)**  
**(Section 1.1 amended 10/10/2019)**  
**(Section 1.1 amended 2/14/2019)**  
**(Section 1.1 amended 11/8/2018, effective 1/1/2019)**  
**(Section 1.1 amended 9/20/2018)**  
**(Section 1.1 amended 12/14/2017)**  
**(Section 1.1 amended 5/12/2016)**  
**(Section 1.1 amended 8/7/2003)**  
**(Section 1.1 amended 11/14/2002)**  
**(Section 1.1 amended 6/24/1999)**  
**(Sections 1.1(d), 1.1(R)(1) amended 6/22/1995)**  
**(Section 1.1 amended 1/12/1995)**  
**(Section 1.1 amended 6/27/1991; effective 7/27/1991)**  
**(Section 1.1 amended 5/23/1991; effective 6/23/1991)**

**Section 1.2 - Operating Permits**

(a) No person shall engage in the business of operating any for-hire vehicle or in the business of providing any vehicle for the operation of vehicle for-hire services within the Cities or County without first having obtained an operating permit from the Chief Executive Officer or designated representative, which permit has not been revoked, suspended or otherwise canceled or terminated by operation of law or otherwise. A separate permit is required for each for-hire vehicle operated or provided for operation.

(b) An operating permit represents the granting of a privilege to operate a for-hire vehicle within the Cities, County or zones specified by the permit for the purpose of the public convenience and necessity. This privilege may be rescinded at any time by operation of law or otherwise.

(c) A person who obtains an operating permit shall be responsible for the provision of vehicle-for-hire services in accordance with the provisions of this Ordinance and shall exercise due diligence to assure that drivers of the permitted vehicles adhere to all pertinent requirements of this ordinance.

**(Section 1.2 amended 11/8/2018, effective 1/1/2019)**  
**(Section 1.2 amended 12/14/2017)**  
**(Section 1.2 amended 8/7/2003)**  
**(Section 1.2 amended 11/14/2002)**  
**(Section 1.2 amended 6/24/1999)**

**Section 1.3 - Application for Permit**

(a) All persons applying to the Chief Executive Officer for new permit(s) for the operation of one or more for-hire vehicles shall file with the Chief Executive Officer a sworn application on forms provided by the Chief Executive Officer, stating as follows:

(1) The applicant name, company name, doing business as (“DBA”) name if different than company name, mailing and business address (a business address or mailing address may include, but is not limited to, a Post Office [PO] Box or dispatch service

address), e-mail address, and telephone number of the permit applicant. If a taxicab permit applicant, the business address will also serve the purpose of establishing where Substantially Located;

(2) If applying as a corporation, operating records are required, as defined in Section 1.10;

(32) The name and address of all legal and registered owner(s) of the vehicle(s);

(43) The number of vehicle(s) for which a permit(s) is desired;

(54) The rates of fare which the applicant proposes to charge for vehicle-for-hire services. This requirement does not apply to taxicab permit applicants;

(65) If the application is for a jitney or LSV, a detailed description of the geographic area in which said permit shall be in existence; and

(67) Such other information as the Chief Executive Officer may in their discretion require.

b) The applicant shall also submit, with the application, a nonrefundable application fee prior to the permit approval. Upon issuance of the permit, the applicant shall also pay an initial nonrefundable permit vehicle regulatory fee to be determined by the Chief Executive Officer in order to recover the cost of processing such applications.

- (Section 1.3 amended 3/14/2024)**
- (Section 1.3 amended 1/20/2022)**
- (Section 1.3 amended 11/12/2020)**
- (Section 1.3 amended 11/8/2018, effective 1/1/2019)**
- (Section 1.3 amended 12/14/2017)**
- (Section 1.3 amended 2/12/2015)**
- (Section 1.3 amended 11/15/2012)**
- (Section 1.3 amended 8/7/2003)**
- (Section 1.3 amended 11/14/2002)**

Section 1.4 - Issuance of Permit

(a) Before a permit may be approved or renewed, the applicant shall pay an initial regulatory fee in an amount to be determined by the Chief Executive Officer.

(b) The Chief Executive Officer shall deny the approval of a permit upon making a finding:

(1) That the applicant is under eighteen (18) years of age; or

(2) That the applicant has been convicted of, or held by any final administrative determination to have been in violation of any statute, ordinance, or regulation which would have resulted in suspension or revocation of the permit in accordance with Section 1.13 of this Ordinance; or

(3) That the applicant provided false information of a material fact in an application within the past year.

(c) No permit shall be approved or renewed unless evidence of compliance with applicable MTS regulations.

(d) When the permit has been approved and upon determination by the Chief Executive Officer that the for-hire vehicle, after appropriate inspection, meets the requirements of this Ordinance, the Chief Executive Officer will issue a numbered medallion(s) to be affixed to the for-hire vehicle.

***(Section 1.4 amended 12/8/2022)***  
***(Section 1.4 amended 11/12/2020)***  
***(Section 1.4 amended 11/8/2018, effective 1/1/2019)***  
***(Section 1.4 amended 12/14/2017)***  
***(Section 1.4 amended 2/12/2015)***  
***(Section 1.4 amended 11/15/2012)***  
***(Section 1.4 amended 11/14/2002)***

Section 1.5 - Transfer and Administration of Permits

(a) Each permit issued pursuant to the provisions of this section is separate and distinct and shall be transferable from the permit holder to another person or entity only with the approval of the Chief Executive Officer, and upon meeting the requirements of this Ordinance.

(b) The proposed transferee shall file with the Chief Executive Officer a sworn application for the transfer and shall comply with the requirements of Section 1.3. The permit holder shall certify in writing that the permit holder has notified the proposed transferee of the requirements of this section pertaining to the transfer of a permit. Whenever an application for a transfer of permit is filed, the Chief Executive Officer shall process the application for transfer in accordance with Section 1.4 of this Ordinance.

(c) The Chief Executive Officer shall charge regulatory fees to affect the full cost recovery of activities associated with the administration, regulation, issuance, or transfer of for-hire vehicle permits and associated records.

(1) Changes in fee schedules affecting permits shall be posted, at a minimum, on the MTS website and notice of such posting will be sent to all permit holders' email address. Changes shall be effective thirty (30) calendar days thereafter.

(2) Any person objecting to a particular fee or charge may file, within ten (10) calendar days of posting of such changes, an appeal for review with the Chief Executive Officer who shall thereafter process it in accordance with Section 1.17; provided, however, that the sole issue to be determined on review is whether the fee or charge exceeds the reasonable costs for personnel salaries and administrative overhead associated with the particular administrative service or function.

***(Section 1.5 amended 11/12/2020)***  
***(Section 1.5 amended 11/8/2018, effective 1/1/2019)***  
***(Section 1.5 amended 12/14/2017)***  
***(Section 1.5 amended 2/12/2015)***  
***(Section 1.5 amended 8/7/2003)***  
***(Section 1.5 amended 11/14/2002)***

Section 1.6 - Blank



The text of Section 1.6 is deleted in its entirety effective February 12, 2015.

**(Section 1.6 deleted 2/12/2015)**  
**(Section 1.6 amended 11/14/2002)**

Section 1.7 - Blank

The text of Section 1.7 is deleted in its entirety effective October 24, 1998.

**(Section 1.7 was deleted 9/24/1998)**

Section 1.8 - Equipment and Operating Regulations

(a) No medallion shall be issued for a vehicle unless the vehicle conforms to all the applicable provisions of this Ordinance.

(b) The privilege of engaging in the business of operating a for-hire vehicle in a City or County granted in the permit is personal to the permit holder, who must be the owner of the for-hire vehicle. The rights, requirements, and responsibilities which attach to the permit remain with the holder at all times the for-hire vehicle is operated under the authority of the permit. These rights, requirements and responsibilities, which include, but are not limited to, the requirements of this Ordinance, will remain unaffected by any agreement or contractual arrangement between the permit holder and those persons who operate for-hire vehicles, irrespective of the form or characterization of the agreement under which the driver operates the for-hire vehicle.

(c) The permit holder shall maintain an email address, mailing address that can accept mail directed to company, and a business telephone in which the permit holder can be reached during reasonable business hours and during all hours of operation. The permit holder shall, in the case of any change in their email address, mailing address, or business telephone, notify the Chief Executive Officer in writing of such change within forty-eight (48) hours of the effective date of this change.

(d) If a taxicab, permit holders must participate in the pull-notice program pursuant to Section 1808.1 of the Vehicle Code and enroll all employed or contracted drivers who drive a vehicle for permit holder.

(1) Upon the termination of the employee or contractor driver, the permit holder shall notify the Department of Motor Vehicles (DMV) to discontinue the driver's enrollment in the pull notice system.

(2) Permit holders shall present upon request, during regular business hours, to MTS and/or the Sheriff's Department, as well as during annual permit renewal, proof of enrollment and names of any and all drivers enrolled in the DMV driver pull-notice program pursuant to Section 1.8(d) of this Ordinance.

(3) Permit holders who fall under one or more of the following categories must enroll in the DMV pull-notice program: if registered with the State of California as a Corporation and or LLC; if own more than one vehicle; employs or contracts a lease driver(s); and/or vehicle is otherwise driven by more than one driver.

(e) Before a for-hire vehicle is placed in service and at least annually thereafter, the for-hire vehicle shall be delivered to a certified Automotive Service Excellence or Bureau of Automotive Repair registered facility for mechanical inspections, or other place designated by the Chief

Executive Officer for inspection. Certified mechanics and MTS inspectors shall inspect the for-hire vehicle and its equipment to ascertain whether the vehicle complies with the provisions of this Ordinance. Failure to produce the vehicle for inspection within a timeframe determined by MTS shall be cause for suspension or revocation of the permit for such vehicle.

(f) Any MTS inspector or peace officer, after displaying proper identification, may make reasonable and periodic inspections of any for-hire vehicle operating under an MTS permit for the purpose of determining whether the vehicle is in compliance with the provisions of this Ordinance.

(g) Any for-hire vehicle which fails to meet the requirements of the California Vehicle Code or this section after inspection shall be immediately ordered out-of-service by an MTS inspector or peace officer if it is unsafe for service. Ordering a vehicle out-of-service does not constitute a suspension or revocation of the permit. A vehicle is deemed unsafe for service when any of the following conditions exists:

- (1) Tires fail to meet the requirements of the California Vehicle Code;
- (2) Headlights, taillights or signal lights are inoperable during hours of darkness (sunset to sunrise);
- (3) Windshield wipers are inoperable during rainy conditions;
- (4) Taximeter is not working, the Taximeter displays signs of tampering, the seal of a Hard Meter is broken, the County of San Diego seal of a Hard Meter is more than thirteen (13) months old from the date of issuance, a Service Agent's temporary seal of a Hard Meter is more than ninety (90) days old from the date of issuance, or a Soft Meter displays technology not approved by the California Department of Food and Agriculture Division of Measurement Standards or does not appear to be operating as is intended or approved;
- (5) Brakes, brake lights or brake system are inoperable or otherwise fail to meet the requirements of the California Vehicle Code;
- (6) Excessive play in steering wheel exceeding three (3) inches;
- (7) Windshield glass contains cracks or chips that interfere with driver's vision;
- (8) Any door latch is inoperable from either the interior or exterior of the vehicle;
- (9) Any seat is not securely fastened to the floor;
- (10) Seat belts, when required, fail to meet requirements of the California Vehicle Code;
- (11) Either side or rearview mirrors are missing or defective;
- (12) Any vehicle safety system light is activated; and
- (13) Any other condition which reasonably and rationally pertains to the operating safety of the vehicle or to passenger or pedestrian safety.

(h) If the vehicle is not unsafe but is unsuitable or otherwise in violation of this Ordinance or any vehicle condition/equipment section of the California Vehicle Code, the operator or permit holder, as appropriate, shall be subject to a seventy-two (72) hours correction notice.

(1) Failure to correct such violation within the seventy-two (72) hours shall then be cause to order the vehicle out-of-service. When a vehicle is ordered out-of-service, the medallion shall be immediately removed.

(2) Before the vehicle may again be placed in service, the violation shall be corrected and the vehicle shall be inspected by a certified mechanics or MTS inspector

(3) The medallion shall be reaffixed when the MTS inspector finds that the vehicle meets prescribed standards.

(i) The interior and exterior of the for-hire vehicle shall be maintained in a safe and efficient operating condition, and meet California Vehicle Code requirements and the requirements of this Ordinance at all times when in operation. The following minimum vehicle standards must be maintained to comply with this section:

(1) Wheels. Hubcaps or wheel covers shall be on all wheels for which hubcaps or wheel covers are standard equipment.

(2) Body Condition. There shall be no tears or rust holes in the vehicle body and no loose pieces hanging from the vehicle body. Fenders, bumpers, and light trim shall be securely fixed to the vehicle. No extensive unrepaired body damage shall be allowed and exterior paint shall be free from excessive fading. The vehicle shall be equipped with front and rear bumpers. The exterior of the vehicle shall be maintained in a reasonably clean condition so as not to obscure approved vehicle markings.

(3) Lights. Headlights shall be operable on both high and low beam. Taillights, parking lights, signal lights, and interior lights shall all be operable.

(4) Wipers. Each vehicle shall be equipped with adequate windshield wipers maintained in good operating condition.

(5) Brakes. Both the parking and hydraulic or other brake system must be operable.

(6) Steering. Excessive play in the steering mechanism shall not exceed three (3) inches free play in turning the steering wheel from side to side.

(7) Engine. The engine compartment shall be reasonably clean and free of uncontained combustible materials.

(8) Mufflers. Mufflers shall be in good operating condition.

(9) Windows. The windshield shall be without cracks or chips that could interfere with the driver's vision. All other windows shall be intact and able to be opened and closed as intended by the manufacturer. The windows and windshield shall be maintained in a reasonably clean condition so as not to obstruct visibility.

(10) Door Latches. All door latches shall be operable from both the interior and exterior of the vehicle.

(11) Suspension. The vehicle's suspension system shall be maintained so that there are no sags because of weak or broken springs or excessive motion when the vehicle is in operation because of weak or defective shock absorbers.

(12) Seats. All seats shall be securely fastened. Seat belts, when required by the California Vehicle Code, shall be installed. The upholstery shall be free of grease, holes, rips, torn seams, and burns.

(13) Interior. The interior of each vehicle and the trunk or luggage area shall be maintained in a reasonably clean condition, free of foreign matter, offensive odors, and litter. The seats shall be kept reasonably clean and without large wear spots. The door handles and doors shall be intact and clean. The trunk or luggage area shall be kept empty except for spare tire and personal container for the driver not exceeding one (1) cubic foot in volume and emergency equipment, to allow maximum space for passenger luggage and belongings.

(j) Each for-hire vehicle, except taxicabs and LSVs, shall contain:

(1) A fire extinguisher of the dry chemical or carbon dioxide type with an aggregate rating of at least 5 B/C units and a current inspection card affixed to it.

(2) A minimum of three (3) red emergency reflectors.

(3) A first-aid kit containing medical items to adequately attend to minor medical problems.

(k) In the event that a for-hire vehicle for which a permit has been approved is taken out of service, by the permit holder for maintenance or any purpose, other than a violation of any provision of this Ordinance, a spare vehicle operating permit may be granted. The spare vehicle operating permit shall only be valid for the vehicle for which it was issued. The permit holder may only utilize a spare for-hire vehicle which has been duly inspected by an MTS inspector and approved prior to use. The permit holder must immediately inform an MTS inspector when a spare for-hire vehicle is in use and the location of the disabled vehicle. The spare vehicle will be issued a "spare vehicle" sticker which must be affixed to the left rear portion of the for-hire vehicle for which it is approved, in plain view from the rear of the for-hire vehicle. The permit holder may utilize one (1) spare for-hire vehicle for a period not to exceed thirty (30) calendar days from the date of issuance. This subsection shall not be construed, nor deemed to replace, those provisions in this Ordinance which apply to permanent replacement of a for-hire vehicle.

(l) The medallion issued to the permit holder must be affixed by an MTS inspector on the for-hire vehicle for which the permit is approved in plain view from the rear of the for-hire vehicle. The permit holder must immediately report the loss, destruction, or defacing of a medallion to the Chief Executive Officer. Except as provided in Subsection (k), it shall be unlawful to operate a for-hire vehicle without the medallion affixed and visible.

(m) There shall be displayed in the passenger compartment of each for-hire vehicle between the sun visors, in full view of the passengers in the front and rear seats, a card not less than ten (10) inches wide by six (6) inches high in size. Posted on this card, utilizing "Universe" font in black ink on white background, shall be:

1) The first line of the card, 3/4 inch in height, shall say one of the following according to permit type: TAXICAB, SIGHTSEEING, CHARTER, NONEMERGENCY, LOW-SPEED VEHICLE, OR JITNEY LOST AND FOUND.

2) Below this, the card shall include the vehicle medallion number in three-inch numerals.

3) Below the medallion number, the name, address, and phone number of the MTS For-Hire Vehicle Administration and the permit holder and/or permit holder trade name shall be printed, 1/4-inch in height.

4) Without approval from MTS, no other signs, markings, lettering, decals, or any type of information shall be displayed within 18 inches around the card.

(n) Advertisements, whether displayed on the inside or outside of the vehicle, shall be posted in accordance with MTS Board Policy No. 21, Revenue-Generating Display Advertising, Concessions, and Merchandise, any guidelines developed by the Chief Executive Officer, and the provisions of this Ordinance. Advertisements shall not be displayed without prior approval from MTS.

(o) The driver of each for-hire vehicle may either carry: a map of the City or County, published within the past two (2) years; or an electronic device equipped with a GPS enabled map, which shall be displayed to any passenger upon request.

(p) The maximum rates of fare charged for for-hire vehicle services shall be clearly and conspicuously displayed in the passenger compartment, unless if a taxicab which shall comply with Section 2.2(d) of this Ordinance.

(q) Each for-hire vehicle licensed to operate in the City or County shall have located on the passenger side dashboard area a driver identification card provided by the County of San Diego Sheriff or provide upon a request a valid VDDP driver certificate with a commercial driver's license. The driver identification card shall have no alterations or information covered. The driver identification card shall be visible to passengers, peace officers and MTS inspectors so they can easily view the driver identification card from either inside or outside the vehicle. The driver identification card issued by the Sheriff shall bear the following information:

- (1) The number of the license of the driver;
- (2) The name and business address of the driver;
- (3) The name of the owner of the vehicle; and
- (4) A small photograph of the driver.

(r) Each for-hire vehicle shall be equipped with a rearview mirror affixed to the right side of the vehicle, as an addition to those rearview mirrors otherwise required by the California Vehicle Code.

(s) The driver shall offer each passenger a printed receipt upon payment of the fare. The receipt shall accurately show the date, the amount of the fare, the driver's name and ID number, the taxicab number, the company (DBA) name, and the dispatch service name with phone number if a taxicab.

(t) All disputes to fare shall be determined by the peace officer or MTS inspector most readily available where the dispute is had. It shall be unlawful for any person to fail or refuse to comply with such determination by the peace officer or MTS inspector.

(u) It is unlawful for any person to refuse to pay the lawful fare of a for-hire vehicle after employing or hiring the same.

(v) The driver of any for-hire vehicle shall promptly obey all lawful orders or instructions of any peace officer, fire fighter, or MTS inspector.

(w) No driver of any for-hire vehicle shall transport any greater number of persons, including the driver, than the manufacturer's rated seating capacity for the vehicle.

(x) It shall be unlawful for any person to solicit business for a for-hire vehicle by making a contract or agreement with any owner of any hotel, apartment house, motel, inn, rental units, restaurant, or bar, or with the agent or employees of such owner, by which the owner, agent or employee receives any type of payment or commission for recommending or directing any passenger to a specific for-hire vehicle or company. It shall be unlawful for any permit holder, association, or driver to have or make a contract or agreement with any owner of any hotel, apartment house, motel, inn, rental units, restaurant, or bar, or with the agents or employees of such owner, by which the permit holder, association or driver receives any type of payment or commission for recommending or directing any passenger to an establishment operated by a specific owner.

(y) The driver of a for-hire vehicle shall wear, in a manner clearly visible on their person, an identification card approved by the Chief Executive Officer.

(z) The Board specifically finds that the dress, grooming, and conduct of for-hire vehicle drivers affect the public health and safety, particularly as it relates to visitors and the tourist industry. Therefore, while driving or operating a for-hire vehicle, drivers shall be hygienically clean, well-groomed, and neat and suitably dressed. Violations of this subsection are administrative in nature and shall not be the subject of criminal prosecution.

(1) The term "hygienically clean" shall refer to that state of personal hygiene, body cleanliness, and absence of offensive body odor normally associated with bathing or showering on a regular basis.

(2) The term "well-groomed" shall mean that, that scalp or facial hair shall be combed or brushed and that all clothing is clean, free from soil, grease and dirt, and without unrepaired rips or tears.

(3) The term "neat and suitably dressed" shall be interpreted to mean that: driver is wearing appropriate clothing to operate a for-hire vehicle; drivers shall wear shoes; driver cannot wear as an outer garment any of the following: undershirt or underwear, tank tops, body shirts (see-through mesh), swim wear, jogging or warm-up suits or sweatshirts or similar attire, jogging or bathing shorts or trunks, or sandals; and trouser-type shorts that are no shorter than four inches above the center of the kneecap are permissible.

(aa)     —For-hire vehicles shall comply with the California Vehicle Code, e.g., not impede traffic, and, where applicable, not operate on streets where posted speed limits are above 35 miles per hour. For-hire vehicle drivers, including taxicab, shall not load or unload passengers in traffic lanes.

(bb) Smoking is not permitted at any time inside a MTS-permitted vehicle.

(cc) ~~-A driver or~~ permit holder or dispatch service organization shall not prejudice, disadvantage, or require a different rate or provide different service to a person because of race, national origin, religion, color, ancestry, physical disability, medical condition, occupation, marital status or change in marital status, sex or any characteristic listed or defined in Section 11135 of the Government Code.

(dd) A driver shall not use rude or abusive language toward a passenger(s) or conduct any physical action that a reasonable person would construe as threatening or intimidating.

(ee) A driver may refuse a fare if it is readily apparent that the prospective or actual fare is a hazard to the driver or operator. A driver is not obligated to transport any person who is verbally or otherwise abusive to the driver. Such incidents shall also be noted on the trip log and notification shall be immediately sent to the dispatch service organization, if a taxicab, which shall record the incident and keep the record for the minimum of 6 months.

(ff) A driver may decline to accept a taxicab trip that is Electronically Booked, so long as all other requirements of Section 1.8 are followed.

(gg) A driver shall not refuse or discourage a prospective or actual fare based upon trip length within City or County. A vehicle designated as an LSV may refuse a prospective or actual fare if the trip distance is outside allowed areas of operations.

(hh) A driver shall not refuse or discourage a prospective or actual fare based upon method of payment. Driver shall not refuse payments by credit card.

(ii) A failure to promptly dispatch (within the standards required by Sections 2.6(a)(1), (2), and (3) of this Ordinance), or any action by a driver of any taxicab or LSV to refuse or discourage a prospective or actual passenger based on trip purpose (e.g. transport foodstuffs or who must meet a medical appointment).

(jff) No driver shall stop, park, or otherwise leave standing any MTS permitted vehicle within fifteen (15) feet of any fire plug except as modified in Section 2.5 of this Ordinance.

(~~ggkk~~) No driver shall stop, park or otherwise leave standing any MTS permitted vehicle in a disabled parking zone except as authorized per California Vehicle Code section 22507.8.

(~~hhll~~) If a taxicab, proof that vehicle(s) meet California Air Resources Board criteria for zero emissions/low emissions.

**(Section 1.8 amended 3/14/2024)**  
**(Section 1.8 amended 12/8/2022)**  
**(Section 1.8 amended 1/20/2022)**  
**(Section 1.8 amended 11/12/2020)**  
**(Section 1.8 amended 10/10/2019)**  
**(Section 1.8 amended 11/8/2018, effective 1/1/2019)**  
**(Section 1.8 amended 12/14/2017)**  
**(Section 1.8 amended 10/13/2016)**  
**(Section 1.8 amended 5/12/2016)**  
**(Section 1.8 amended 2/12/2015)**  
**(Section 1.8 amended 8/7/2003)**  
**(Section 1.8 amended 11/14/2002)**

**(Section 1.8 amended 9/24/1998)**  
**(Section 1.8 amended 2/13/1997)**  
**(Section 1.8 amended 6/24/1993)**

Section 1.9 - Public Liability

(a) It shall be unlawful to operate a for-hire vehicle unless the permit holder establishes and maintains in effect one of the forms of financial responsibility specified in this section.

(1) This requirement may be met by maintaining a valid policy of insurance executed and delivered by a company authorized to carry on an insurance business, the financial responsibility of which company has been approved by the Chief Executive Officer. The terms of the policy shall provide that the insurance company assumes financial responsibility for injuries to persons or property caused by the operation of the for-hire vehicle in an amount determined by the Chief Executive Officer.

(2) The permit holder may also meet this requirement by obtaining a certificate of self-insurance for a specified amount approved by the Board and pursuant to the applicable provisions of the California Vehicle Code.

(b) A valid proof of insurance issued by the company providing the insurance policy required under Subsection (a) (1) of this section shall be filed with and approved by the Chief Executive Officer. This certificate shall provide that MTS is a named certificate holder and shall be placed in each vehicle, per California Vehicle Code Section 16020. It shall also provide that the insurer will notify MTS of any cancellation and that the cancellation notice be received at least thirty (30) days prior to cancellation of the policy. The certificate shall also state:

- (1) The full name of the insurer;
- (2) The name and address of the insured;
- (3) The insurance policy number;
- (4) The type and limits of coverage;
- (5) The specific vehicle(s) insured;
- (6) The effective dates of the certificate; and
- (7) The certificate issue date.

**(Section 1.9 amended 11/12/2020)**  
**(Section 1.9 amended 9/17/2015)**  
**(Section 1.9 amended 11/14/2002)**

Section 1.10 - Financial Ownership and Operating Records: Reporting Requirements

(a) Every person engaged in the business of operating a for-hire vehicle within the City under a permit granted by the Chief Executive Officer shall maintain:

(1) Financial records, including but not limited to the current executed taxicab driver lease agreement that includes all aspects of the business relationship between the permit holder and the lessee, and written receipts of all payments from lessee in accordance with good accounting practices;

(2) Ownership records; and

(3) Operating records in a form, and at intervals, which shall be determined from time to time by the Chief Executive Officer.



(b) Ownership and operating records shall be made available to the Chief Executive Officer upon demand at any reasonable time. The permit holder shall retain operating records for a minimum of six (6) months from the date the records are created.

(c) For purposes of this section, ownership records shall include, but are not limited to, the following:

(1) Copies of the Articles of Incorporation as filed-;

(2) Records identifying all corporate officers and members of the corporation's Board of Directors. A corporation shall report any change in corporate officers or members of its Board of Directors to MTS within ten (10) days of the effective date.

~~(3) A stock register recording the issuance or transfer of any shares of the corporate stock; and~~

(34) The registration cards issued by the State of California Department of Motor Vehicles to the vehicle owner for all for-hire vehicles operated under the authority of an MTS for-hire vehicle permit. Valid proof of registration shall be maintained in the vehicle at all times.

(d) For purposes of this section, operating records shall include, but are not limited to, the following:

(1) Typed or written dispatch records for taxicab companies which operate their own dispatch service;

(2) Any logs which a for-hire vehicle driver keeps describing the trips carried by a for-hire vehicle other than a taxicab;

(3) Copies of the daily trip log required by taxicab or LSV drivers under Section 2.4 (o); and

(4) Any other similar records.

(e) As a condition of permit renewal, upon permit renewal every permit holder shall file with the Chief Executive Officer a signed statement which shall report and attest to the accuracy of the following information:

(1) The individual name(s), business name, business mailing address, e-mail address, and telephone number of the permit holder(s);

(2) The name and address of all legal and registered owner(s) of the for-hire vehicle(s);

(3) The name and address of each person with a financial interest in the business which operates the vehicle(s);

(4) The year, manufacturer, model, vehicle identification number, license plate, and medallion number affixed to the permitted vehicle(s); and

(5) Proof of enrollment and names of any and all drivers enrolled in the DMV driver pull-notice program pursuant to Section 1.8(d) of this Ordinance.

(f) If the permit holder is an individual, the permit holder must email, mail or appear in person in the offices of MTS to file the statement; if the permit holder is a partnership, one of the partners must email, mail or appear in person in the offices of MTS to file the statement; if the permit holder is a corporation or LLC, an officer of the corporation, or a member of the LLC, authorized to represent the company, must email, mail or appear in person in the offices of MTS to file the statement. If email or mail is used, the email address or mailing address used by the permit holder must be an email address or mailing address that is on file with the Chief Executive Officer. Failure to produce the statement may result in permit suspension or denial of permit renewal.

**(Section 1.10 amended 3/14/2024)**  
**(Section 1.10 amended 12/8/2022)**  
**(Section 1.10 amended 11/12/2020)**  
**(Section 1.10 amended 11/8/2018, effective 1/1/2019)**  
**(Section 1.10 amended 5/12/2016)**  
**(Section 1.10 amended 2/12/2015)**  
**(Section 1.10 amended 8/7/2003)**  
**(Section 1.10 amended 11/14/2002)**  
**(Section 1.10 amended 6/24/1993)**

Section 1.11 - Destruction, Permanent Replacement, Retirement or Inactive Status of For-Hire Vehicles

(a) Whenever a for-hire vehicle is destroyed, rendered permanently inoperative, is sold, or the permit holder is no longer the owner of the for-hire vehicle, the permit holder shall notify the Chief Executive Officer in writing within forty-eight (48) hours.

(b) If a taxicab permit holder plans to change where it is Substantially Located, the permit holder shall notify the Chief Executive Officer and the new jurisdiction in which it will become Substantially Located within six (6) months or as soon as practicable prior to making that change.

(c) A permit holder may place a for-hire vehicle under inactive status after written permission is obtained from the Chief Executive Officer. The following guidelines are to be used in granting permission for a for-hire vehicle to be placed and kept on inactive status:

- (1) No laps in payment of annual regulatory fees during any time of inactive status;
- (2) Permit must be in good standing (e.g. no pending disciplinary or enforcement action);  
and
- (3) Annual statement must be filed in accordance with Section 1.10(e).

(d) At any time a permit holder may bring a for-hire vehicle under inactive status back into service after written permission is obtained from the Chief Executive Officer. The following guidelines are to be used in granting permission to return a for hire vehicle under inactive status back to service:

- (1) Permit holder must notify Chief Executive Officer in writing of their intent to place their vehicle back into service;

- (2) Permit holder must show proof of a valid vehicle insurance policy as required by Section 1.9;
- (3) Permit holder must show proof of current vehicle registration;
- (4) Permit holder must show proof of current subscription to a dispatch service organization, if a taxicab; and
- (5) Vehicle must pass MTS required inspection.

(e) The Chief Executive Officer shall, as a matter of owner right, allow the replacement of a vehicle which is destroyed, rendered inoperative, sold or transferred, provided that the permit holder has complied with, and the for-hire vehicle is in conformance with, all applicable provisions of this Ordinance. An owner must remove the markings from the vehicle that indicate it is a taxicab or LSV before the owner disposes of it.

***(Section 1.11 amended 2/14/2019)***

***(Section 1.11 amended 10/13/2016)***

***(Section 1.11 amended 8/7/2003)***

***(Section 1.11 amended 11/14/2002)***

***(Section 1.11 amended 2/13/1997)***

#### Section 1.12 - Driver's Identification Cards

(a) No person shall drive or operate any for-hire vehicle under the authority of a permit granted under this Ordinance unless such person: displays a valid driver's identification card obtained annually through the Sheriff of the County of San Diego; or provides upon request a VDDP driver certificate with a commercial driver's license.

(b) No permit holder shall employ as a for-hire vehicle driver or operator any person who has not obtained a for-hire vehicle driver's identification card through the Sheriff of the County of San Diego or VDDP driver certificate with a commercial driver's license.

(c) No permit holder shall employ as a driver or operator any person whose privilege to operate a for-hire vehicle within the City has expired, or has been revoked, denied or suspended or prohibited.

(d) A driver may drive for more than one permit holder. The driver must, however, have on file with and accepted by the Sheriff of the County of San Diego, a separate application on forms provided by the Sheriff, for each permit holder with whom he has a current driving agreement. A driver may have on file with the Sheriff a maximum of four (4) such applications at any one time. It shall be unlawful for a driver to accept or solicit passengers for hire in the City or County while operating the taxicab or LSV of any permit holder for whom the driver does not have such an application on file with the Sheriff.

(e) No person shall drive or operate any for-hire vehicle, under the authority of a permit granted under this Ordinance unless such person has successfully completed an MTS-approved driver safety training course concerning driver safety rules and regulations, map reading, crime prevention, courtesy and professionalism, and compliance with the ADA. As determined by the Chief Executive Officer, a corresponding qualification examination may be required.

(f) No person who has received a notice of prohibition pursuant to Section 1.14, or whose privilege to operate a for-hire vehicle within the City has expired, or has been suspended, revoked or denied by the Sheriff, California Highway Patrol, or the Chief Executive Officer shall drive or operate a for-hire vehicle within the City.

(g) No for-hire vehicle driver's identification card shall be issued or renewed by the Sheriff to any of the following persons:

(1) Any person under the age of eighteen (18) years.

(2) Any person who has been convicted of a felony involving a crime of force or violence against any person, or the theft of property, unless five (5) years have elapsed since their discharge from a penal institution or satisfactory completion of probation for such conviction during which period of time their record is good.

(3) Any person who has been convicted of assault, battery, resisting arrest, solicitation of prostitution, any infraction, misdemeanor, or felony involving force and violence, or any crime reasonably and rationally related to the paratransit industry or any similar business operation which bears upon the integrity or ability of the driver to operate a for-hire vehicle business and transport passengers, unless five (5) years shall have elapsed from the date of discharge from a penal institution or the satisfactory completion of probation for such conviction.

(4) Any person who, within the five (5) years immediately preceding the processing of the application, has been convicted of or held by any final administrative determination to have been in violation of any statute, ordinance, or regulation reasonably and rationally related to the for-hire vehicle industry or any similar business operation which would have authorized the suspension or revocation of the driver's identification card in accordance with Section 1.14 of this Ordinance.

(5) Any person who is required to register as a sex offender pursuant to the California Penal Code.

(6) Any person who has provided false information of a material fact in their application within the past five (5) years.

(7) No person shall obtain or renew a driver's identification card unless such person has successfully completed a driver safety training course approved by the Chief Executive Officer.

(8) When a driver permanently no longer drives for an MTS For-Hire Vehicle Administration permit holder, the permit holder shall report this to the Sheriff's Department within ten (10) calendar days.

(h) The Sheriff is authorized to issue temporary for-hire vehicle driver identification cards pending the approval or denial of an application for a regular for-hire vehicle driver identification card. No temporary for-hire vehicle driver identification card shall be issued without the satisfactory completion of a local law enforcement agency record check of the applicant. Any temporary identification card so issued shall be valid for a period not to exceed ninety (90) days or until the date of approval or denial of the application for a regular for-hire vehicle driver identification card, whichever shall occur first. The issuance of a temporary identification card hereunder shall not authorize the operation of a for-hire vehicle following the denial of the application while pending the resolution of any appeal otherwise provided for in Section 1.16 of this Ordinance. The Sheriff or the

Chief Executive Officer shall establish nonrefundable filing fees to defray the costs of processing regular and temporary driver identification cards.

- (Section 1.12 amended 12/8/2022)*
- (Section 1.12 amended 1/20/2022)*
- (Section 1.12 amended 11/12/2020)*
- (Section 1.12 amended 10/10/2019)*
- (Section 1.12 amended 11/8/2018, effective 1/1/2019)*
- (Section 1.12 amended 12/14/2017)*
- (Section 1.12 amended 5/12/2016)*
- (Section 1.12 amended 11/15/2012)*
- (Section 1.12 amended 8/7/2003)*
- (Section 1.12 amended 11/14/2002)*
- (Section 1.12 amended 9/24/1998)*
- (Section 1.12 amended 10/30/1997)*
- (Section 1.12 amended 11/9/1995)*

Section 1.13 - Suspension and Revocation of Permit

(a) Permits may be suspended or revoked by the Chief Executive Officer at any time in case:

(1) The Chief Executive Officer finds the permit holder's past record to be unsatisfactory with respect to satisfying the provisions of this Ordinance.

(2) The permit holder fails to comply with the applicable provisions of this Ordinance.

(3) The drivers of the for-hire vehicle or vehicles fail to act in accordance with those provisions of this Ordinance which govern driver actions. The permit holder shall have strict liability in this regard; however, this provision shall not restrict the Chief Executive Officer's ability to penalize a driver for violations of those provisions of this Ordinance which govern driver actions.

(4) The owner ceases to operate a for hire vehicle without having obtained written permission from the Chief Executive Officer.

(5) The permit holder is found to be operating a for-hire vehicle that is under inactive status.

(6) ~~The for-hire vehicle or vehicles, if operated as a~~The LSV or a taxicab, are operated at a rate of fare greater than the maximum rates of fare authorized by the Chief Executive Officer or posted on the taxicab or LSV pursuant to Section 2.2 (a) of this Ordinance, unless the taxicab trip is Electronically Booked.

~~(7) The for-hire vehicle or vehicles, if operated as a taxicab, are operated at a rate of fare greater than current maximum rate established by the Board pursuant to Section 2.2(a) of this Ordinance or the applicable rate provided to passenger pursuant to Section 2.4 (q) of this Ordinance.~~

~~(7)~~ (8) The permit holder fails to begin operating the for-hire vehicle for which the permit is first approved within ninety (90) days after the approval date.

(89) The permit holder has been convicted of assault, battery, resisting arrest, solicitation of prostitution, any misdemeanor or felony involving force and violence, or any crime reasonably and rationally related to the paratransit industry or any similar business operation which bears upon the integrity or ability of the applicant or permit holder to operate a for-hire vehicle business and transport passengers, unless the date of discharge from a penal institution or the satisfactory completion of parole or probation for such conviction has elapsed.

(409) The permit holder has been convicted of a crime that would require a person to register as a sex offender under the California Penal Code. For purposes of this section, a plea or verdict of guilty, a finding of guilt by a court, a plea of nolo contendere or a forfeiture of bail shall be considered a conviction.

(b) A permit holder shall be notified in writing within 10 working days when a credible complaint has been filed with the Chief Executive Officer by a member of the public where such complaint involves the permit holder, the driver of the permitted for-hire vehicle, or the dispatch service to which the permit holder is subscribed. As directed by the Chief Executive Officer, it shall be the responsibility of the permit holder ~~shall to~~ investigate the complaint and report in writing to the Chief Executive Officer within 30 days the result of the investigation and any corrective action taken or proposed. Where the complainant has agreed to the sharing of their identity, the results of the investigation, findings, and actions shall be communicated to the complainant.

(c) In the event the Chief Executive Officer finds a permit holder has failed to responsibly respond to notification of complaints or to initiate corrective action, the Chief Executive Officer shall issue a notice of proposed adverse action to the permit holder. If the circumstances of the complaint or subsequent investigation so warrant, the Chief Executive Officer may issue a notice of adverse action to a driver independently of or in conjunction with any adverse action proposed to the permit holder. The Chief Executive Officer shall refer to the Administrative Penalty Guidelines in determining a proposed adverse action.

(d) The permit holder or driver in receipt of a notice of proposed adverse action shall be given the opportunity to appear for an informal hearing before the Chief Executive Officer or designated representative. Failure to appear will constitute waiver of the hearing. Following the hearing or waiver thereof, the Chief Executive Officer shall issue the notice of adverse action if justified by the facts. If the Chief Executive Officer determines that the performance of the permit holder or driver involves criminal activity or constitutes a serious degradation of the public safety, convenience, or necessity, a notice of adverse action may be issued and the action effected without hearing.

(e) Upon a finding by the Chief Executive Officer that a permit holder falls within the provisions of this section, the permit holder or driver shall be notified that their permit has been subjected to an adverse action and that the matter is such that the action may be appealed. In lieu of an action provided for in the Administrative Penalty Guidelines, the Chief Executive Officer may impose a fine or a fine and a period of suspension for any violation(s) of this Ordinance.

**(Section 1.13 amended 3/14/2024)**

**(Section 1.13 amended 12/8/2022)**

**(Section 1.13 amended 1/20/2022)**

**(Section 1.13 amended 2/14/2019)**

**(Section 1.13 amended 11/8/2018, effective 1/1/2019)**

**(Section 1.13 amended 12/14/2017)**

**(Section 1.13 amended 10/13/2016)**

**(Section 1.13 amended 5/12/2016)**

**(Section 1.13 amended 8/7/2003)**  
**(Section 1.13 amended 11/14/2002)**  
**(Section 1.13 amended 6/24/1999)**

Section 1.14 - Suspension and Revocation of Driver's Identification Cards

(a) Driver's identification cards issued by the Sheriff may be suspended or revoked by the Chief Executive Officer at any time in case:

- (1) The Chief Executive Officer finds the driver's past record to be unsatisfactory with respect to satisfying the provisions of this Ordinance; or
- (2) The driver fails to comply with the applicable provisions of this Ordinance; or
- (3) Circumstances furnish grounds for the denial, suspension, revocation or refusal to renew the driver's identification card by the Sheriff under the terms of the applicable Ordinance of the County of San Diego; or
- (4) Their California Driver's License is revoked or suspended; or
- (5) The driver is convicted of reckless driving or driving while under the influence of intoxicating liquors and/or narcotics; or
- (6) The driver has been convicted of assault, battery, resisting arrest, solicitation of prostitution, any crime involving force and violence, or reasonably and rationally is related to the ability or integrity of the driver to operate a for-hire vehicle or transport passengers; or
- (7) The driver has ever been convicted of a crime that requires registration under the California Penal Code as a sex offender.

(b) For purposes of Subsections (a) (1) through (a) (6) of this section, a plea of nolo contendere, or a forfeiture of bail shall be considered a conviction if it occurred within the five (5) years immediately preceding the date of application for a permit or identification card.

(c) Notwithstanding a driver's possession of a valid taxicab or LSV driver identification card, the Chief Executive Officer may deny, suspend, revoke, or refuse to renew the driver's privilege to operate a for-hire vehicle in the City if the driver falls within the provisions of this section. The Chief Executive Officer shall send a notice of prohibition the date postmarked to operate a taxicab or LSV to any holder of a Sheriff's driver identification card who is ineligible under Subsection (a) to operate a for- hire vehicle within the City limits. The notice of prohibition shall be appealable in accordance with Section 1.16.

**(Section 1.14 amended 1/20/2022)**  
**(Section 1.14 amended 10/10/2019)**  
**(Section 1.14 amended 5/12/2016)**  
**(Section 1.14 amended 8/7/2003)**  
**(Section 1.14 amended 11/14/2002)**  
**(Section 1.14 amended 6/24/1999)**

Section 1.15 - Surrender of Medallion

(a) When a permit has been suspended or revoked, the operation of any for-hire vehicle authorized by such permit shall cease, and its medallion surrendered immediately to the Chief Executive Officer.

***(Section 1.15 amended 11/14/2002)***

**Section 1.16 - Right of Administrative Appeal from Denial, Suspension or Revocation of Permit or Driver's Identification Card or Related Adverse Action**

(a) The permit holder or driver shall be notified that they may file with the Chief Executive Officer a written administrative appeal ten (10) days after delivery of the notice of revocation or suspension, or the denial of a license, permit, or driver's identification card issued by the Sheriff, the notice of prohibition to operate or the imposition of a fine. The permit holder or driver shall set forth in the appeal the reasons why such action is not proper.

(b) If no administrative appeal is filed within the proper time, the permit or driver's identification card issued by the Sheriff shall be considered revoked, suspended or denied, and shall be surrendered, the fine be imposed, as applicable, or the notice of prohibition to operate take effect.

(c) Except as provided in Subsection (d), once an administrative appeal is filed, the revocation or suspension of the permit or driver's identification card issued by the Sheriff, the effect of the notice of prohibition to operate, or the imposition of the fine shall be stayed pending the final determination of the administrative appeal.

(d) If, in the Chief Executive Officer's opinion, the continued operation of a for-hire vehicle or possession of a driver's identification card issued by the Sheriff represents an unsafe condition for any passenger or pedestrian, the revocation or suspension of the related permit, driver's identification card, or the effect of any notice of prohibition to operate shall not be stayed. A revocation or suspension of a permit imposed for failure to comply with Section 1.8 (g) or Section 1.9 is rebuttably presumed to represent an unsafe condition pending the determination of the appeal or the correction of the violation, whichever shall occur first. Notwithstanding, no medallion shall be reattached to a vehicle until the violation under Sections 1.8 (g) or 1.9 has been corrected.

***(Section 1.16 amended 1/20/2022)***

***(Section 1.16 amended 11/12/2020)***

***(Section 1.16 amended 10/10/2019)***

***(Section 1.16 amended 8/7/2003)***

***(Section 1.16 amended 11/14/2002)***

**Section 1.17 - Procedure Upon Administrative Appeal**

(a) When an appeal is filed, the Chief Executive Officer shall review the appeal, and based on additional information provided therein, may revise the findings and penalty; in accordance with the additional information provided; or cause the appeal to be assigned to a Hearing Officer, who shall expeditiously schedule the hearing before him/her.

(1) The Chief Executive Officer shall use California Department of General Services, Office of Administrative Hearings Administrative Law Judges as Hearing Officers. The assignment of Administrative Law Judges as Hearing Officers shall be determined by the California Department of General Services, Office of Administrative Hearings.



(2) The Hearing Officer shall be a member of the California State Bar and shall not be an MTS employee.

(b) The appellant and the Chief Executive Officer or designate shall each have the right to appear in person and be represented by legal counsel, to receive notice, to present evidence, to call and cross-examine witnesses under oath, and to present argument.

(c) An appellant may select an individual to interpret for them. MTS will not pay any costs or be held responsible for any aspect of the interpreter's ability to accurately interpret the hearing.

(1) The Hearing Officer shall have the power to compel attendance of witnesses and documents by subpoena, in accordance with state law.

(2) The formal rules of evidence need not apply, and any relevant evidence that is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs shall be admissible. Hearsay evidence may be considered by the Hearing Officer, but no findings may be based solely on hearsay evidence unless supported or corroborated by other relevant and competent evidence. The formal exceptions to the hearsay rule shall apply.

(d) The Chief Executive Officer shall promulgate supplementary rules and procedures for the conduct of the hearing, the forms of notice and proceedings, and the preparation and submission of the record.

(e) The decision of the Hearing Officer shall be the final administrative remedy and shall be binding upon the parties to the appeal.

(f) If the Hearing Officer decides to suspend or revoke a permit or driver's identification card, the appellant shall immediately surrender the medallion or driver's identification card to the Chief Executive Officer.

**(Section 1.17 amended 5/12/2016)**

**(Section 1.17 amended 11/15/2012)**

Section 1.18 - Exceptions to Provisions

(a) The provisions of this Ordinance do not apply to:

(1) a vehicle properly licensed under the jurisdiction of the California Public Utilities Commission (CPUC) unless such vehicle also provides transportation services regulated by MTS under this Ordinance;

(2) public transit vehicles owned, operated, or contracted for by MTS and operators and drivers of such vehicles;

(3) a vehicle properly licensed by the State or County as an ambulance, and its driver if properly licensed by the California Highway Patrol pursuant to Vehicle Code section 12527 (i.e. for-hire driver for an ambulance); or

(4) a vehicle properly regulated by the California Highway Patrol pursuant to Vehicle Code sections 34500 et seq. (i.e. bus, schoolbuses, school pupil activity buses, or youth buses), and its driver if properly licensed by the California Highway Patrol pursuant to

Vehicle Code sections 12523.6 (i.e. for-hire driver of vehicles for developmentally disabled) or 12517.3 (i.e. for-hire driver for a schoolbus, school pupil activity bus, or youth bus).

(b) For compliance purposes, MTS inspectors may inspect all vehicles listed in Section 1.18 (a) to ensure they are not exceeding the authority granted by their license or operating as unlicensed private-hire transportation provider.

**(Section 1.18 amended 10/10/2019)**  
**(Section 1.18 amended 12/14/2017)**  
**(Section 1.18 amended 5/12/2016)**  
**(Section 1.18 amended 11/15/2012)**  
**(Section renumbered to 1.18 9/24/1998)**  
**(Section 1.17 amended 1/12/1995)**  
**(Section 1.17 amended 6/24/1993)**

Section 1.19 - Chief Executive Officer's Authority to Adopt Rules and Promulgate a Schedule of Fines

(a) Except where Board action is specifically required in this Ordinance, the Chief Executive Officer may adopt any rules and regulations reasonable and necessary to implement the provisions of this Ordinance. The Chief Executive Officer shall promulgate a schedule of administrative fines and penalties for violations of this Ordinance in lieu of the revocation or suspension of a permit or identification card issued by the Sheriff, a copy of which schedule shall be filed with the Clerk of the Board.

**(Section 1.19 amended 10/10/2019)**  
**(Section renumbered to 1.19 9/24/1998)**

Section 1.20 - Americans with Disabilities Act

(a) Permit holders, vehicles, and drivers are required to comply with the requirements of the federal Americans with Disabilities Act (ADA), and ADA regulations are hereby incorporated into MTS Ordinance No. 11 by reference. A violation of ADA requirements is a violation of this Ordinance and subject to a fine or suspension or revocation or a combination.

**(Section renumbered to 1.20 9/24/1998)**  
**(Section 1.19(a) was added 4/10/1997)**

SECTION 2.0 - TAXICABS AND/OR LSVs

Section 2.1 - Types of Service

(a) A taxicab or LSV is authorized to provide exclusive ride and group ride service.

**(Section 2.0 and 2.1 amended 8/7/2003)**

Section 2.2 - Rates of Fare

(a) After a noticed and open public hearing of the Taxicab Advisory Committee, MTS shall establish a maximum rate of fare for exclusive ride and group ride hire of taxicabs and/or LSVs. A permit holder may petition the Board for any desired change in the maximum taxicab or LSV rates for exclusive ride and/or zone rates and group ride hire.

(b) ~~Taxicab trips from San Diego International Airport shall not be charged more than the authorized maximum rate of fare. Notwithstanding, r~~ Rates for trips originating at the airport may include an extra charge equal to the Airport Access Fee assessed against the individual taxicab operator by the San Diego County Regional Airport Authority. The extra may not be charged on any trip that does not originate at the airport or on any trip where the taxicab operator does not pay the fee to the San Diego County Regional Airport Authority. The extra charge may only be charged to the passenger by visually identifying the Airport Access Fee on the taxicab meter. A driver may not verbally request payment. All taxicabs utilizing the Airport Access Fee must have a decal, approved by the Chief Executive Officer and the County of San Diego Office of Weights and Measures. The decal shall identify and accurately describe the extra charge consistent with regulatory requirements.

(c) All taxicabs shall accept major credit cards including, but not limited to, VISA, MasterCard, American Express, and Discover. Credit Card fees shall not be passed onto passengers.

(d) In accordance with Government Code Section 53075.5, tThe taxicab permit holder or taxicab driver shall disclose fares, fees or rates to the passenger. If providing trips booked through an online enabled application, internet website, or dispatch service, The taxicab permit holder or taxicab driverit may be disclosed by website, mobile telephone application or telephone dispatch ordersrequests. If providing trips through walkup rides or street hails, it may be disclosed on the exterior of the vehicle, internet enabled application, or be clearly visible in either print or electronic form inside the taxicab.

(1) If a trip was Electronically Booked, notice that maximum rates do not apply for trips Electronically Booked must be conspicuously posted wherever maximum rates of fare are disclosed or posted.

(e) It shall be unlawful for a permit holder or driver to operate any taxicab in the City or County, unless the vehicle is equipped with a Taximeter that meets the requirements of the State of California.

(1) If Hard Meter, each taxicab permit holder shall have the Taximeter set by properly licensed personnel for the rate that ~~he/she~~they will charge and have the Taximeter sealed and inspected.

(2) If Soft Meter, a certificate of approval must be provided by the California Department of Food and Agriculture Division of Measurement Standards or National Conference of Weights and Measures.

(3) The Taximeter shall calculate fares upon the basis of a combination of mileage traveled and time elapsed. When operative with respect to fare indication, the fare-indicating mechanism shall be actuated by the mileage mechanism whenever the vehicle is in motion at such a speed that the rate of mileage revenue equals or exceeds the time rate, and may be actuated by the time mechanism whenever the vehicle speed is less than this, and when the vehicle is not in motion.

(4) Waiting time shall include all time when a taxicab occupied or engaged by a passenger is not in motion or is traveling at a speed which is slow enough for the time rate to exceed the mileage rate. Waiting time will also include the time consumed while standing at the direction of the passenger or person who has engaged the taxicab.

(5) It shall be the duty of every permit holder operating a taxicab to keep the Taximeter in proper condition so that the Taximeter will, at all times, correctly and accurately indicate the charge for the distance traveled and waiting time. The Taximeter shall be at all times subject to the charge for the distance traveled and waiting time.

(6) The Taximeter shall be at all times subject to inspection by an MTS inspector or any peace officer. The MTS inspector or peace officer is hereby authorized at their instance or upon complaint of any person to investigate or cause to be investigated the Taximeter, and upon discovery of any inaccuracy in the Taximeter, or if the Taximeter is unsealed, to remove or cause to be removed the vehicle equipped with this taximeter from the streets of the City until the Taximeter has been correctly adjusted and sealed. Before being returned to service, the vehicle and Taximeter must be inspected and approved by the Chief Executive Officer.

(7) Any device repairperson who places into service, repairs, or recalibrates a Taximeter shall record the tire size and pressure of the drive wheels of that vehicle, as tested, on the repair person's sticker.

(8) It shall be the duty of the permit holder to ensure the proper device repair person's sticker is affixed to the Taximeter and to ensure the tires are the proper size.

(f) It shall be unlawful for any driver of a taxicab, while carrying exclusive or group ride passengers, to display the flag or device attached to the Taximeter in such a position as to denote that the vehicle is for hire, or is not employed, or to have the flag or other attached device in such a position as to prevent the Taximeter from operating. It shall be unlawful for any driver to throw the flag into a position which causes the Taximeter to record when the vehicle is not actually employed, or to fail to throw the flag or other device into non-recording position at the termination of each and every service.

(g) The Taximeter shall be so placed in the taxicab that the reading dial showing the amount of fare to be charged shall be well-lighted and easily readable by the passenger riding in such taxicab.

(h) It shall be unlawful for any permit holder and/or driver of a taxicab or LSV to demand of a passenger a charge for hire which is greater than the current maximum rate approved by the Board pursuant to Section 2.2 (a) or (b) of this Ordinance, unless the taxicab trip is Electronically Booked.

(i) ~~Except as provided in this section, is~~ It shall be unlawful for any permit holder and/or driver to demand of a passenger that is requesting a taxicab trip through a walkup, street hail or phone call to a dispatch service organization a charge for hire which is greater than the authorized maximum rate pursuant to Section 2.2 (a) or (b) of this Ordinance. It shall also be unlawful for any dispatch service organization, permit holder and/or driver to request or demand that a passenger requesting a taxicab trip through a walkup or street hail or phone call to a dispatch service organization to instead have the taxicab trip Electronically Booked.

(j) Nothing in this Ordinance shall preclude a dispatch service, permit holder, or driver from agreeing with prospective passenger(s) to a rate of fare which is equal to or less than the maximum rates of fare if the agreement is entered into in advance of the passenger(s) hiring the taxicab for the trip. To ensure the fare agreement is equal to or less than the maximum rates of fare, the taximeter shall remain in recording position until the termination of the trip.

(Section 2.2 amended 3/14/2024)

*(Section 2.2 amended 1/20/2022)*  
*(Section 2.2 amended 12/12/2019)*  
*(Section 2.2 amended 11/8/2018, effective 1/1/2019)*  
*(Section 2.2 amended 12/14/2017)*  
*(Section 2.2 amended 5/12/2016)*  
*(Section 2.2(c)(2) amended 11/15/2012)*  
*(Section 2.2(b) amended 4/19/2012)*  
*(Section 2.2 amended 8/7/2003)*  
*(Section 2.2 amended 5/8/2003)*  
*(Section 2.2 amended 11/14/2002)*  
*(Section 2.2 amended 6/24/1999)*  
*(Section 2.2 amended 9/24/1998; Section 2.2c operative May 1, 1999)*  
*(Section 2.2 amended 10/30/1997)*  
*(Section 2.2 amended 4/10/1997)*

Section 2.3 - Equipment and Specifications

(a) No taxicab shall be operated until the taximeter thereon has been inspected, tested, approved and sealed, if applicable, by an authorized representative of the State of California, and thereafter so maintained in a manner satisfactory to the Chief Executive Officer.

(b) Each taxicab may be equipped with a device which plainly indicates to a person outside the taxicab whether the taximeter is in operation or is not in operation.

(c) Mandatory Exterior Markings: The permit holder must display one of the following exterior markings schemes on each taxicab:

(1) Exterior Marking Scheme 1: The following must be displayed if in use of Exterior Marking Scheme 1:

(A) The permit holder's trade name shall be painted or permanently affixed in letters and numerals four (4) inches high all on one line on the upper third part of both rear doors or both rear quarter panels utilizing "Univers" or other Chief Executive Officer pre-approved font in any solid color lettering to produce maximum contrast adequately spaced for maximum readability. In the event the trade name does not fit on one line utilizing four (4) inch lettering, the trade name lettering must be as large as possible, up to four (4) inches in height, to enable the trade name to fit on one line.

(B) The medallion number shall be painted or permanently affixed, on both rear doors or both rear quarter panels, one (1) inch below the permit holder's trade name, six (6) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in any solid color lettering to produce maximum contrast adequately spaced for maximum readability.

(2) Exterior Marking Scheme 2: The following must be displayed if in use of Exterior Marking Scheme 2:

(A) The permit holder's trade name shall be painted or permanently affixed in letters and numerals four (4) inches high all on one line on the upper third part of both front doors utilizing "Univers" or other Chief Executive Officer pre-approved font in any solid color lettering to produce maximum contrast adequately spaced for maximum readability. In the event the trade name does not fit on one line

utilizing four (4) inch lettering, the trade name lettering must be as large as possible, up to four (4) inches in height, to enable the trade name to fit on one line.

(B) The medallion number shall be painted or permanently affixed, on both front doors, one (1) inch below the permit holder's trade name, six (6) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability.

(C) The permit holder's trade name and medallion number shall be painted or permanently affixed on the rear of the taxicab, four (4) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability. In the event the rear of the vehicle does not have four inches of vertical space for the trade name and medallion number, the rear lettering may be less than four inches, provided that it is easily readable from a distance of 50 feet.

(3) Exterior Marking Scheme 3: Shall only apply to taxicab vehicles with an unladen weight of 6,000 pounds or less. The following must be displayed if in use of Exterior Marking Scheme 3::

(A) The permit holder's trade name shall be permanently affixed to the upper edge of the front and rear windshields and lower part of both left and right rear windows, three (3) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in any solid color to produce maximum contrast adequately spaced for maximum readability.

(B) The medallion number shall be permanently affixed on the upper right side of the front windshield, upper left part of the rear windshield, and both right and left rear glass panels. The Medallion number shall be a minimum of (4) inches high utilizing "Univers" or other Chief Executive Officer pre-approved font any in any solid color to produce maximum contrast adequately spaced for maximum readability.

(d) Optional Exterior Vehicle Markings. The permit holder has the option of choosing to post any combination of the below-listed five options on their taxicab which must be posted only at the specific location and in the size noted.

(1) Trade Name Logo. If the permit holder chooses to display their trade name logo, the trade name logo shall be posted on the rear portion of both side rear quarter panels or bottom parts of the front or rear windshields farthest removed from the driver. The logo shall not exceed (6) six inches in diameter.

(2) Dispatch Service Provider. If the permit holder chooses to display the dispatch service provider name or logo, the dispatch service provider name or logo cannot utilize the words "cab" or taxi." The dispatch service provider name or logo must be displayed only on the rear portion of both side rear quarter panels.

(3) Dispatch Service Telephone Number. If permit holder chooses to display the dispatch service telephone number, the telephone number must be no more than three (3) inches in height and posted on the top front portion of both front side quarter panels or lower part of left and right rear windows

(4) "Driver Carries Only \$ \_\_\_\_\_ Change". If the permit holder chooses to post "Driver Carries only \$ \_\_\_\_\_ Change", postings must be located only on rear quarter panels near the rear door but clear of the rates of fare.

(5) "Leased to Driver". If permit holder chooses to post "Leased to Driver," it must be posted only on both side rear quarter panels near the rear door but clear of the rate of fares in lettering no larger than 1 inch.

(6) Body Numbers. If the permit holder chooses to post an internally assigned body number, different from the medallion number, the body number shall be posted in one (1) inch numerals on the front and rear bumpers.

(e) All other exterior vehicle markings are prohibited unless they are directly related to the permit holder's business and pre-approved by the Chief Executive Officer.

(f) All taxicabs shall be equipped and operated so that they may be dispatched by two-way radio or two-way electronic communication, monitored by a dispatcher, in response to a telephone or other request for service by a prospective passenger.

(1) Means of dispatch device must be turned on, and audible to driver, at all times the taxicab is in service.

(2) Dispatch equipment, such as a two-way radio, cellular phone or tablet, shall be securely mounted within the vehicle in such a way to be visible to peace officers and MTS inspectors and allow for hands-free operation while the vehicle is in motion.

(g) If radio dispatch capability is utilized, the dispatch service must abide by the following: the radio dispatch capability described in paragraph (d) of this section must be provided so as to conform to the regulations of the Federal Communications Commission (FCC) pertaining to Land Transportation Radio Services. Failure to conform to those regulations will additionally constitute a failure to meet the requirements of this section.

(1) The current valid FCC license shall be on file with MTS.

(2) Taxicab permit holder shall provide current proof the radio or electronic device has passed inspection by an MTS-approved inspector.

(3) Taxicab radios shall have the capability to receive or transmit only on frequencies specified in the FCC license of the radio service subscribed to by the permit holder.

(h) Each permit holder shall equip each permitted taxicab with a device capable of electronically processing credit card transactions. The device must be visible to all passengers and must allow the passenger to operate the payment device independently of the driver, without having to hand the credit card to the driver. The device must be fully operational at all times. The permit holder dispatch service, or driver shall be the merchant of record associated with the device. Any means of electronic credit card acceptance is acceptable so long as it complies with the provisions set forth in Section 1.8 (s).

***(Section 2.3 amended 1/20/2022)***

***(Section 2.3 amended 11/12/2020)***

***(Section 2.3 amended 12/12/2019)***

***(Section 2.3 amended 11/8/2018, effective 1/1/2019)***

**(Section 2.3 amended 12/14/2017)**  
**(Section 2.3 amended 10/13/2016)**  
**(Section 2.3 amended 5/12/2016)**  
**(Section 2.3 amended 2/12/2015)**  
**(Section 2.3 amended 11/15/2012)**  
**(Section 2.3 amended 6/27/2002)**  
**(Section 2.3 amended 9/24/1998; Section 2.3c operative May 1, 1999)**  
**(Section 2.3 amended 6/27/1991; effective 7/27/1991)**  
**(Section 2.3 amended 4/10/1997)**

Section 2.4 - Operating Regulations

(a) Operating regulations shall be promulgated and adopted from time to time by resolution of the Board. These resolutions will have the force of law and will be published and processed as though set forth in this Ordinance.

(b) Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to the destination safely and expeditiously.

(c) A failure of the driver of any taxicab or LSV to assist a passenger with the loading or unloading of a reasonable size, number, and kind of passenger luggage or other items, when requested to do so, shall be specifically defined as a violation of this section.

(1) A driver is not required to lift any single piece of passenger luggage or other item that exceeds 25 pounds in weight. The requirement for loading or unloading assistance shall be limited to retrieval from or deposit onto the nearest curbside adjacent to the legally parked taxicab or LSV. A sign in the form of a transparent decal may be affixed to the rear-door, side window stating that, "DRIVER IS NOT REQUIRED TO LOAD LUGGAGE IN EXCESS OF 25 POUNDS PER ITEM OR OF A SIZE OR KIND THAT WILL NOT SAFELY FIT IN THE DESIGNATED LUGGAGE AREA OF THIS VEHICLE."

(2) A driver with a disability that prevents them from handling items as defined in subsection (1) above must receive prior approval from MTS and provide supporting documentation of such a disability. After receiving MTS approval, a driver may affix a small sign either in the passenger section of the vehicle to be clearly visible to a rear seat passenger or on the inside of the trunk cover lid stating that, "DRIVER HAS DISABILITY THAT PREVENTS HANDLING OF LUGGAGE."

~~(d) It shall be unlawful for taxicab operators to refuse or discourage a prospective or actual fare based upon trip length within City or County, or method of payment. Driver shall not refuse payment by credit card.~~

~~(1) A vehicle designated as an LSV may refuse a prospective or actual fare if the trip distance is outside allowed areas of operations.~~

~~(2) A failure to promptly dispatch (within the standards required by Sections 2.6(a)(1), (2), and (3) of this Ordinance), or any action by a driver of any taxicab or LSV to refuse or discourage a prospective or actual passenger who must transport foodstuffs or who must meet a medical appointment, irrespective of trip length, shall be specifically defined as a violation of this section so long as that prospective passenger has notified the dispatch service of this circumstance at the time a request for taxi service was made.~~



(~~de~~) No driver of any taxicab or LSV shall stop, park, or otherwise leave standing a taxicab or LSV on the same side of the street in any block in which taxicabs or LSVs are already stopped, parked, or otherwise standing except the taxicab or LSV may actively unload in a passenger loading zone or be parked in a marked taxi/LSV stand.

(~~fe~~) No driver shall stop, park or otherwise leave standing a taxicab or LSV within one-hundred (100) feet of any other taxicab or LSV except in a marked taxi/LSV stand or while actively loading or unloading passengers.

(~~gf~~) An out-of-service sign must be displayed when the taxicab or LSV is not available for hire and is being operated or is lawfully parked for purposes of maintenance, inspection, or personal use. The sign must be placed in a location in the vehicle that is clearly visible from the exterior of the vehicle. The sign must be of durable material and written in block letters in black ink and easily readable from a distance of not less than ten (10) feet.

(~~hg~~) A taxicab driver may seek passengers by driving through any public street or place without stops, other than those due to obstruction of traffic, and at such speed as not to interfere with or impede traffic.

(~~ih~~) It shall be unlawful, however, for the driver to seek passengers by stopping at or driving slowly in the vicinity of an entertainment center or transportation center or any other location of public gathering, in such a manner as to interfere with public access to or departure from that center or location, or so as to interfere with or impede traffic.

(~~ji~~) It shall also be unlawful for a taxicab or LSV driver, having parked and left their taxicab or LSV, to solicit patronage among pedestrians on the sidewalk, or at any entertainment center, transportation center, or other location of public gathering.

(~~kj~~) No person shall solicit passengers for a taxicab or LSV other than the driver thereof; however, the Chief Executive Officer may authorize a dispatcher to solicit passengers and assist in loading passengers at such times and places as, in their discretion, public service and traffic conditions require.

(~~lk~~) It shall be unlawful for the driver or operator of any taxicab or LSV to remain standing in any established taxicab or LSV stand or passenger loading zone, unless the driver or operator remains within twelve (12) feet of their taxicab or LSV, except when the driver or operator is actually engaged in assisting passengers to load or unload.

(~~ml~~) Only paying passengers and persons specifically authorized by the Chief Executive Officer may occupy a taxicab or LSV that is already occupied by a paying passenger. No driver, once a paying passenger has occupied the taxicab or LSV, shall permit any other nonpaying passenger to occupy or ride in the taxicab or LSV.

(~~nm~~) It shall be unlawful to respond to a call for service dispatched to another operator except when an LSV refers service to another operator because the trip distance is outside of the approved area of jurisdiction.

(~~on~~) The taxicab or LSV driver shall maintain a daily trip log which shall be available for inspection upon request by any peace officer or MTS inspector. The trip log will accurately show the driver's name, taxicab or LSV number, date, time, beginning odometer reading, starting and ending locations, type of service provided, and fare paid for each trip provided.

(1) The daily trip log shall consist, at a minimum, of a five- by seven-inch paper form retained on a stiff-board writing surface with ruled lines and columns sufficient to contain the required information. All entries will be in black or dark blue ink, block letters, and be clearly legible. Colored paper that is lightly shaded is allowed provided there is sufficient contrast for entries to be easily read. Onboard electronically generated reports that meet the legibility requirements are acceptable.

(2) The driver shall deliver trip logs to the permit holder upon request or at a weekly interval, whichever is less.

(3) If a taxicab, the trip log shall be retained for at least 18 months.

(po) All operating regulations set forth in Section 1.8 apply.

~~(q) The permit holder or the driver of the taxicab shall notify the passenger of the applicable rate prior to the passenger accepting the ride for walkup rides and street hails. The rate may be provided on the exterior of the vehicle, with an application of a mobile phone, device, or other internet-connected device, or be clearly visible in either print or electronic form inside the taxicab.~~

**(Section 2.4 amended 3/14/2024)**  
**(Section 2.4 amended 1/20/2022)**  
**(Section 2.4 amended 11/8/2018, effective 1/1/2019)**  
**(Section 2.4 amended 12/14/2017)**  
**(Section 2.4 amended 10/13/2016)**  
**(Section 2.4 amended 5/12/2016)**  
**(Section 2.4 amended 2/12/2015)**  
**(Section 2.4 amended 11/15/2012)**  
**(Section 2.4 amended 8/7/2003)**  
**(Section 2.4 amended 11/14/2002)**  
**(Section 2.4 amended 6/24/1999)**  
**(Section 2.4 amended 2/13/1997)**  
**(Section 2.4 amended 6/27/1991; effective 7/27/1991)**

#### Section 2.5 - Stands

(a) The Chief Executive Officer may establish, locate and designate shared use taxicab/LSV stands for one or more taxicabs/LSVs, which stands when so established shall be appropriately designated "Taxis/LSVs Only." The operating regulations of this Ordinance shall apply to such stands and to taxicab/LSV stands established by the San Diego Unified Port District in areas under its jurisdiction within the City.

(b) Each taxicab or LSV stand established hereunder may be in operation twenty-four (24) hours of every day, unless otherwise specified by the Chief Executive Officer.

(c) Any individual, partnership, association, or other organization may petition MTS requesting that a new taxicab/LSV stand be established, or that the location of an existing taxicab/LSV stand be changed to another location. A nonrefundable filing fee to be determined by the Chief Executive Officer must be paid at the time the petition is submitted.

(d) It shall be unlawful for a vehicle other than a taxicab or LSV with a proper MTS taxicab or LSV permit to occupy a taxi/LSV stand.

(e) LSVs may only occupy taxicab stands that are specially signed, designated their approved use.

**(Section 2.5 amended 11/15/2012)**  
**(Section 2.5 amended 8/7/2003)**

Section 2.6 - Dispatch Services

(a) In order to provide taxicab dispatch service required by Section 2.3(~~gd~~, ~~he~~), the dispatch service organization adding or changing subscribers, ~~after July 1, 1991~~ shall establish and conform to written policies and procedures concerning the following:

- (1) Standard time elapse for answering the telephone service-request line(s).
- (2) Standard time elapse for the taxicab's arrival at requested pick-up location.
- (3) Passenger's request for a specific driver ("personals").
- (4) Additional two-way communication devices (mobile or cellular phones) in taxicabs
- (5) Lost and found for passengers' items.
- (6) ~~Assignment of vehicle body numbers.~~
- (~~6~~7) Immediately notify the permit holder of all lost items and inquiries.

Current written policies and procedures shall be available to subscribers from the ~~radio~~ dispatch organization, and on file with MTS.

(b) Dispatch service organizations shall, be able to receive and respond to service requests or other operational questions 24 hours a day ~~as further described at Section 2.6 (c)~~, have ~~dispatch~~ staff on duty for lost and found pick-ups and drop offs during reasonable hours or by appointment, at a preapproved physical commercial business location, answer telephone-request line(s), properly dispatch those requests to all members, provide radio response to all licensed radio frequencies/channels, and respond to direct requests from drivers, permit holders, and MTS as well as law enforcement and local regulatory agencies.

(c) A dispatch service organization shall maintain compliance with the 24 hour operation requirement though a live person answering phone calls, automated voice recognition technology so long as it provides the option to connect to a live person, or by forwarding trip requests to a different dispatch service organization that provides 24 hour operations.

(d) A dispatch service organization shall utilize a transportation or fleet management specialized computerized system designed to automate the flow of information between a dispatch service organization and driver that at a minimum electronically records: trip information (i.e. address or location description) of both start and end locations; the route taken; and the up-front price if Electronically Booked.

(e) A dispatch service organization shall at all times have the ability to provide in real time, the GPS location of every taxicab while the taxicab is in service. It shall be the responsibility of the dispatch service organization to provide the GPS tracking method through a computerized dispatch software or other similar technology.

(~~f~~e) Dispatch services shall keep electronic or written records of all requests for taxi service, calls dispatched, ~~and~~ the time(s) each taxicab goes in and out of service, and final fare for all trips. Final fare may be calculated by Dispatch services through trip data. These records shall be kept on file for a minimum of six (6) months, and made available to MTS, upon request.

(~~g~~e) No person, partnership, corporation, association, other organization providing radio or other dispatch service shall dispatch a request for service to a driver, owner, or vehicle unless the driver, owner, and vehicle are properly licensed to provide the service requested.

(~~h~~-e) The Chief Executive Officer may, at any time, revoke or suspend the taxicab privileges of or fine any person, partnership, corporation, association, other organization providing radio or other dispatch service that violates a provision of this ordinance.

**(Section 2.6 amended 3/14/2024)**  
**(Section 2.6 amended 11/12/2020)**  
**(Section 2.6 amended 11/8/2018, effective 1/1/2019)**  
**(Section 2.6 amended 12/14/2017)**  
**(Section 2.6 amended 10/13/2016)**  
**(Section 2.6 amended 11/15/2012)**  
**(Section 2.6 amended 8/7/2003)**  
**(Section 2.6 amended 9/24/1998)**  
**(Section 2.6 added 6/27/1991; effective 7/27/1991)**

#### Section 2.7 - Driver Safety Requirements

(a) No taxicab vehicle shall be operated unless such vehicle is equipped with an emergency signaling or any other emergency electronic communication device approved by the Chief Executive Officer.

(b) No taxicab vehicle may be operated with window tinting, shades, or markings that could interfere with a clear view of the cab interior from the outside, unless equipped by the vehicle manufacturer and approved by an MTS inspector.

(c) Taxicab dispatch services required by Section 2.3 shall at all times have a dispatch staff person on duty who has successfully completed a driver safety training course approved by the Chief Executive Officer.

(d) The use of a cellular phone or other similar electronic device by drivers is prohibited at all times when the vehicle is in motion. Otherwise, California Vehicle Code rules apply.

**(Section 2.7 amended 11/12/2020)**  
**(Section 2.7 amended 11/8/2018, effective 1/1/2019)**  
**(Section 2.7 amended 12/14/2017)**  
**(Section 2.7 amended 10/13/2016)**  
**(Section 2.7 amended 5/12/2016)**  
**(Section 2.7 amended 11/15/2012)**  
**(Section 2.7 amended 8/7/2003)**  
**(Section 2.7 added 9/24/1998)**

#### Section 2.8 – Prearranged Trips by Taxicabs

(a) A Prearranged Trip shall mean a trip using an online enabled application, dispatch or Internet Web site.

(b) A MTS taxicab permit holder may provide Prearranged Trips anywhere within San Diego County.

(c) A taxicab not permitted by MTS, but permitted by another authorized agency within San Diego County, may provide Prearranged Trips within City or County. MTS will not require such a taxicab to apply for a permit with MTS if the taxicab is not Substantially Located in City or County. MTS will require such a taxicab to comply with mechanical safety regulations within Section 1.8 (g) as a public health, safety and welfare measure.

**(Section 2.8 amended 11/12/2020)**

**(Section 2.8 amended 2/14/2019)**

**(Section 2.8 added 11/8/2018, effective 1/1/2019)**

## SECTION 3.0 - CHARTER VEHICLES

### Section 3.1 - Rates of Fare

(a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for charter services.

(b) If a permit holder desires to change the rates of fare being charged for charter services during any calendar year, they shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for charter services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.

(d) The rates of fare shall be established by a prearranged written contract on a per-mile or per-hour basis.

**(Section 3.1 amended 1/20/2022)**

**(Section 3.1 amended 4/10/1997)**

### Section 3.2 - Operating Regulations

(a) It shall be unlawful for any charter vehicle to remain standing on any public street in the City, except such reasonable time necessary when enabling passengers to load or unload.

(b) It shall be unlawful for any person, either as owner, driver, or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or light rail transit station.

(c) The charter for-hire vehicle driver shall maintain a daily trip log which shall be available for inspection upon request by any peace officer or MTS inspector. The trip log will accurately show the driver's name and the medallion number on the vehicle. In addition, the trip log shall identify the scheduling parties by name, date, and time of the prearranged hire. If the trip is medical in nature, the passenger's name may be omitted.

- (d) All other operating regulations defined in Section 1.8 apply.

**(Section 3.2 amended 12/14/2017)**  
**(Section 3.2 amended 11/14/2002)**

## SECTION 4.0 - SIGHTSEEING VEHICLES

### Section 4.1 - Rates of Fare

(a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder of sightseeing vehicle services.

(b) If a permit holder desires to change the rates of fare being charged for sightseeing services during any calendar year, the permit holder shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said changes.

(c) No permit holder shall charge any rate of fare for sightseeing services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.

- (d) The rate of fare shall be established on a per capita or per event basis.

**(Section 4.1 amended 11/8/2018, effective 1/1/2019)**  
**(Section 4.1 amended 4/10/1997)**

### Section 4.2 - Operating Regulations

(a) It shall be unlawful for any sightseeing vehicle to remain standing on any public street in the City, except such reasonable time necessary when enabling passengers to load or unload.

(b) It shall be unlawful for any person, either as owner, driver, or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or light rail transit station.

- (c) All other operating regulations defined in Section 1.8 apply, except Section 1.8 (x).

**(Section 5.0 amended 11/12/2020)**

## SECTION 5.0 - NONEMERGENCY MEDICAL VEHICLES

### Section 5.1 - Rates of Fare

(a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for nonemergency medical vehicle services.

(b) If a permit holder desires to change the rates of fare being charged for nonemergency medical vehicle services during any calendar year, they shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for nonemergency medical vehicle services unless said rates are on file with the Chief Executive Officer as aforesaid.

(d) The rate of fare for exclusive ride service shall be established on a per capita plus per mile basis.

(e) The rates of fare for shared ride service shall be established on a per capita plus per mile basis, or on a per capita plus per zone basis.

**(Section 5.1 amended 1/20/2022)**

**(Section 5.1 amended 12/14/2017)**

**(Section 5.1 amended 4/10/1997)**

#### Section 5.2 - Operating and Equipment Regulations

(a) It shall be unlawful for any nonemergency medical vehicle to remain standing on any public street in the City, except when enabling passengers to load or unload.

(b) All other operating regulations defined in Section 1.8 apply.

(c) Special equipment on a nonemergency medical vehicle shall, at all times the vehicle is in operation, be in proper working order. Such vehicles equipped with wheelchair ramps or lifts shall have proper device(s) to secure each wheelchair on board.

(d) The permit holder is responsible for ensuring that the driver of a nonemergency medical vehicle is properly trained:

(1) in the use of any of the vehicle's special equipment;

(2) concerning supervision of or assistance to the disabled passengers whom the driver is to transport.

**(Section 5.2 amended 6/22/1995)**

**(Section 5.2 amended 6/24/1993)**

#### Section 5.3 - Driver Identification Cards

In addition to the requirements set forth in Section 1.12, nonemergency medical vehicle drivers shall acquire and maintain valid proof of proper first-aid and CPR training.

**(Section 5.3 added 6/24/1993)**

### SECTION 6.0 - JITNEY VEHICLES

#### Section 6.1 - Rates of Fare

(a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for jitney services.

(b) If a permit holder desires to change the rates of fare being charged for jitney services during any calendar year, they shall first file a document with the Chief Executive Officer indicating

said changes, and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for jitney services unless said rates are on file with the Chief Executive Officer and duly displayed.

(d) The rates of fare shall be established on a per capita basis.

***(Section 6.1 amended 1/20/2022)***

***(Section 6.1 amended 11/8/2018, effective 1/1/2019)***

***(Section 6.1 amended 4/10/1997)***

Section 6.2 - Jitney Routes

(a) A permit holder who wishes to provide a fixed route service shall apply to the Chief Executive Officer for authorization to serve a defined route with a specific vehicle. No for-hire vehicle may be operated as a jitney until it has met all other requirements of this Ordinance and has been approved for service on a specific fixed route. A jitney may be authorized to serve more than one route; however, a jitney may provide fixed route service on only those routes which the Chief Executive Officer has approved in writing for that vehicle.

(b) The application for a fixed route shall be in writing and shall contain the following information:

(1) A description of the vehicle(s) which will be utilizing the route;

(2) A detailed written description of the route, to include starting location, ending location, and the street name and direction of travel for all streets to be used in the route;

(3) A map in sufficient detail to clearly indicate the proposed route;

(4) The fare to be charged; and

(5) Such other information as the Chief Executive Officer may, in their discretion, require.

(c) Upon approval of a fixed route by the Chief Executive Officer, the permit holder shall display a representation of the route, the fare, and the permit holder's trade name on each side of the vehicle in letters large enough to be easily read by potential customers in accordance with the standards established by the Chief Executive Officer under Section 6.5 of this Ordinance. Only one (1) route may be displayed on a vehicle at any time.

(d) If a permit holder wishes to alter their approved fixed route(s), they must apply in writing to the Chief Executive Officer, submitting the information required in Section 6.2 (b).

(e) The Chief Executive Officer may, in their discretion, place conditions on the approval of fixed routes.

(f) The Chief Executive Officer may change a route that has been approved previously when the Chief Executive Officer finds it necessary to do so. A change of route may be necessary when a street has been closed temporarily or permanently because of construction, or the direction of a street has been changed, or a street has been vacated, or for similar reasons as determined by the Chief Executive Officer. The Chief Executive Officer shall notify in writing any permit holder



whose route has been changed. The Chief Executive Officer's change of a route is subject to appeal under Section 1.16 of this Ordinance.

(g) Except as provided for within this subsection, an approved fixed route may not be transferred to another vehicle or permit holder. A permit holder may receive approval for a vehicle that is replacing a jitney already in service to use the approved fixed routes of the replaced vehicle.

(h) A permit holder may apply for a non-fixed, flexible route within an MTS determined geographic boundary and operational timeframe that MTS determines to be beneficial to passengers and businesses located within such boundaries. The application for a non-fixed, flexible route shall be in writing and shall contain the following information:

- (1) A description of the vehicle(s) which will be utilizing the route;
- (2) A map in sufficient detail to clearly indicate the proposed operation within the MTS approved geographic boundary;
- (3) The fare to be charged; and
- (4) Such other reasonable information as the Chief Executive Officer may, in their discretion, require.

***(Section 6.2 amended 1/20/2022)***  
***(Section 6.2 amended 11/12/2020)***  
***(Section 6.2 amended 11/14/2002)***

### Section 6.3 – Operating Regulations

(a) It is unlawful for any jitney to remain standing on any public street in the City, except when enabling passengers to load or unload, or except when standing in a jitney holding zone for the time period established by MTS.

(b) It is unlawful for any person including, but not limited to, a jitney owner, driver, or agent thereof, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway, airport, or light rail transit station.

(c) A peace officer or MTS inspector may authorize a dispatcher to solicit passengers and assist with loading passengers at such times and places as, in his/her discretion, public service and traffic conditions require.

(d) Except when a driver or operator is actually engaged in assisting passengers to load or unload, a jitney driver or operator must remain within twelve (12) feet of his/her jitney while the jitney is in service.

(e) It is unlawful for a jitney vehicle to operate a fixed route service on other than that route designated by the Chief Executive Officer.

(f) It shall be unlawful for a jitney driver to load or unload passengers in any place other than an authorized jitney stop, bus stop, or passenger loading zone.

(g) All other operating regulations defined in Section 1.8 apply.

***(Section 6.3 amended 11/14/2002)***

Section 6.4 - Jitney Holding Zones

(a) The Chief Executive Officer may, by resolution, locate and designate holding zones for one (1) or more jitneys, which holding zones when so established, shall be designated by appropriate signs. The operating regulations of Section 6.3 shall apply to any holding zones so established, and to holding zones established by the San Diego Unified Port District in areas under its jurisdiction. The Chief Executive Officer may, by their discretion, establish the maximum number of jitneys permitted to remain standing at one time in a holding zone.

(b) Each holding zone established hereunder shall be in operation twenty-four (24) hours of every day, unless otherwise specified by the Chief Executive Officer. The Chief Executive Officer shall adopt written standards to determine whether to allow holding zones to be in operation fewer than twenty-four (24) hours every day. If a holding zone is to be in operation fewer than twenty-four (24) hours every day, the Chief Executive Officer shall cause signs to be posted at or near the holding zone indicating the hours and days of operation.

(c) The Chief Executive Officer may, on their own motion, establish holding zones.

(d) Any individual, partnership, corporation, association or other organization may petition MTS requesting that a new holding zone be established. The petition must be filed in writing with the Chief Executive Officer or his/her designee. The petition must state the reason for the request and the proposed location(s). The Board may approve, deny, or modify the request.

(e) Whether initiated by the Chief Executive Officer under Subsection (c) of this section or by persons described in Subsection (d) of this section, before any holding zone is established, the proposed location of any holding zone must be reviewed by the Traffic Engineer of the City. The Traffic Engineer shall report his/her recommendations to approve, deny, or modify the proposed location in writing to the Chief Executive Officer. The Traffic Engineer's report shall include a statement of reasons supporting the recommendation to the Chief Executive Officer.

(f) The Chief Executive Officer shall, by resolution, establish a maximum time limit for individual jitneys to remain standing in any holding zone. The time limit shall apply uniformly to all holding zones.

(g) It shall be unlawful for a vehicle other than a jitney with a proper MTS jitney permit to occupy a jitney holding zone.

**(Section 6.4 amended 1/20/2022)**

**(Section 6.4 amended 11/15/2012)**

Section 6.5 - Equipment and Specifications

(a) Each jitney shall bear on the outside, signs clearly designating the route which it serves. The specifications of the sign are subject to the approval of the Chief Executive Officer. The Chief Executive Officer shall adopt written standards for approval or denial of the size of the signs, the location of the signs on the vehicle, the size of the lettering or graphics on the signs, and other specifications that the Chief Executive Officer finds necessary.

(b) All jitney vehicles must bear a trade name and shall be assigned a body number by the permit holder. The trade name and body number so assigned shall be placed on the vehicle in accordance with written standards adopted by the Chief Executive Officer.

Any violation of this Ordinance shall constitute an infraction unless otherwise specified.

## SECTION 7.0 – LOW-SPEED VEHICLES

### Section 7.1 – Low-Speed Vehicle (LSV) Definition

Low-Speed Vehicles (LSV) shall mean every vehicle that is designated per the requirements of Ordinance No. 11, Section 1.1(~~fs~~). LSVs may operate by zones and/or a prearranged basis ~~as set forth in Section 1.1 (b) (1) (5).~~

**(Section 7/1 amended 3/14/2024)**  
**(Section 7.1 amended 2/14/2019)**  
**(Section 7.1 amended 11/8/2018, effective 1/1/2019)**  
**(Section 7.0 and 7.1 added 8/7/2003)**

### Section 7.2 – Establishment of Zones

The Chief Executive Officer shall establish and authorize the use of zones of operation.

**(Section 7.2 added 8/7/2003)**

### Section 7.3 – Zone Rates of Fare

(a) All vehicles permitted as LSV may use two methods of seeking compensation, either by zone rates or on a prearranged basis. Either method may be used when working inside of an approved zone. However, when operating on a prearranged charter basis, within an approved zone, no operator may exceed the maximum number of vehicles that are permitted.

(b) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for LSV services.

(c) When a permit holder desires to change the rates of fare being charged for LSV services during any calendar year, they shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.

(d) No permit holder shall charge any rate of fare for LSV services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.

(e) The rates of fare shall be established by a zone and/or prearranged written contract on a per-mile or per-hour basis.

(f) The maximum rates of fare shall be established pursuant to Section 2.2.

**(Section 7.3 amended 1/20/2022)**  
**(Section 7.3 amended 10/13/2016)**  
**(Section 7.3 added 8/7/2003)**

### Section 7.4 – Spare Vehicle Policy

(a) The following sets out procedures for LSV permit holders to place a spare vehicle into service as either a temporary replacement for a permitted vehicle that is out of service for recharging or mechanical problems.

- (1) Spare LSVs must be marked with the approved company markings.
- (2) In place of the medallion number, the spare LSV must be marked "Spare LSV." Where more than one spare LSV is being requested, under the provisions of paragraph 9, the LSVs will be marked "Spare LSV 1," "Spare LSV 2," and so on. The "Spare LSV" marking should be sized to fit in approximately the same space as the medallion number would otherwise be placed with legibility and visibility being the primary criteria.
- (3) Spare LSVs must be inspected upon initial issuance and annually thereafter.
- (4) All spare LSVs must meet all MTS insurance requirements.
- (5) To use a spare LSV that meets the requirements of 1 through 4 above, the permit holder must communicate in writing (facsimile is acceptable), a request to place a spare LSV into service.

The request must state:

- (A) the medallion number of the LSV being taken out of service, the reason for being out of service, and the location of the out-of-service LSV; and
  - (B) the estimated time the spare LSV will be in use.
- (6) When the out-of-service LSV is ready to re-enter service, the permit holder must immediately notify MTS in writing (facsimile is acceptable).
  - (7) The out-of-service LSV may not be required to be reinspected to be placed back into service.
  - (8) The spare LSV must be removed from service at the time the LSV it has been replacing is placed back into service.
  - (9) Under normal circumstances, a permit holder may utilize spare LSVs. Permit holders may utilize spare LSVs in a ratio of 3:1 permits held.
  - (10) Spare LSVs that are placed in service may only operate inside of the MTS-approved zone or zones. A permit holder shall not operate more spare vehicles than he/she has regular permitted vehicles.
  - (11) A permit holder found to have operated a spare LSV in deliberate violation of these procedures will be subject to immediate suspension/revocation of the permit and the loss of the spare LSV utilization privilege.

***(Section 7.4 amended 10/13/2016)***

***(Section 7.4 amended 10/16/2003)***

***(Section 7.4 added 8/7/2003)***

Section 7.5 – LSV Driver Identification Cards

(a) Refer to Section 1.12 of this Ordinance to reference driver and permit holder ID requirements.

**(Section 7.5 added 8/7/2003)**

**Section 7.6 - Equipment and Specifications**

(a) Each LSV shall display whether out of service in accordance with section 2.4 (g) of this Ordinance, which shall indicate to a person outside the LSV whether the LSV is in operation or is not.

(b) Exterior Markings

(1) Mandatory Exterior Vehicle Markings. The medallion number shall be painted or permanently affixed, on the front of the vehicle, one (1) inch below the permit holder's trade name, two (2) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability.

(2) Optional Exterior Vehicle Markings. The permit holder has the option of choosing to post any combination of the below-listed five options on their LSV which must be posted only at the specific location and in the size noted and are subject to the Chief Executive Officer's approval.

(A) Trade Name Logo. If the permit holder chooses to display their trade name logo, the trade name logo shall be posted only on the rear portion of both side rear quarter panels.

(B) Radio Service Provider. If the permit holder chooses to display the radio service provider name or logo, the radio service provider name or logo cannot utilize the words "cab" or taxi." The radio service provider name or logo must be displayed only on the rear portion of both side rear quarter panels.

(C) Telephone Number. If permit holder chooses to display a telephone number, the telephone number must be no more than two (2) inches in height and posted only on the top front portion of both front side quarter panels.

(D) "Driver Carries Only \$ \_\_\_\_\_ Change". If the permit holder chooses to post "Driver Carries only \$ \_\_\_\_\_ Change", postings must be located only on panels near the rear door but clear of the rates of fare.

(E) "Leased to Driver". If permit holder chooses to post "Leased to Driver," it must be posted only on both rear quarter panels near the rear door area but clear of the rate of fares in lettering no larger than 1 inch.

(3) All other exterior vehicle markings are prohibited unless they are directly related to the permit holder's business and pre-approved by the Chief Executive Officer.

(c) All LSVs shall be equipped and operated so that they have adequate means of electronic communication during business hours. The LSV company business address shall serve as the storefront for the purpose of handling lost and found items. All other operational requirements she be met as set forth in section 1.8 (c).

**(Section 7.6 amended 1/20/2022)**  
**(Section 7.6 amended 11/8/2018, effective 1/1/2019)**  
**(Section 7.6 amended 12/14/2017)**  
**(Section 7.6 amended 10/4/2016)**  
**(Section 7.6 added 8/7/2003)**

SECTION 8 - EFFECTIVE DATE OF ORDINANCE

This Ordinance shall be effective 30 days after adoption, and before the expiration of 15 days after its passage, this Ordinance shall be published once with the names of the members voting for and against the same in a newspaper of general circulation published in the County of San Diego.

Amended: 3/14/2024

Amended: 10/19/2023

Amended: 12/8/2022

Amended: 1/20/2022

Amended: 11/12/2020

Amended: 12/12/2019

Amended: 10/10/2019

Amended: 2/14/2019

Amended: 11/8/2018

Amended: 9/20/2018

Amended: 12/14/2017

Amended: 10/13/2016

Amended: 5/12/2016

Amended: 9/17/2015

Amended: 2/12/2015

Amended: 11/15/2012

Amended: 4/19/2012

Amended: 10/16/2003

Amended: 8/7/2003

Amended: 5/8/2003

Amended: 11/14/2002

Amended: 6/27/2002

Amended: 5/23/2002

Amended: 6/24/1999

Amended: 9/24/1998

Amended: 10/30/1997

Amended: 4/10/1997

Amended: 2/13/1997

Amended: 11/9/1995

Amended: 6/22/1995

Amended: 1/12/1995

Amended: 6/24/1993

Amended: 6/27/1991

Amended: 5/23/1991

Amended: 10/11/1990

Repealed & Readopted: 8/9/1990

Amended: 4/12/1990

Amended: 4/27/1989

Adopted: 8/11/1988

Clerk Affidavit

PASSED AND ADOPTED, by the Board of Directors this ~~19<sup>th</sup>-14<sup>th</sup>~~ day of ~~October~~  
~~2023~~March 2024. The Ordinance amended was adopted by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

\_\_\_\_\_  
Chairperson  
San Diego Metropolitan Transit System

ATTEST my hand and the seal of the San Diego Metropolitan Transit System this ~~19<sup>th</sup>-14<sup>th</sup>~~  
day of ~~October 2023~~March 2024.

Approved as to form:

\_\_\_\_\_  
Clerk of the Board  
San Diego Metropolitan Transit System

\_\_\_\_\_  
General Counsel  
San Diego Metropolitan Transit System



## Policies and Procedures No. 34

Board Approval: ~~10/19/2023~~3/14/2024

SUBJECT:

FOR-HIRE VEHICLE SERVICES

PURPOSE:

To establish a policy with guidelines and procedures for the implementation of MTS Ordinance No. 11.

BACKGROUND:

Regulation of for-hire vehicle service is in the interest of providing the citizens and visitors to the MTS region and particularly the Cities of Chula Vista, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, and Santee, with a good quality local transportation service. Toward this end, MTS finds it desirable to regulate the issuance of taxicab permits, to establish maximum rates of fare, and to provide for annual review of cost-recovery regulatory fees.

POLICY:

34.1 City of San Diego Entry Policy

New City of San Diego taxicab permits will be issued in accordance with San Diego City Council Policy No. 500-02, "Taxicab Permits".

34.2 Maximum Rates of Fare Policy

Except for Electronically Booked taxicab trips, as further defined at MTS Ordinance No. 11, Mmaximum rate of fare for exclusive ride and group ride hire of taxicabs shall be made in accordance with the change in the Annual All Urban Western Transportation Consumer Price Index (CPI)/San Diego. The fare structure shall consist of the dollar amounts charged by permit holders for the flag drop, the per-mile charge, waiting-time charge, first zone, and each additional zone charge. The maximum rates of fare shall be computed annually by the Chief Executive Officer and presented at a noticed public hearing of the Taxicab Advisory Committee.





34.2.1 Maximum Rates of Fare Determination

Unless Section 34.2.2 applies, the maximum fare determination shall be adjusted annually based on the 1990 Western transportation CPI/San Diego amounts of \$1.40 flag drop, \$1.50 per mile, and \$12.00 per hour waiting. Adjustments shall be rounded up or down, as appropriate, to the nearest even \$0.10 increment.

34.2.2 Maximum Rates of Fare Determination - Only for Taxicabs Equipped with Point Of Sale Devices Electronically Connected to the Taximeter and Equipped with Printed or Electronically Conveyed Receipt Capability

Taxicabs equipped with point of sale devices electronically connected to the taximeter and capable of printing or electronically conveying receipts may charge the an increase of 6% more than the Maximum Rates of Fare for Taxicabs without such devices, as determined pursuant to Section 34.2.1. Adjustments shall be rounded up or down, as appropriate, to the nearest \$0.10 increment.

34.3 Airport Taxicab Fare Policy

In addition to the applicable maximum rate of fare described in Section 34.2.1, a taxicab operator may charge an “extra” equal to the Airport Trip Fee assessed against the individual taxicab operator by the San Diego County Regional Airport Authority. The extra may not be charged on any trip that does not originate at the airport or on any trip where the taxicab operator does not pay the fee to the San Diego County Regional Airport Authority. The extra charge may only be charged to the customer by utilizing the extra button on the taxicab meter. A driver may not verbally request payment.

34.4 Regulatory Fee Review

The following procedures will be utilized for the establishment of for-hire vehicle regulatory fees.

34.4.1 In accordance with State of California Public Utilities Code Section 120266, MTS shall fully recover the cost of regulating the taxicab and other for-hire vehicle industry. Pursuant to MTS Ordinance No. 11, Sections 1.3(b), 1.4(a), 1.4((c), and 1.5(d), the Chief Executive Officer establishes a fee schedule to effect full-cost recovery and notify affected permit holders of changes in the fee schedule.

34.4.2 The procedure for establishing a regulatory fee schedule will include an annual review of the audited expenses and revenue of the previous fiscal year associated with MTS for-hire vehicle activities. The revised fee schedule will be available for review by interested parties in November each year and is subject to appeal as provided for in Ordinance No. 11, Section 1.5(d).

34.4.3 A fee schedule based on previous year expenses and revenue amounts will be put into effect each January.

POLICY.34.FOR-HIRE VEHICLE SERVICES

This policy was originally adopted on 12/8/88.

This policy was amended on 7/26/90.

This policy was amended on 5/9/91.

This policy was amended on 6/13/91.

This policy was amended on 1/28/93.

This policy was amended on 5/11/95.

This policy was amended on 10/31/02.

This policy was amended on 4/24/03.

This policy revised on 3/25/04.

This policy was amended on 4/26/07.

This policy was amended on 7/17/08.

This policy was amended on 4/19/12.

This policy was amended on 4/16/15.

This policy was amended on 12/12/2019.

This policy was amended on 10/19/2023.

This policy was amended on 3/14/2024.



**Metropolitan  
Transit  
System**

## **Agenda Item No. 5**

**MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS**

March 14, 2024

**SUBJECT:**

Adoption of 2024 Conflict of Interest Code – Amendment

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors:

- 1) Adopt Resolution No. 24-02 (Attachment A) amending the MTS Conflict of Interest Code pursuant to the Political Reform Act of 1974;
- 2) Adopt the amended 2024 MTS Conflict of Interest Code (in substantially the same format as Attachment B); and
- 3) Forward the amended 2024 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.

**Budget Impact**

None.

**DISCUSSION:**

The Political Reform Act (the “Act”) requires all public agencies to adopt and maintain a Conflict of Interest Code containing the rules for disclosure of personal assets. Except for positions listed in Gov. Code § 87200, the Conflict of Interest Code must specifically designate all agency positions that make or participate in the making of decisions and assign specific types of personal assets to be disclosed that may be affected by the exercise of powers and duties of that position.

The Act further requires that an agency amend its Conflict of Interest Code when change is necessitated by changed circumstances which include the need to designate positions.



It is proposed that MTS's Conflict of Interest Code be amended to include new positions that must be designated, revise the titles of existing positions, and delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions (Attachment B).

Therefore, staff recommends the MTS Board of Directors:

- 1) Adopt Resolution No. 24-02 (Attachment A) amending the MTS Conflict of Interest Code pursuant to the Political Reform Act of 1974;
- 2) Adopt the amended 2024 MTS Conflict of Interest Code (in substantially the same format as Attachment B); and
- 3) Forward the amended 2024 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.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Resolution No. 24-02  
B. Redline of Amendment to 2023 Conflict of Interest Code  
C. Notice of Intent

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Resolution No. 24-02

Resolution Of The Board Of Directors Of The San Diego Metropolitan  
Transit System Adopting An Amended Conflict Of Interest Code Pursuant  
To The Political Reform Act Of 1974

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the San Diego Metropolitan Transit System ("MTS") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in MTS being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on July 27, 2023, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within MTS have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update MTS's Code; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Conflict of Interest Code was provided each designated employee and publicly posted for review at the offices of MTS; and

WHEREAS, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Directors on March 14, 2024, at which all present were given an opportunity to be heard on the proposed amended Conflict of Interest Code.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the General Counsel and available to the public for inspection and copying during regular business hours.

SECTION 2. The said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval.

SECTION 3. The said amended Conflict of Interest Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

PASSED AND ADOPTED, by the Board of Directors this 14<sup>th</sup> day of March 2024, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

---

Chairperson  
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

---

Clerk of the Board  
San Diego Metropolitan Transit System

---

General Counsel  
San Diego Metropolitan Transit System

**CONFLICT OF INTEREST CODE  
OF THE  
SAN DIEGO METROPOLITAN  
TRANSIT SYSTEM**

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**(Amended March 14, 2024)**

The Political Reform Act, (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730) that contains the terms of a standard model conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories shall constitute the conflict of interest code of the **San Diego Metropolitan Transit System (MTS)**.

All officials and designated positions shall file their statements of economic interests with MTS's **Clerk of the Board** as MTS's Filing Officer. The **Clerk of the Board** shall make and retain a copy of all statements filed by Members and Alternates of the Board of Directors, Chief Executive Officer and the Chief Financial Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Clerk of the Board** shall retain the originals of the statements filed by all other designated positions. The **Clerk of the Board** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).



# **APPENDIX**

## **CONFLICT OF INTEREST CODE**

### **OF THE**

## **SAN DIEGO METROPOLITAN TRANSIT SYSTEM**

**(Amended March 14, 2024)**

### **PART “A”**

#### **OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

MTS Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to MTS’s Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Board of Directors and Alternates

Chief Executive Officer

Chief Financial Officer

Investment Consultant

<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Assistant (Copy Center)	4
Associate Transportation Planner	5
Business Systems Analyst (ALL)	5
Buyer	4
Chief Human Resources Officer	5
Chief Information Officer	5
Chief of Staff	1
Chief Operating Officer – Rail	1
Chief Operating Officer – Transit Services	1
Community Engagement Specialist	5
Contract Administrator (ALL)	4
Controller	1, 2
Creative Design Manager	5
Deputy Director of Transit – Security & Passenger Safety	5
Deputy General Counsel	1, 2
Director of Capital Projects	1, 2
Director of Contract Services & Passenger Facilities	3, 5
Director of Fare Technology and Operations	5
Director of Financial Planning & Analysis	1, 2
Director of Fleet and Facility Maintenance	5

Director of Human Resources	5
Director of LRV Maintenance	5
Director of Maintenance of Way (MOW)	5
Director of Marketing & Communications	5
Director of Planning & Scheduling	1, 2
Director of Rail Maintenance	5
Director of Rail Transportation	5
Director of Supply Chain & Operations	4
Director of Support Services	5
Director of Transit Security & Passenger Safety	5
Director of Transportation	1
Division Manager of Maintenance (ALL)	5
Environmental Health & Safety Specialist	5
Fare Systems Administrator	5
Financial Analyst	4
For-Hire Vehicle Administration Manger	5
General Counsel	1, 2
Grants Administrator	9
Graphic Designer	5
Information Security & Intelligence Engineer	5
Information Security & Intelligence Manager	5

Information Technology Development Manager	5
Information Technology Enterprise Architect (IoT)	5
Information Technology Operation Manager	5
Internal Auditor	4
Liability Claims Supervisor	1, 2, 7
Manager of Benefits & Compensation	5
Manager of Financial Planning and Analysis	1, 2
Manager of Government Affairs	1
Manager of Human Resources	5
Manager of Inventory Operations	4
Manager of Paratransit & Mini Bus	5
Manager of Procurement	4
Manager of PRONTO and Passenger Support	5
Manager of Real Estate Assets	1, 2
Manager of Risk and Claims	1, 2, 7
Manager of Scheduling	5
Manager of Service Quality and Special Operations	5, 8
Manager of Support Services	2, 3, 5
Manager of Talent Acquisition	5
Multimedia Designer	5
Network Operations Manager	5

Procurement Specialist (ALL)	4
Professional Standards Manager	7
Project Administrator	5
Project Engineer	1, 2
Project Manager (ALL)	1, 2
Public Relations Specialist	5
Report Development Analyst	5
Revenue Maintenance Supervisor (ALL)	5
Revenue Operations Manager	5
Right-of-Way Permit Coordinator	2, 5, 6
SAP Software Developer	5
Security System Administrator	5
Senior Contract Operations Administration	5
Senior Data Warehouse Engineer	5
Senior Human Resources Analyst	5
Senior Project Manager (ALL)	1, 2
Senior Transportation Planner	1, 2
Software Developer	5
Staff Attorney – Regulatory Compliance	1, 2
Supervisor of Paratransit & Mini Bus	5
Technical Project Manager	5

Transit Asset Management Program Manager	2, 4
Worker's Compensation Analyst (ALL)	7
ZEV and Sustainability Manager	5

### Consultant and New Positions<sup>2</sup>

<sup>2</sup> Individuals serving as a Consultant defined in Regulation 18700.3, or in a new position created since this Code was last amended that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

## **PART “B”**

### **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which the designated is assigned.<sup>3</sup> “Investment” means financial interest in any business entity (including a consulting business, or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of MTS.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of MTS.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of MTS, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of MTS.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by MTS.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against MTS in the past 2 years, or have a claim pending before MTS.

Category 8: Disclose investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the geographical area of, and within two miles of, the designated position's assigned project area.

Category 9: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit or other organization, if the source is of the type to receive grants or other monies from or through MTS or its subdivisions.



LAW OFFICES OF  
BEST BEST & KRIEGER LLP

**CONFLICT OF INTEREST CODE  
OF THE  
SAN DIEGO METROPOLITAN  
TRANSIT SYSTEM**

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

# CONFLICT OF INTEREST CODE

## OF THE

### SAN DIEGO METROPOLITAN TRANSIT SYSTEM

(Amended ~~July 27, 2023~~ March 14, 2024)

The Political Reform Act, (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730) that contains the terms of a standard model conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories shall constitute the conflict of interest code of the **San Diego Metropolitan Transit System (MTS)**.

All officials and designated positions shall file their statements of economic interests with MTS's **Clerk of the Board** as MTS's Filing Officer. The **Clerk of the Board** shall make and retain a copy of all statements filed by Members and Alternates of the Board of Directors, Chief Executive Officer and the Chief Financial Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Clerk of the Board** shall retain the originals of the statements filed by all other designated positions. The **Clerk of the Board** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## SAN DIEGO METROPOLITAN TRANSIT SYSTEM

(Amended ~~July 27, 2023~~ March 14, 2024)

### PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

MTS Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to MTS's Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Board of Directors and Alternates

Chief Executive Officer

Chief Financial Officer

Investment Consultant

---

<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Assistant (Copy Center)	4
<del>Applications Development &amp; Support Manager</del>	<del>5</del>
<del>Assistant Manager of Maintenance</del>	<del>5</del>
<del>Assistant Manager of Stores</del>	<del>5</del>
Associate Transportation Planner	5
Business Systems Analyst (ALL)	5
Buyer	4
Chief Human Resources Officer	5
Chief Information Officer	5
Chief of Staff	1
Chief Operating Officer – Rail	1
Chief Operating Officer – Transit Services	1
Community Engagement Specialist	5
Contract Administrator (ALL)	4
Controller	1, 2
Creative Design Manager	5
Deputy Director of Transit <del>– Security &amp; Passenger Safety Enforcement</del>	<del>5</del>
<del>Director of Fare Technology and Operations</del>	<del>5</del>
<del>Deputy Fare Systems Administrator</del>	<del>5</del>
Deputy General Counsel	<u>1, 2, 5, 6, 7</u>

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director of Capital Projects	1, 2
Director of Contract Services & Passenger Facilities	3, 5
Director of Financial Planning & Analysis	1, 2
Director of Fleet and Facility Maintenance	5
Director of Human Resources	5
Director of Marketing & Communications	5
Director of Planning & Scheduling	1, 2
Director of Supply <u>Chain</u> & Operations	4
Director of Support Services	5
Director of Transit Security & Passenger Safety	5
Director of Transportation	1
Division Manager of Maintenance <u>(ALL)</u>	5
Environmental Health & Safety Specialist	5
Fare Systems Administrator	5
Financial Analyst	4
For-Hire Vehicle Administration Manger	5
General Counsel	1, 2
Grants Administrator	9
Graphic Designer	5
Information Security & Intelligence Engineer	5
Information Security & Intelligence Manager	5

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Information Technology Development Manager	5
Information Technology Enterprise Architect (IoT)	5
Information Technology Operation Manager	5
Internal Auditor	4
Liability Claims Supervisor	1, 2, 7
Manager of Benefits & Compensation	5
<del>Manager of Contract Operations &amp; Passenger Facilities</del>	<del>2, 4</del>
Manager of Government Affairs	1
Manager of Human Resources	5
Manager of Inventory Operations	4
<del>Manager of Marketing and Communications</del>	<del>5</del>
Manager of Paratransit & Mini Bus	5
Manager of Procurement	4
Manager of PRONTO <del>AND</del> <u>and</u> Passenger Support	5
Manager of Real Estate Assets	1, 2
Manager of Risk and Claims	1, 2, 7
Manager of Scheduling	5
Manager of Service Quality and Special Operations	5, 8
Manager of Support Services	2, 3, 5
Manager of Talent Acquisition	5
<del>Marketing and Communications Specialist</del> <u>Multimedia Designer</u>	5

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Network Operations Manager	5
<del>Operating Budget Supervisor</del> <u>Manager of Financial Planning and Analysis</u>	1, 2
Procurement Specialist (ALL)	4
Project Engineer	1, 2
Professional Standards Manager	7
Project Administrator	5
Project Manager (ALL)	1, 2
Public Relations Specialist	5
<del>Regulatory Enforcement Supervisor</del>	6
Report Development Analyst	5
Revenue Maintenance Supervisor (ALL)	5
<u>Revenue Operations Manager</u>	5
Right-of-Way Permit Coordinator	2, 5, 6
SAP Software Developer	5
Security System Administrator	5
Senior Contract Operations Administration	5
Senior Data Warehouse Engineer	5
Senior Human Resources Analyst	5
Senior Project Manager <u>(ALL) – Rail Systems</u>	1, 2
Senior Transportation Planner	1, 2
Software Developer	5

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
<u>Staff Attorney – Regulatory Compliance</u>	<u>1, 2</u>
<del>Superintendent of Facilities</del> - <u>Director of Rail Maintenance</u>	5
<del>Superintendent</del> <u>Director</u> of LRV Maintenance	5
<del>Superintendent</del> <u>Director</u> of <u>Rail</u> Transportation	5
<del>Superintendent</del> <u>Director</u> of <del>Wayside</del> -Maintenance <u>of Way (MOW)</u>	5
Supervisor of Paratransit & Mini Bus	5
<del>Supervisor Revenue Operations</del>	<del>5</del>
Technical Project Manager	5
Transit Asset Management Program Manager	2, 4
<del>Transportation Operations Specialist (ALL)</del>	<del>2, 5</del>
Worker's Compensation Analyst (ALL)	7
ZEV and Sustainability Manager	5
Consultant and New Positions <sup>2</sup>	

<sup>2</sup> Individuals serving as a Consultant defined in Regulation 18700.3, or in a new position created since this Code was last amended that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)



## PART “B”

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which the designated is assigned.<sup>3</sup> “Investment” means financial interest in any business entity (including a consulting business, or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of MTS.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of MTS.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of MTS, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of MTS.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by MTS.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

---

<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

LAW OFFICES OF  
BEST BEST & KRIEGER LLP

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against MTS in the past 2 years, or have a claim pending before MTS.

Category 8: Disclose investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the geographical area of, and within two miles of, the designated position's assigned project area.

Category 9: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit or other organization, if the source is of the type to receive grants or other monies from or through MTS or its subdivisions.



## NOTICE OF INTENT

DATE: March 4, 2024  
TO: All MTS Conflict of Interest Code Filers  
FROM: Dalia Gonzalez, Clerk of the Board  
SUBJECT: Amend the Conflict of Interest Code of the San Diego Metropolitan Transit System

---

NOTICE IS HEREBY GIVEN that the Board of Directors of the San Diego Metropolitan Transit System (MTS) intends to amend its Conflict of Interest Code (the "Code") pursuant to Government Code Section 87306.

The Appendix of the Code designates those employees, members, officers and consultants who are subject to the disclosure and disqualification requirements of MTS's Code. The proposed amendment include new positions that must be designated, revise the titles of existing positions and delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental.

The proposed amended Code will be considered by the Board of Directors on March 14, 2024, at 9:00 a.m. at San Diego Metropolitan Transit System, James R. Mills Building, Board Meeting Room, 10<sup>th</sup> Floor, 1255 Imperial Avenue, San Diego, California 92101. Any interested person may be present electronically via teleconference 1(669) 444-9171; Board Webinar ID: 982 8803 2362 or Zoom: <https://zoom.us/j/98288032362> and/or comment in person at the public meeting or may submit written comments concerning the proposed amendment.

Any comments or inquiries should be directed to the attention of Dalia Gonzalez, Executive Assistant to CEO and Clerk of the Board at [clerkoftheboard@sdmts.com](mailto:clerkoftheboard@sdmts.com) or via mail at San Diego Metropolitan Transit System, 1255 Imperial Ave., Ste. 1000, San Diego, CA 92101-7490; (619) 231-1466. Written comments must be submitted no later than March 13, 2024, at 4:00 p.m.

The proposed amended Code may be reviewed at, and copies obtained from Dalia Gonzalez, Executive Assistant to CEO and Clerk of the Board.



**Metropolitan  
Transit  
System**

## **Agenda Item No. 6**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Addition of Full-Time Equivalent (FTE) Position: Staff Attorney

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to add one (1) Staff Attorney to the position tables previously approved in the Fiscal Year 2024 budget.

Budget Impact

The Staff Attorney will be in Salary Grade #11 (Range \$84,899-\$172,663). The total net annual cost for this additional position (including both wages and benefits) would be approximately \$137,810.73. The expense would be added into the annual Legal Department budget and be reflected in the Fiscal Year 2024 mid-year budget amendment.

**DISCUSSION:**

The MTS Legal Department currently employs two attorney positions -- General Counsel and Deputy General Counsel. The Legal Department is responsible for the following general categories of advice and reviews:

- provide legal representation and advice to the MTS Board and staff;
- review of agency procurements, contracts, licenses, leases, and permits;
- ensure compliance with all applicable regulatory and grant requirements;
- negotiate agency real estate transactions, including transit-oriented development projects;
- negotiate and manage cooperative agreements with other public agencies;
- oversee compliance with constitutional or statutory obligations;
- monitor and manage an extensive group of outside attorneys.

MTS also contracts with a panel of as-needed legal firms to provide MTS with specialized advice and expertise, including but not limited to environmental law, stormwater compliance, federal railroad law, trademark/patent, state and federal tax law, ADA compliance, insurance coverage, workers compensation, and other general areas of practice. Each of these outside counsel assignments are managed by the Legal Department. All litigation is handled by outside counsel and co-managed by the Legal, Risk, and/or Human Resources Departments.



In-house legal staff is needed to provide review and oversight of day-to-day business activities, coordinate review and implementation of large capital projects or operational initiatives, advise staff on the regulatory requirements for various state or federal grants, and problem solve projects in real time with MTS's operational and capital projects teams.

Over the last ten years, MTS's service territory has grown as more transit projects have been implemented (e.g., Mid-Coast, South Bay Rapid, Iris Rapid). In that time period, MTS has also initiated over 8 transit-oriented development (TOD) projects at MTS transit centers, begun implementation of its zero-emission bus fleet transition, including projects to design and install large-scale electric charging infrastructure, and aggressively sought grant funding for MTS state of good repair and community beautification projects. The Legal Department works with staff to implement each of these projects by reviewing grant agreements, reviewing and approving procurement processes and negotiating vendor contracts, overseeing special permit or environmental requirements, and engaging with regulatory agencies and auditors.

The Deputy General Counsel is also designated as the Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Liaison Officer, FTA Title VI Liaison Officer and FTA ADA Liaison Officer. These roles require federal data analysis, reports of contracting efforts, and investigation of complaints. Currently, the General Counsel represents the agency at Board, Executive Committee, Public Security, and Budget Development Committee meetings. The Deputy General Counsel represents the agency at the Taxicab Advisory Committee and Accessible Services Advisory Committee and provides backup support to the General Counsel. These activities include attorney review of all agenda items to confirm legal compliance before the Board or its Committees are requested to take action.

Because of the significant increase in operations, capital projects, and TOD projects, the Legal Department needs an additional attorney position to provide timely review and support to various projects. This type of guidance is more effectively provided by in-house counsel. The proposed Staff Attorney position would focus on Procurement/Contract related matters, smaller real estate transactions, and develop more in-house expertise on privacy and cybersecurity, which are areas of the law that are quickly developing.

A review of comparable agencies shows that the MTS Legal Department is currently understaffed. North County Transit District (NCTD), a much smaller agency than MTS,<sup>1</sup> has four (4) attorney positions. The San Diego Association of Governments (SANDAG) has six (6) attorney positions.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, Julia.Tuer@sdmts.com

---

<sup>1</sup> NCTD recently forecast its Fiscal Year (FY) 2024 ridership across all modes at 7.4 million. This is compared to MTS's estimate for FY 2024 of 79.1 million.



**Metropolitan  
Transit  
System**

## Agenda Item No. 7

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Investment Report – Quarter Ending December 31, 2023

**INFORMATIONAL ONLY**

Budget Impact

None.

**DISCUSSION:**

Attachment A comprises a report of the San Diego Metropolitan Transit System (MTS) investments as of December 31, 2023. The combined total of all investments has increased quarter to quarter from \$278.8M to \$315.4M. This \$36.6M increase is attributable to \$24.5M in Coronavirus Aid, Relief, and Economic Security Act (CARES) revenue, \$20.8M in *TransNet* revenue, \$19.3M in Federal Transit Administration (FTA) revenue for capital projects, and \$11.9M in Transit and Intercity Rail Capital Program (TIRCP) revenue, partially offset by \$34.6M in capital expenditures, as well as normal timing differences between other payments and receipts.

The first column provides details about investments restricted for Capital Improvement Projects (CIP) and PRONTO Stored Value.

The second column, unrestricted investments, reports the working capital for MTS operations allowing payments for employee payroll and vendors' goods and services.

MTS remains in compliance with MTS Board Policy No. 30 "Investment Policy" and can meet expenditure requirements for a minimum of the next six months as required.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachment: A. Investment Report for the Quarter Ending December 31, 2023

1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 • (619) 231-1466 • [sdmts.com](http://sdmts.com)

San Diego Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego. MTS is also the For-Hire Vehicle administrator for nine cities.



**San Diego Metropolitan Transit System  
Investment Report  
December 31, 2023**

<u>Institution / Issuer</u>	<u>Function</u>	<u>Investment Type</u>	<u>Restricted</u>	<u>Unrestricted</u>	<u>Total</u>	<u>Avg. Rate of Return</u>	<u>Benchmark</u>
J.P. Morgan Chase	Operating Funds	Depository Bank	-	42,970,959	42,970,959	2.61%	* 0.510% WSJ Money Market
U.S. Bank - Retention Trust Account	Restricted for Capital Support	Depository Bank	4,002,397	-	4,002,397	N/A	** -
Local Agency Investment Fund (LAIF)	Restricted (Stored Value)	Investment Pool	7,265,147	-	7,265,147	3.929%	4.798% S&P US T-Bill 0-3 Mth Index
San Diego County Treasurer's Office	State Grant Funds	Investment Pool	26,623,155	-	26,623,155	4.220%	4.798% S&P US T-Bill 0-3 Mth Index
<b>Subtotal: Restricted for Capital Support / Stored Value</b>			<b>37,890,699</b>	<b>-</b>	<b>37,890,699</b>		
Local Agency Investment Fund (LAIF)	Investment of Surplus Funds	Investment Pool	-	72,358,138	72,358,138	3.929%	4.798% S&P US T-Bill 0-3 Mth Index
San Diego County Treasurer's Office	Investment of Surplus Funds	Investment Pool	-	162,132,672	162,132,672	4.220%	4.798% S&P US T-Bill 0-3 Mth Index
<b>Subtotal: Investment Surplus Funds</b>			<b>-</b>	<b>234,490,810</b>	<b>234,490,810</b>		
<b>Grand Total Cash and Investments</b>			<b>\$ 37,890,699</b>	<b>\$ 277,461,769</b>	<b>\$ 315,352,468</b>		

\*-The 2.61% is an annual percentage yield on the average daily balance that exceeds \$3 million

\*\* - Per trust agreements, interest earned on retention account is allocated to trust beneficiary (contractor)



**Metropolitan  
Transit  
System**

## **Agenda Item No. 8**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Bayside Double Track Imperial Avenue Transit Center (IMT) Construction Management (CM) Services – Work Order Amendment

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA2498-CM05.01 under MTS Doc. No. G2498.0-21 (in substantially the same format as Attachment A), with Kleinfelder Construction Services, Inc. (KCS), to CM Services for the Bayside Double Track IMT project in the amount of \$318,443.22.

**Budget Impact**

The total contract cost of this service is estimated to be \$318,443.22. This project is funded by the Capital Improvement Project (CIP) account 2005108201 – Bayside Double Track IMT.

**DISCUSSION:**

The Bayside Double Track IMT project includes double-tracking the Green Line at the terminal station located at the 12th & Imperial Transit Center, and includes construction of a new track segment, a single-track connection between the Blue Line and Green Line, and a new double crossover. Once complete, the track layout will provide greater operational flexibility, provide better connections, and allow for tighter Green Line headways during special events such as Comic-Con.

A construction contract for this work was approved by the Board on December 16, 2021 (AI 14) and work began in March 2022. Construction services are expected to be completed in November 2024.

On December 10, 2020 (AI 13), MTS Board of Directors approved Work Order WOA2019-CM07 under MTS Doc. No. G2019.0-17 for CM services to assist staff with the coordination, control, and oversight of the construction contractor from beginning of work through completion.

However, the original on-call master agreement under MTS Doc. No. G2019.0-17 with KCS had expired. As such, the services needed to be contracted under the subsequent on-call master agreement with KCS under MTS Doc. No. G2498.0-21. On July 27, 2023 (AI 15), the MTS Board of Directors approved Work Order No. WOA2498-CM05 under MTS Doc. No. G2498.0-21 for the continuation of the CM services for the project.





This proposed work order amendment would add additional funding for CM services performed by KCS through the completion date for the Bayside Double Track IMT Project, including adding sufficient funding and updating the applicable hourly rates. When a construction project experiences delays, this requires an increase in CM service costs due to the need to have CM staff oversee the project for the extended period of time. Here, supply chain delays for the auto switch machine have resulted in the project completion schedule being extended from July 2024 to November 2024. In addition, construction work is still ongoing for Add Alternative 1 (connecting track no. 2 to Imperial Ave. track in order to extend to Orange Line) and Add Alternative 2 (changes to power mode of track to allow automatic switching).

This Work Order and amendments issued to KCS under MTS's prior on-call panel process are summarized below:

Work Order No.	Purpose	Amount	Board Approval Date
WOA2019-CM07	Original Work Order – CM Services	\$846,751.95	12/10/2020 (AI 13)
WOA2498-CM05	New work order agreement under new CM master agreement for additional CM services.	\$500,027.93	7/27/2023 (AI 15)
WOA2498-CM05.01	Additional funds for the CM services.	\$318,443.22	Today's proposed action.
<b>Total</b>		<b>\$1,665,223.10</b>	

On January 11, 2021, San Diego Association of Governments (SANDAG) and MTS issued a joint Request for Statement of Qualifications (RFSQ) for On-Call CM Services. The RFSQ resulted in the approval of 6 firms qualified to perform CM services. Tasks are assigned to the firms through a work order process.

MTS assigned this work order through a direct award based on qualifications, as this is follow up work from work orders WOA2019-CM07 and WOA2498-CM05. KCS was selected as the most qualified firm to continue the work based on their team's track work inspection expertise and experience.

The price proposal prepared by KCS was determined to be fair and reasonable as compared to the Independent Cost Estimate (ICE) at \$445,676.86. Subconsultants on this Work Order include CA Wehsener Engineering and Destination Enterprises, both are Small Businesses (SBs).

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute Work Order No. WOA2498-CM05.01 under MTS Doc. No. G2498.0-21 (in substantially the same format as Attachment A) with KCS to provide CM Services for the Bayside Double Track IMT project in the amount of \$318,443.22.

/S/ Sharon Cooney  
Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachment: A. Draft Work Order WOA2498-CM05.01



# Metropolitan Transit System

March 14, 2024

MTS Doc. No. G2498.0-21  
Work Order No. WOA2498-CM05.01

Marc McIntyre  
Project/Task Order Manager  
Kleinfelder Construction Services, Inc.  
5761 Copley Drive Ste.100  
San Diego, CA 92101

Dear Mr. McIntyre:

Subject: AMENDMENT NO. 1 TO WOA2498-CM05 TO MTS DOC. NO. G2498.0-21, FOR CONSTRUCTION MANAGEMENT (CM) SERVICES FOR BAYSIDE DOUBLE TRACK IMPERIAL AVENUE TRANSIT CENTER (IMT)

This letter shall serve as Amendment No. 1 to WOA2498-CM05 under our agreement MTS Doc. No. G2498.0-21, for construction management services under the Construction Management Consultant Agreement, as further described below.

## SCOPE OF SERVICES

There shall be no change to the Scope of Services as a result of this Amendment. This Amendment shall provide additional funding for the construction management and inspection staff for IMT Double Track Construction, in accordance with MTS and SANDAG policies and procedures.

## SCHEDULE

There shall be no change to the Schedule as a result of this Amendment. The project schedule shall follow contract PWL337.0-21 IMT Double Track Construction.

## PAYMENT

As a result of this Amendment, the payment shall be increased by \$318,443.22. The revised Payment shall be in the amount of \$818,471.15. Payment shall be based on actual costs, and shall not be exceeded without prior written authorization of MTS (Attachment A, Negotiated Fee Proposal).



Please sign below, and return the document to the Contracts Specialist at MTS. All other terms and conditions shall remain the same and in effect.

Sincerely,

Accepted:

\_\_\_\_\_  
Sharon Cooney  
Chief Executive Officer

\_\_\_\_\_  
Mark McIntyre, Project/Task Order Manager  
Kleinfelder Construction Services, Inc.

Date: \_\_\_\_\_

Attachment: A. Negotiated Fee Proposal

DRAFT

ATTACHMENT A  
NEGOTIATED FEE PROPOSAL

DRAFT

**Work Order Estimate  
Summary**

Att.A, AI 8, 03/14/24

MTS Doc. No. **G2498.0-21**

Work Order No. **WOA2498-CM05.01**

Attachment: **B**

Work Order Title: **IMT Doubletrack Construction Management Services**

Project No:

**Table 1 - Cost Codes Summary (Costs & Hours)**

Item	Cost Codes	Cost Codes Description	Total Costs
1	0270	Construction Management and Inspection Services	\$318,443.22

Totals = **\$318,443.22**

**Table 2 - TASKS/WBS Summary (Costs & Hours)**

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	1	Project / Task Order Management	24	\$4,256.97
2	2	Track and Operations Assistant Resident Engineer	630	\$128,775.40
3	3	Scheduling Engineer	24	\$5,570.70
4	4	Overhead Catenary System (OCS) Inspection and Testing	505	\$95,190.11
5	5	Track Signal Engineering and Inspection	446	\$84,650.04

Totals = **1,629**      **\$318,443.22**

**Table 3 - Consultant/Subconsultant Summary (Costs & Hours)**

(If Applicable, Select One)				Consultant	Labor Hrs	Total Costs
DBE	DVBE	SBE	Other			
			X	Kleinfelder Simon Wong Engineering	678	\$138,603.07
		X		CA Wehsener Engineering	505	\$95,190.11
X		X		Destination Enterprises	446	\$84,650.04

Totals = **1,629**      **\$318,443.22**

**NOTES**

- Field inspection and materials testing rates have been adjusted as necessary to comply with prevailing wage DIR Determination SD-23-63-3-2021-1D. Rates are calculated using assumed fringe value of \$12/hr. Actual rates are calculated monthly per SANDAG direction.
- Billing rates included in this cost proposal are based upon the published rate table incorporated into Contract G2498.0-21 and as finalized by SANDAG under Contract 550870

Total Hours =	<b>678</b>
Total Costs =	<b>\$138,603.07</b>

Consultant/Subconsultant: **Kleinfelder Construction Services, I**

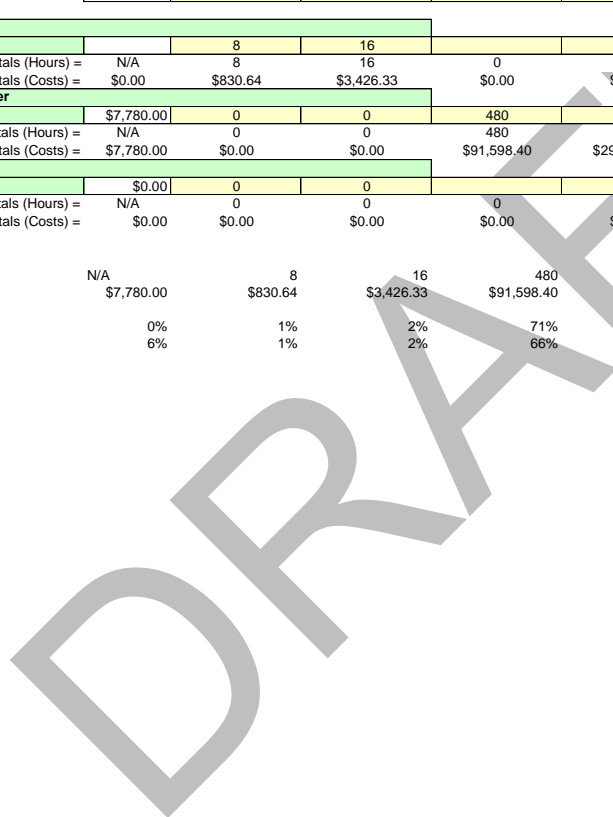
MTS Doc. No.: **G2468.0-21**

Work Order No.: **WOA2498-CM05.01**

Work Order Title: **IMT Doubletrack Construction Management Services**

Attachment: **B**

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Jesus Berrios	Michalle	Keith Kranda PW	Keith Kranda PW	Mark Plotnikiewicz	Mark Plotnikiewicz	Total Hours	Totals
				Project Controls II 2023-2024 rate	Beringhaus Task Order Manager 2023-2024 rate	Inspector 2023-2024 Rate	Inspector 2024-2025 Rate	Senior Schedule Engineer 2023-2024 Rate	Senior Schedule Engineer 2024-2025 Rate		
				\$ 103.83	\$ 214.15	\$ 190.83	\$ 195.98	\$ 231.07	\$ 237.31		
1	<b>Task 1</b>	<b>Project / Task Order Management</b>									
		Project / Task Order Management		8	16					24	\$4,256.97
		Subtotals (Hours) =	N/A	8	16	0	0	0	0	24	\$4,256.97
		Subtotals (Costs) =	\$0.00	\$830.64	\$3,426.33	\$0.00	\$0.00	\$0.00	\$0.00	24	\$4,256.97
2	<b>Task 2</b>	<b>Track and Operations Assistant Resident Engineer</b>									
		Track and Operations Assistant Resident Engineer	\$7,780.00	0	0	480	150			630	\$128,775.40
		Subtotals (Hours) =	N/A	0	0	480	150	0	0	630	\$128,775.40
		Subtotals (Costs) =	\$7,780.00	\$0.00	\$0.00	\$91,598.40	\$29,397.00	\$0.00	\$0.00	630	\$128,775.40
3	<b>Task 3</b>	<b>Scheduling Engineer</b>									
		Scheduling Engineer	\$0.00	0	0			20	4	24	\$5,570.70
		Subtotals (Hours) =	N/A	0	0	0	0	20	4	24	\$5,570.70
		Subtotals (Costs) =	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,621.46	\$949.24	24	\$5,570.70
<b>Totals (Summary) =</b>										<b>678</b>	<b>\$138,603.07</b>
		Total (Hours) =	N/A	8	16	480	150	20	4	678	
		Total (Costs) =	\$7,780.00	\$830.64	\$3,426.33	\$91,598.40	\$29,397.00	\$4,621.46	\$949.24		\$138,603.07
		Percentage of Total (Hours) =	0%	1%	2%	71%	22%	3%	1%	99%	
		Percentage of Total (Costs) =	6%	1%	2%	66%	21%	3%	1%		99%



**Work Order Estimate  
Summary**

Consultant/ Subconsultant: **Kleinfelder Construction Services, Inc**

Contract No: **G2468.0-21**  
Task Order No. **WOA2498-CM05.01**

Work Order Title: **IMT Doubletrack Construction Management Services**

Attachment: **B**

**TASKS/WBS (1-5)**

ODC Item	Description	Unit	Unit Cost	Task 1		Task 2		Task 3		Task 4		Task 5	
				Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Field Vehicle	Month	\$1,377.00			3.94	\$7,780.00						
2													
3													
4													
5													
6													

Subtotal =  Subtotal =  Subtotal =  Subtotal =  Subtotal =

**TASKS/WBS (6-10)**

ODC Item	Description									Totals	
		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Field Vehicle									3.94	\$7,780.00
2											
3											
4											
5											
6											

Subtotal =  Subtotal =  Subtotal =  Subtotal =  Subtotal =  Totals =



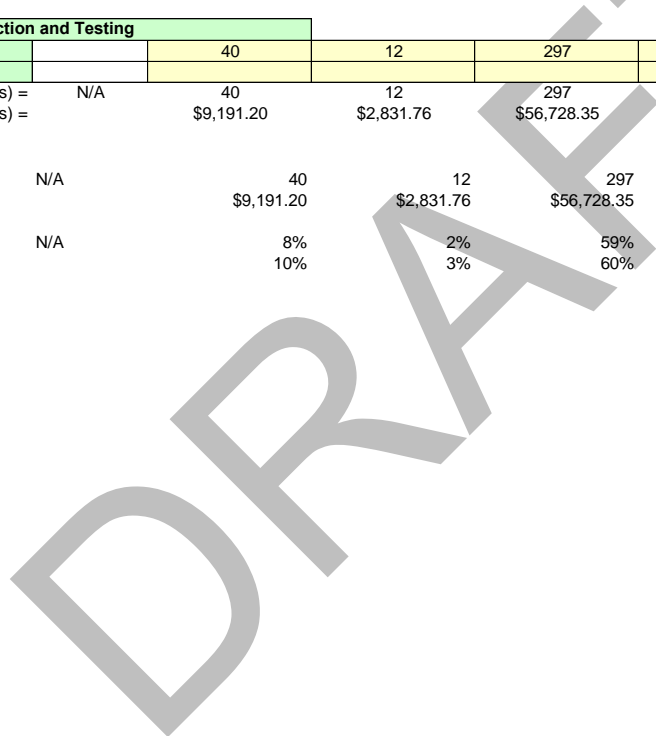


## Work Order Estimate Summary

Consultant/Subconsultant: **CA Wehsener Engineering** Doc. No.: **G2468.0-21**  
 Work Order No.: **WOA2498-CM05.01**  
 Work Order Title: **IMT Doubletrack Construction Management Services** Attachment: **B**

Total Hours = **505**  
 Total Costs = **\$95,190.11**

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Chuck Wehsener - Engineer, Supervising 23/24	Chuck Wehsener - Engineer, Supervising 24/25	Javier Rangel, PW Inspector 23/24 Rate	Javier Rangel, PW Inspector 24/25 Rate	Thomas Wehsener, PW Inspector 23/24 Rate	Total Hours	Totals
				\$ 229.78	\$ 235.98	\$ 190.91	\$ 196.06	\$ 162.62		
<b>4</b>	<b>Task 4</b>	<b>Overhead Catenary System (OCS) Inspection and Testing</b>								
		Overhead Catenary System (OCS) Inspection and Testing		40	12	297	32	124	505	\$95,190.11
		Subtotals (Hours) =	N/A	40	12	297	32	124	505	\$95,190.11
		Subtotals (Costs) =		\$9,191.20	\$2,831.76	\$56,728.35	\$6,273.92	\$20,164.88	<b>505</b>	<b>\$95,190.11</b>
		<b>Totals (Summary) =</b>							<b>505</b>	<b>\$95,190.11</b>
		Total (Hours) =	N/A	40	12	297	32	124	505	
		Total (Costs) =		\$9,191.20	\$2,831.76	\$56,728.35	\$6,273.92	\$20,164.88		\$95,190.11
		Percentage of Total (Hours) =	N/A	8%	2%	59%	6%	25%	100%	
		Percentage of Total (Costs) =		10%	3%	60%	7%	21%		100%





## Work Order Estimate Summary

Att.A, AI 8, 03/14/24

Total Hours =   
 Total Costs = \$84,650.04

Consultant/Subconsultant: Destination Enterprises      MTS Doc. No.: G2468.0-21  
 Work Order Title: IMT Doubletrack Construction Management Services      Work Order No.: WOA2498-CM05.01  
 Attachment: B

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Mark Crowley PW Inspector 23/24 Rate	Mark Crowley PW Inspector 24/25 Rate			Total Hours	Totals
				\$189.34	\$194.45				

<b>5</b>	<b>Task 5</b>	<b>Track Signal Engineering and Inspection</b>							
	Track Signal Engineering and Inspection			406	40			446	\$ 84,650.04
		Subtotals (Hours) =	N/A	\$76,872.04	7778			446	\$84,650.04
		Subtotals (Costs) =							<b>\$84,650.04</b>
		<b>Totals (Summary) =</b>							
		Total (Hours) =	N/A	406.00	40.00			446	
		Total (Costs) =		\$ 76,872.04	\$ 7,778.00	-			\$84,650.04
		Percentage of Total (Hours) =	N/A	91%	9%			100%	
		Percentage of Total (Costs) =		91%	9%			100%	100%

DRAFT





**Metropolitan  
Transit  
System**

## Agenda Item No. 9

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Trolley On-Board Video Surveillance System (OBVSS) Preventative Maintenance, Repairs and All Related Support Services – Contract Amendment

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1603.2-22 with Seon Design USA Corp (“Seon”) for twenty (20) NH16 systems and cameras with installation in the amount of \$238,545.00 (Attachment A).

Budget Impact

The total cost of this amendment is estimated to be \$238,545.00, and the total contract value is estimated to be \$673,280.49 (inclusive of the total costs for Amendment 1 and 2). These services costs will be funded through a Capital Improvement Project (CIP) 2002002701 - SD100 Light Rail Vehicle (LRV) Replacement Project. The project costs are summarized below:

Document No.	Description	Amount	Document Executed Date	Board Approval Date
L1603.0-22	Original Contract (Base Years)	\$208,131.25	May 5, 2022	April 14, 2022
L1603.1-02	Exercise Option Years	\$226,604.24	Pending Contractor's signature	April 14, 2022
<b>Total (Base &amp; Options)</b>		<b>\$434,735.49</b>		
<i>Draft L1603.2-22</i>	<i>(OBVSS) Preventative Maintenance</i>	\$238,545.00	Pending Board Approval	Today's proposed action
<b>Grand Total</b>		<b>\$673,280.49</b>		



DISCUSSION:

The trolley OBVSS provides MTS with an enhanced ability to record events that occur onboard vehicles. This helps in monitoring the safety and security of passengers and assets alike.

To ensure that the OBVSS remains continuously operational and to help identify potential systemic problems, MTS requires routine preventative maintenance, repairs, and all types of related support services. On April 14, 2022, MTS Board approved Agenda Item (AI) 8 (MTS Doc. No. L1603.0-22) with Seon for \$434,735.49 for two (2) base years and two (2) option years to provide trolley OBVSS preventative maintenance and all related support services (Seon Contract). The Seon Contract included an option to add hardware and installation for the upcoming twenty-two (22) LRVs are currently in production with Siemens – called the “SD 10” fleet by trolley personnel.

OBVSS camera systems have been invaluable to MTS operations by providing a video record to review onboard or in station incidents, vehicle accidents, investigate passenger complaints, and otherwise evaluate trolley operations. In addition, the California Public Utilities Commission (CPUC) through its General Order 172 (GO - 172), requires that cameras be installed in the operator cab of each LRV. The Seon camera systems installed on the MTS LRV fleets meet the requirements of GO-172 and also provides views of exterior and interior views of the entire LRV.

MTS has started receiving new SD10 LRVs under a separate contract with Siemens Mobility (MTS Doc. No. L1449.0-18) to replace the old SD100 LRV fleet. That vehicle order does not include installation of an OBVSS system. Installation of an OBVSS was proposed by Siemens Mobility as a change order during contract negotiations in 2019 at a cost of \$16,591.45 per LRV. Due to the rapid changes in video technology, it was determined by staff at the time that it would be more cost-effective and efficient to install the systems post-delivery utilizing MTS’s ongoing contract with Seon.

Earlier this year, MTS received two new LRVs that required the hardware and installation in order to put the vehicle in service. On January 22, 2024, MTS authorized Seon to proceed, and exercised the option for 2 of the 22 LRVs, aligning with the terms of the Agreement. No additional funds were required due to year 2 providing adequate capacity/funds to advance with the two LRVs. Subsequently, MTS and Seon initiated discussions and solicited a proposal for the remaining twenty (20) LRVs.

Seon proposed the current cost to install OBVSS systems on the SD10 LRV fleet at \$12,113.00 per LRV. MTS is scheduled to receive twenty (20) new LRVs; equipping these first 20 LRVs will cost \$238,545.00. This Amendment 2 exercises the remaining option for the 20 LRVs.

Therefore, staff recommends that the MTS Board of Directions authorize the CEO to execute MTS Doc. No. L1603.2-22 with Seon for twenty (20) NH16 systems and cameras with installation in the amount of \$238,545.00 (as shown in Attachment A.)

/S/ Sharon Cooney  
Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachment: A. Amendment Draft MTS Doc. No. L1603.2-22



**Metropolitan  
Transit  
System**

## **Amendment 2**

March 14, 2024

MTS Doc No. L1603.2-22

**TROLLEY ON-BOARD VIDEO SURVEILLANCE SYSTEM (OBVSS) PREVENTATIVE  
MAINTENANCE, REPAIRS AND ALL RELATED SUPPORT SERVICES**

Seon Design USA Corporation  
Susan Gill  
Director of Finance  
1313 East Maple St., Ste 231  
Bellingham WA, 98225

This shall serve as Amendment No.2 to the original agreement L1603.0-22 as further described below.

### SCOPE

Per Section 1 of the original agreement L1603.0-22, "Services will also include hardware and installation costs of the SD10's option for quantity twenty-two (22) vehicles. MTS will request a quote from Safe Fleet for those items (hardware and installation) sometime during this contract".

Attachment A is the quote for the additional costs related to the hardware and installation of twenty (20) Light Rail Vehicles (LRVs). On January 22, 2024, staff exercised the hardware and installation of two (2) LRVs using existing contract capacity, requiring no additional funds to be added to the contract. This Amendment 2 exercises the 22 LRV vehicle option, through the ratification of the 2 LRVs on January 22, 2024, and this order of 20 LRVs at Attachment A.

### SCHEDULE

There shall be no changes to the schedule of this Agreement.

### PAYMENT

This contract amendment shall authorize additional costs not to exceed \$238,545.00. The total value of this contract including this amendment shall be in the amount of \$673,280.49 (\$434,735.49 current contract plus \$238,545.00 for Amendment 2). This amount shall not be exceeded without prior written approval from MTS.



Please sign and return the copy to the Contract Specialist at MTS. All other terms and conditions shall remain the same and in effect. Retain the other copies for your records.

Sincerely,

Agreed:

\_\_\_\_\_  
Sharon Cooney, Chief Executive Officer

\_\_\_\_\_  
Susan Gill, Director of Finance  
Seon Design USA Corporation

Attachment:

A. Quote

Date: \_\_\_\_\_





**Date: 2024-01-22**  
**Proposal #: Q-55907**  
**Expiry Date: 2024-03-22**  
**End User:**

**PREPARED FOR:**

Roman Lazcano  
 Procurement Specialist  
**SOLD TO DETAILS**  
 San Diego Metropolitan Transit System  
 1255 Imperial Ave - Suite 1000  
 San Diego, California 92101  
 United States

619-557-4566  
 roman.lazcano@sdmts.com

**BILLING DETAILS**

San Diego Metropolitan Transit System  
 1255 Imperial Ave - Suite 1000  
 San Diego, CA 92101 US

**SHIPPING DETAILS**

San Diego Metropolitan Transit System  
 1341 Commercial Street San Diego, CA 92113 US

**PREPARED BY:**

Suzanne Smith

Corporate Office: 1.877.630.7366  
 Unit 111, 3B Burbidge Street  
 Coquitlam, BC V3K 7B2  
 suzanne.smith@safefleet.net

NH16 DVR & Cameras

QTY	PRODUCT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
20	NH16V2H4T0-2HDD	NH NVR Hybrid V2 Recording System. Includes recorder supporting up to 16 Channels Max, 8 Analog HD Channels with Audio Built-In (Requires Optional Video Breakout Harness), 4 Port PoE Switch Built-in, Security Front Cover with Lock Set, Mounting Plate, Power Harness, GPS RF Antenna, External 16 Port PoE Switch with power and recorder connection harnesses, Stacking Bracket, and 4TB (2X2TB) Dual HDD Storage Cartridge. NH16 - 4TB Storage	USD 4,170.00	USD 83,400.00
20	VBH-8D-2SA-M-PKG	8CH Breakout Harness with 2x3 Video Connectors, includes 2 Signals and 1 Alarm, DVR package option only	USD 81.00	USD 1,620.00
20	SRLAC07	SmartReach Lite,2.4/5GHz,ANT PoE 12V Wi-Fi Bridge, Antenna and PoE	USD 327.00	USD 6,540.00
40	MSS-4008-00-00	MobileView Panic Button/Status LED Module Compatible with SD-9 Build.	USD 99.00	USD 3,960.00
40	C3Q9PD03A-BK	IP Camera, PoE, dome, black, 3MP progressive scan, 2.8 mm lens size, interior, IR Day/Night, audio - to use with TH8 or NH16 Forward Facing Camera without Bracket	USD 344.00	USD 13,760.00
80	C3W9PD03E	IP Camera, PoE, wedge, 3MP progressive scan, 2.8 mm lens size, exterior (no audio), IR Day/Night - to use with TH8 or NH16 Exterior Camera	USD 430.00	USD 34,400.00
120	C3Q9PD03A	IP Camera, PoE, dome, white, 3MP progressive scan, 2.8 mm lens size, interior, IR Day/Night, audio - to use with TH8 or NH16 Interior Dome Camera	USD 344.00	USD 41,280.00
20	MSS-4030-03-01-ETH	ETHERNET CABLE, STANDARD 3FT, CAT5	USD 3.00	USD 60.00
40	MSS-4030-02-01-ETH	ETHERNET CABLE, STANDARD 2FT, CAT5	USD 3.00	USD 120.00
20	MSS-4030-15-01-ETH	ETHERNET CABLE, STANDARD 15FT, CAT5	USD 7.00	USD 140.00
20	060-1265-SDMTS	H-Series Adapter Harness for Legacy MobileView IO Box. Includes J5 Digital Output	USD 47.00	USD 940.00



QTY	PRODUCT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
20	060-1267-SDMTS	H-Series Power Adapter Harness for Legacy MobileView on Siemens SD10 at SDMTS. Includes J1 Power Input	USD 98.00	USD 1,960.00
20	032-1078-SDMTS	H-Series Adapter Harness for Legacy MobileView IO Box. Includes J2 Status Output with Decoder Interface & J3 Digital Input	USD 207.00	USD 4,140.00
<b>NH16 DVR &amp; Cameras Total:</b>				USD 192,320.00

## Installation

QTY	PRODUCT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	INST-BaseCharge	Base Installation Charge Required for Installation Services	USD 1,625.00	USD 1,625.00
20	INST-TRCAMSYS	Installation TX/DX/TH/NX DVR with one analog camera/GPS and Signals Install and Program	USD 625.00	USD 12,500.00
20	INST-SRLB	Installation Smart Reach Wireless Bridge Install SRWireless Bridge	USD 94.00	USD 1,880.00
160	INST-INTCAM	Installation, CHQ/HD1Q/HD2Q/HD3Q/HD3U/C3Q/C8 cameras Install Interior Cameras	USD 88.00	USD 14,080.00
80	INST-EXTCAM	Installation, CA/CHW/HD1W/HD1S/HD3W/HD3S/C3W/RVC400 cameras Install Exterior Cameras	USD 156.00	USD 12,480.00
<b>Installation Total:</b>				USD 42,565.00

## Freight

QTY	PRODUCT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
20	FRGT-NH16-G	Freight, Ground, CE, NH16 System	USD 183.00	USD 3,660.00
<b>Freight Total:</b>				USD 3,660.00

<b>Total:</b>				USD 238,545.00
---------------	--	--	--	----------------



**Metropolitan  
Transit  
System**

## **Agenda Item No. 10**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

On-Call Job Order Contracting (JOC) Building and Facilities Construction Services – Contract Amendment

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Amendment No. 5 to MTS Doc. No. PWG324.5-21 (in substantially the same format as Attachment A), with ABC General Construction Services, Inc., (ABCGC) for an increase in capacity to the JOC Building and Facilities Construction Services Contract in the amount of \$11,000,000.00.

**Budget Impact**

The total budget for this contract, including Amendment No. 5, is estimated to be \$18,000,000.00. The contract will be funded by various MTS accounts. Funding will be included in the budget of each project for which a work order will be issued under this agreement.

**DISCUSSION:**

The JOC Building and Facilities Construction Services Contract includes repair, remodeling, or other repetitive work, general building, and facility contracting services, which includes but is not limited to, demolition, maintenance, and modification of existing buildings and facilities, as well as any required incidental professional and technical services.

The JOC Building and Facilities Construction Services Contract is nearing its \$7,000,000 total contract capacity and will not continue to have enough capacity to get through the current and final option year on the contract. Currently, work orders totaling \$6,350,195.81 have been executed (See Attachment B). An additional \$11,000,000 capacity is needed, comprised of \$10,600,000 planned MTS Capital Improvement Projects (CIP), and based on historical review of past work orders, it is anticipated that about \$400,000 may be needed for unplanned repairs and maintenance.

Per the table below, this agreement is currently in Option Year Three. There is one more option year remaining on the agreement that MTS plans on exercising. The additional funds will be



used for the current and future option year, not to exceed annual statutory maximum per each option year, as further discussed in this agenda.

Doc No.	Period of Performance	Contract Year	Board
PWG324.0-21	1/1/2021 to 12/31/2021	Base Year 1	Board authorized CEO to exercise base years and option years on 12/10/2020, AI 11
PWG324.2-21	1/1/2022 to 12/31/2022	Option Year 1	Exercised
PWG324.3-21	1/1/2023 to 12/31/2023	Option Year 2	Exercised
PWG324.4-21	1/1/2024 to 12/31/2024	Option Year 3	Exercised
TBD	1/1/2025 to 12/31/2025	Option Year 4	Not Yet Exercised

There are two (2) primary contributors to the need for this contract capacity increase: construction cost escalation of thirty-six (36) percent between contract execution, and an increase in capital dollars available to invest in bringing existing MTS facilities up to a State of Good Repair. The state of California Department of General Services publishes a monthly construction cost index. The difference in the index between December 2020 and February 2024 calculates to a thirty-six (36) percent increase in construction costs. This type of increase means less work can be accomplished within the original contract capacity. Secondly, due to the increase in capital funding, more work has been completed during the first three (3) years of the contract than originally anticipated. Going forward, the types of projects anticipated in the next two (2) years include replacement of aged HVAC infrastructure and bringing MTS's current storage facilities up to current fire-code standards.

JOC is a procurement method under which public agencies may accomplish frequently encountered repairs, maintenance, and construction projects through a single, competitively procured long-term agreement.

The JOC program includes a catalog of pricing for a variety of potential tasks to be performed under the contract that have been pre-priced by the contractor, the Gordian Group. All potential contractors are subject to the pricing within this catalog. Each contractor then includes an adjustment factor, escalating their proposed price from the catalog price, to determine the total cost of the task order. The adjustment factor represents an average percentage increase over the catalog price (i.e. 1.25 adjustment factor represents 25% above the catalog price) for that respective task within the project. In order to select the lowest responsive and responsible bidder, MTS staff compares each contractor's proposed adjustment factor.

MTS's enabling legislation at Public Utilities Code Section 120222 authorizes MTS to use any procurement method authorized for state or local agencies under state or federal law. Certain public entities in California are expressly authorized to use the JOC process within limited parameters. MTS's ability to utilize the JOC contracting process is premised upon the statutory allowance granted to such entities. MTS shares in the same general limitations imposed on the JOC process by this statutory framework. Public Contract Code Section 20128.5 allows the board of supervisors of a county to utilize JOCs up to \$3,000,000 annually, adjusted annually to

reflect the percent change in the California Consumer Index. Calculations to December 2023 are \$6,189,000 annually. MTS maintains internal contract administration guidelines to ensure compliance with the annual maximum in JOC work orders for any given year.

After a competitive invitation for bids process, the MTS Board of Directors approved MTS Doc. No. PWG324.0-21 on December 10, 2020 (Agenda Item No. 11) with formerly known as ABC Construction Company, Inc. to provide JOC for building and facilities.

Today's action would authorize additional capacity to the JOC Master Agreement for Building and Facilities Construction Services; however, no specific project or spending would be authorized. Individual projects/task orders will be processed according to the signature authority set forth in MTS Board Policy No. 41 "Signature Authority" (e.g. task orders under \$150,000.00 will be approved by the CEO; task orders over \$150,000 will require Board approval).

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute Amendment No. 5 MTS Doc. No. PWG324.5-21 (in substantially the same format as Attachment A) with ABCGC for an increase in capacity to the JOC Building and Facilities Construction Services Contract in the amount of \$11,000,000.00.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Draft Amendment PWG324.5-21  
B. JOC Work Order History



**Metropolitan  
Transit  
System**

## **Amendment 5**

Effective Date: March 14, 2024

MTS Doc No. PWG324.5-21

On-Call General Building and Facilities Construction Services

ABC General Contractor, Inc.  
Mr. Travis Brozowski  
President  
3120 National Avenue  
San Diego, CA, 92113

This shall serve as Amendment No.5 to the original agreement PWG324.0-21 as further described below.

### SCOPE

As a result of this Amendment, there shall be no change to the Scope of Work.

### SCHEDULE

There shall be no change to the Schedule as a result of this Amendment. The Schedule shall remain in effect from December 31, 2023 to December 31, 2024.

### PAYMENT

The total value of this contract, including this amendment, shall be in the amount of \$18,000,000.00 (\$7,000,000.00 for the current contract plus \$11,000,000.00 for this amendment). This amount shall not be exceeded without prior written approval from MTS.



Please sign and return the copy to the Contract Specialist at MTS. All other terms and conditions shall remain the same and in effect. Retain the other copies for your records.

Sincerely,

Agreed:

---

Sharon Cooney, Chief Executive Officer

---

Travis Brozowski, President  
ABC General Contractor, Inc.

Date: \_\_\_\_\_

JOC GENERAL BUILDING AND FACILITIES CONSTRUCTION SERVICES - ABC GENERAL CONTRACTOR					\$ 7,000,000.00
WORK ORDER	Work Order Executed?	Subject	WORK ORDER AMOUNT	NTP DATE	Amount Remaining
MTSJOC324-01	Y	Bldg C Security Restroom & Locker Room Rehab	\$ 349,714.14	6/4/2021	\$ 6,650,285.86
MTSJOC324-02	N	KMD Stucco Repairs	\$ 15,000.00		\$ 6,635,285.86
MTSJOC324-03	Y	KMD ZEB Training Room	\$ 132,136.13	8/24/2001	\$ 6,503,149.73
MTSJOC324-03.01	Y	CCO 01	\$ 1,657.03	8/24/2001	\$ 6,501,492.70
MTSJOC324-04	Y	Miscellaneous Lighting Repairs and Upgrades for BRT Stations	\$ 25,420.13	9/22/2021	\$ 6,476,072.57
MTSJOC324-04.01	Y	CCO 01	\$ 85,362.77	9/22/2021	\$ 6,390,709.80
MTSJOC324-04.02	Y	CCO 02	\$ 102,631.43	9/22/2021	\$ 6,288,078.37
MTSJOC324-05	Y	Bldg C Security Restroom & Locker Room HVAC Rehab	\$ 28,984.04	4/23/2021	\$ 6,259,094.33
	Y	eGordian Fee Pass Through			\$ 6,259,094.33
MTSJOC324-06	Y	Bldg C Security Roofing Rehab Project	\$ 155,228.61	10/28/2021	\$ 6,103,865.72
MTSJOC324-06.01	Y	CCO 01	\$ 28,285.13	10/28/2021	\$ 6,075,580.59
MTSJOC324-07	N	IAD RAM High Piled Storage Sprinklers	\$ -		\$ 6,075,580.59
MTSJOC324-08	Y	CPD Shop Lighting and Paint & CPD Modular Training Building Door & Landing Rehabilitation	\$ 184,985.01	1/31/2022	\$ 5,890,595.58
MTSJOC324-08.01	Y	CCO 01	\$ 18,809.62	1/31/2022	\$ 5,871,785.96
MTSJOC324-09	Y	Combined with JOC 08	\$ -		\$ 5,871,785.96
MTSJOC324-10	Y	Rail Yard HVAC Systems Repairs and Upgrades	\$ 87,703.58	11/17/2021	\$ 5,784,082.38
MTSJOC324-11	Y	HIGH PILED STORAGE FIRE SPRINKLER UPGRADE	\$ 21,175.52	7/10/2023	\$ 5,762,906.86
MTSJOC324-11.01	Y	CCO 01	\$ -	7/10/2023	\$ 5,762,906.86
MTSJOC324-12	Y	IAD Driver Training Relocation	\$ 99,738.59	11/12/2021	\$ 5,663,168.27
MTSJOC324-13	Y	IAD RAM HVAC Replacement	\$ 484,409.47	5/1/2023	\$ 5,178,758.80
MTSJOC324-14	Y	VMS SIGN REPAIRS	\$ 25,539.25	5/13/2022	\$ 5,153,219.55
MTSJOC324-14.01	Y	VMS SIGN REPAIRS	\$ 21,378.51	5/13/2022	\$ 5,131,841.04
MTSJOC324-15	Y	IAD Carpet Replacement	\$ 79,619.86	5/23/2022	\$ 5,052,221.18
MTSJOC324-16	Y	IAD Annex Gate Replacement - Area 52	\$ 12,440.43	6/30/2022	\$ 5,039,780.75
MTSJOC324-17	Y	Pyramid Building Initial Improvements	\$ 179,476.83	11/21/2021	\$ 4,860,303.92
MTSJOC324-18	Y	Mills Bldg. Security Breakroom	\$ 242,922.83	4/10/2023	\$ 4,617,381.09
MTSJOC324-18.01	Y	No Cost Time Extension CCO 01	\$ -		\$ 4,617,381.09
MTSJOC324-18.02	Y	CCO 02	\$ 124,789.78		\$ 4,492,591.31
MTSJOC324-19	Y	IAD Chassis Wash Cover	\$ 448,798.80	5/9/2023	\$ 4,043,792.51



JOC GENERAL BUILDING AND FACILITIES CONSTRUTION SERVICES - ABC GENERAL CONTRACTOR					\$ 7,000,000.00
WORK ORDER	Work Order Executed?	Subject	WORK ORDER AMOUNT	NTP DATE	Amount Remaining
MTSJOC324-19.01	Y	CCO 01	\$ 129,993.88		\$ 3,913,798.63
MTSJOC324-20	Y	SBMF BUILDING 3620 HVAC	\$ 118,969.93	7/5/2023	\$ 3,794,828.70
MTSJOC324-21	Y	KMD LED Lot Light Replacement	\$ 111,855.47	3/6/2023	\$ 3,682,973.23
MTSJOC324-21.01	Y	No Cost Time Extension CCO 01	\$ -	3/6/2023	\$ 3,682,973.23
MTSJOC324-21.02	Y	Credit for 11 uninstalled wall packs CCO 02	\$ (16,340.67)	3/6/2023	\$ 3,699,313.90
MTSJOC324-22	N	ECD Chassis Wash Drywall Repair	\$ 19,390.00		\$ 3,679,923.90
MTSJOC324-23	Y	Moved to MTSJOC324-29	\$ -		\$ 3,679,923.90
MTSJOC324-24	Y	Auto Auction Building Securement	\$ 29,980.96	11/13/2023	\$ 3,649,942.94
MTSJOC324-25	Y	Jolley Trolley Antenna Removal	\$ 14,463.83	12/1/2022	\$ 3,635,479.11
MTSJOC324-26	Y	Emergency Repair Prospect Square Temp structure	\$ 15,381.77	12/1/2022	\$ 3,620,097.34
MTSJOC324-27	Y	SDTE BLDG. C PATIO	\$ 149,913.51	6/26/2023	\$ 3,470,183.83
MTSJOC324-27.01	Y	No Cost Time Extension CCO 01		6/26/2023	\$ 3,470,183.83
MTSJOC324-27.02	Y	No Cost Time Extension CCO 02		6/26/2023	\$ 3,470,183.83
MTSJOC324-28	Y	IAD & KMD Restroom Rehab	\$ 331,654.98	8/21/2023	\$ 3,138,528.85
MTSJOC324-29	Y	Mills 10th floor Hallway painting. Mills Building 9th & 10th Floor Carpet Replacement	\$ 75,939.87	5/18/2023	\$ 3,062,588.98
MTSJOC324-29.01	Y	No Cost Time Extension CCO 01	\$ -		\$ 3,062,588.98
MTSJOC324-30	Y	Stadium Station Door Replacements	\$ 36,199.71	4/24/2023	\$ 3,026,389.27
MTSJOC324-30.01	Y	No Cost Time Extension	\$ -		\$ 3,026,389.27
MTSJOC324-31	Y	Prospect square roof repair	\$ 30,874.69	2/17/2023	\$ 2,995,514.58
MTSJOC324-31.01	Y	CCO 01	\$ 13,149.55	2/17/2023	\$ 2,982,365.03
MTSJOC324-32	Y	Package Units Building C and Rail Yard Tower	\$ 130,035.44	9/11/2023	\$ 2,852,329.59
MTSJOC324-33	Y	PROSPECT SQUARE PERMANENT REPAIR	\$ 18,584.03	6/19/2023	\$ 2,833,745.56
MTSJOC324-34	N	KMD Admin Building Stucco Replacement	\$ 300,000.00		\$ 2,533,745.56
MTSJOC324-35	Y	SBMF 3620 Roofing Replacement	\$ 193,236.34	10/30/2023	\$ 2,340,509.22
MTSJOC324-36	N	IAD Carpet Replacement (North Phase II)	\$ 215,000.00		\$ 2,125,509.22
MTSJOC324-37	N	ECD BATTERY STORAGE	\$ 212,000.00		\$ 1,913,509.22
MTSJOC324-38	N	CPD LED Lot Lighting Upgrade and Light Pole Replacement	\$ 185,000.00		\$ 1,728,509.22
MTSJOC324-39	N	CENTRAL CONTROL HVAC REPLACEMENT	\$ 250,000.00		\$ 1,478,509.22
MTSJOC324-40	Y	Nobel Parking Bollard	\$ 9,813.47	9/11/2023	\$ 1,468,695.75
MTSJOC324-41	Y	Building C Support Beam Repair	\$ 57,993.42	10/6/2023	\$ 1,410,702.33

JOC GENERAL BUILDING AND FACILITIES CONSTRUTION SERVICES - ABC GENERAL CONTRACTOR					\$ 7,000,000.00
WORK ORDER	Work Order Executed?	Subject	WORK ORDER AMOUNT	NTP DATE	Amount Remaining
MTSJOC324-42	N	SELT Orange Line Lighting Upgrades	\$ 447,000.00		\$ 963,702.33
MTSJOC324-43	Y	Smart Corner Tactiles Repair	\$ 9,995.59	11/13/2023	\$ 953,706.74
MTSJOC324-44	Y	Security Trailer Power Connection at El Cajon Center	\$ 139,977.72	1/22/2024	\$ 813,729.02
MTSJOC324-45	N	Trolley Bogie Wash Cover	\$ 134,000.00		\$ 679,729.02
MTSJOC324-46	Y	CPD Modular Building Bathroom Door Repair	\$ 9,929.01	2/26/2024	\$ 669,800.01
MTSJOC324-47	Y	Ticket Booth Removal	\$ 9,995.82	3/4/2024	\$ 659,804.19
MTSJOC324-48	N	Revenue Office Rehabilitation	\$ 10,000.00		\$ 649,804.19
			\$ 6,350,195.81		\$ 649,804.19

<b>EXECUTED WORK ORDER TOTALS</b>	<b>\$ 4,562,805.81</b>
-----------------------------------	------------------------



**Metropolitan  
Transit  
System**

## **Agenda Item No. 11**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

On-Call Job Order Contracting (JOC) General Civil Construction Services – Contract Amendment

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Amendment No. 2 MTS Doc. No. PWG347.2-22 (in substantially the same format as Attachment A) with ABC General Construction Services, Inc., (ABCGC) for an increase in capacity to the JOC General Civil Construction Services Contract in the amount of \$5,000,000.00.

**Budget Impact**

The total cost of this amendment is estimated to be \$5,000,000.00, and the total contract cost of the services is estimated to be \$11,000,000.00. The contract will be funded by various MTS accounts. Funding will be included in the budget of each project for which a work order will be issued under this agreement.

**DISCUSSION:**

The JOC General Civil Construction Services Contract includes repair, remodeling, or other repetitive work for general civil and site improvements, which includes, but is not limited to, earthwork, utilities, paving, concrete, drainage, landscaping mitigation, site clearing, and all required incidental professional and technical services.

The JOC General Civil Construction Services Contract is nearing its \$6,000,000 total contract capacity and will not continue to have enough capacity to get through the current year and remaining option years on the contract. Currently executed work orders total \$4,049,069.95 (See Attachment B). An additional \$5,000,000 capacity is needed, comprised of \$3,160,000 planned MTS Capital Improvement Projects (CIP), and based on historical review of past work orders, it is anticipated about \$1,840,000 may be needed for unplanned repairs and maintenance.



Per the table below, this agreement is currently in option year one. There are two more option years remaining on the agreement that MTS plans on exercising. The additional funds will be used for the current and future option year, not to exceed annual statutory maximums per each option year, as further discussed in this agenda.

Doc No.	Period of Performance	Contract Year	Board
PWG347.0-22	7/1/2022 to 6/30/2023	Base Year 1	Board authorized CEO to exercise base years and option years on 6/16/22, AI 14
PWG347.1-22	7/1/2023 to 6/30/2024	Option Year 1	Exercised
TBD	7/1/2024 to 6/30/2025	Option Year 2	Not yet exercised
TBD	7/1/2025 to 6/30/2026	Option Year 3	Not yet exercised

There are two (2) primary contributors to the need for this contract capacity increase: construction cost escalation of 8.6% between today and the June 2022 contract execution, and an increase in capital dollars available to invest to bring existing MTS facilities up to a State of Good Repair (SGR). The state of California Department of General Services publishes a monthly construction cost index. The difference in the index between June 2022 and February 2024 calculates to an 8.6% increase in construction costs. This type of increase means less work can be accomplished within the original contract capacity. The types of projects anticipated in the next two (2) years include repairs to retaining walls, pavement, replacement of Right-of-Way (ROW) fencing and utility repairs on an as needed or emergency basis.

JOC is a procurement method under which public agencies may accomplish frequently encountered repairs, maintenance, and construction projects through a single, competitively procured long-term agreement. The JOC program includes a catalog of pricing for a variety of potential tasks to be performed under the contract that have been pre-priced by the contractor, the Gordian Group. All potential contractors are subject to the pricing within this catalog. Each contractor then includes an adjustment factor, escalating their proposed price from the catalog price, to determine the total cost of the task order. The adjustment factor represents an average percentage increase over the catalog price (i.e. 1.25 adjustment factor represents 25% above the catalog price) for that respective task within the project. In order to select the lowest responsive and responsible bidder, MTS staff compares each contractor's proposed adjustment factor.

MTS's enabling legislation at Public Utilities Code Section 120222 authorizes MTS to use any procurement method authorized for state or local agencies under state or federal law. Certain public entities in California are expressly authorized to use the JOC process within limited parameters. MTS's ability to utilize the JOC contracting process is premised upon the statutory allowance granted to such entities. MTS shares in the same general limitations imposed on the JOC process by this statutory framework. Public Contract Code Section 20128.5 allows the board of supervisors of a county to utilize JOCs up to \$3,000,000 annually, adjusted annually to reflect the percent change in the California Consumer Index. Calculations to December 2023 are \$6,189,000 annually. MTS maintains internal contract administration guidelines to ensure compliance with the annual maximum in JOC work orders for any given year.

On June 16, 2022 (Agenda Item No. 14), after a competitive invitation for bids process, the MTS Board of Directors approved MTS Doc. No. PWG347.0-22 with ABCGC to provide job order contracting for general civil construction services.

Today's action would authorize additional capacity to the JOC Master Agreement for Building and Facilities Construction Services; however, no specific project or spending is authorized. Individual projects/task orders will be processed according to the signature authority set forth in MTS Board Policy No. 41 "Signature Authority" (e.g. task orders under \$150,000.00 will be approved by the CEO; task orders over \$150,000.00 will require Board approval).

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute Amendment No. 2 MTS Doc. No. PWG347.2-22 (in substantially the same format as Attachment A) with ABCGC for an increase in capacity to the JOC Building and Facilities Construction Services Contract in the amount of \$5,000,000.00.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachment: A. Draft Amendment PWG347.2-22  
B. JOC Work Order History



**Metropolitan  
Transit  
System**

## **Amendment 2**

Effective Date: March 14, 2024

MTS Doc No. PWG347.2-22

On-Call Civil Construction Services

ABC General Contractor, Inc.  
Mr. Travis Brozowski  
President  
1941 Friendship Drive Suite F  
El Cajon, CA, 92020

This shall serve as Amendment No.2 to the original agreement PWG347.0-22 as further described below.

### SCOPE

As a result of this Amendment, there shall be no change to the Scope of Work.

### SCHEDULE

There shall be no change to the Schedule as a result of this Amendment. The Schedule shall remain in Effect schedule from June 30, 2023 to June 30, 2024.

### PAYMENT

The total value of this contract, including this amendment, shall be in the amount of \$11,000,000.00 (\$6,000,000.00 for the current contract plus \$5,000,000.00 for this amendment). This amount shall not be exceeded without prior written approval from MTS.



Please sign and return the copy to the Contract Specialist at MTS. All other terms and conditions shall remain the same and in effect. Retain the other copies for your records.

Sincerely,

Agreed:

---

Sharon Cooney, Chief Executive Officer

---

Travis Brozowski, President  
ABC General Contractor, Inc.

Date: \_\_\_\_\_

JOC CIVIL CONSTRUCTION - ABC GENERAL CONTRACTOR				\$ 6,000,000.00
Work Order	Work Executed?	WORK ORDER TITLE	WORK ORDER AMOUNT	Amount Remaining
MTSJOC347-01	Y	H ST. BOLLARD REPAIR	\$ 19,686.12	\$ 5,980,313.88
MTSJOC347-02	DELETED	Deleted by PM and Reassigned as JOC #06	\$ -	\$ 5,980,313.88
MTSJOC347-03	Y	ACE Parking Lot Modifications	\$ 140,183.26	\$ 5,840,130.62
MTSJOC347-03.01	Y	CCO-01	\$ 60,683.25	\$ 5,779,447.37
MTSJOC347-04	Y	Amaya Trolley Station Asphalt Repairs	\$ 302,856.55	\$ 5,476,590.82
MTSJOC347-05	Y	Grantville Hardscape and Landscape Repairs	\$ 968,743.63	\$ 4,507,847.19
MTSJOC347-06	Y	IAD Asphalt & Concrete Repairs	\$ 98,446.09	\$ 4,409,401.10
MTSJOC347-06.01	N	No Cost Time Extension CCO 01	\$ -	\$ 4,409,401.10
MTSJOC347-07	Y	La Mesa Bollard Repair	\$ 23,489.87	\$ 4,385,911.23
MTSJOC347-08	Y	BL Bridge Repair	\$ 149,887.28	\$ 4,236,023.95
MTSJOC347-09	Y	Trolley Fencing Repairs	\$ 301,035.56	\$ 3,934,988.39
MTSJOC347-10	Y	12th & Imperial Enabling Project	\$ 882,136.07	\$ 3,052,852.32
MTSJOC347-11	Y	IAD Bus Wash Water Line Repair	\$ 13,586.47	\$ 3,039,265.85
MTSJOC347-12	Y	ARNELE CLADDING REP	\$ 9,992.44	\$ 3,029,273.41
MTSJOC347-13	N	IAD UST REMOVAL	\$ 425,000.00	\$ 2,604,273.41
MTSJOC347-14	N	24th STREET STATION FENCING RELOCATION	\$ 20,000.00	\$ 2,584,273.41
MTSJOC347-15	Y	E ST BOLLARD REPLACEMENT	\$ 19,261.79	\$ 2,565,011.62
MTSJOC347-16	Y	J ST CMP EMERGENCY REPAIR	\$ 146,929.97	\$ 2,418,081.65
MTSJOC347-16.01	Y	CCO 01	\$ 14,504.22	\$ 2,403,577.43
MTSJOC347-17	N	IAD Asphalt and Concrete Paving	\$ -	\$ 2,403,577.43
MTSJOC347-18	N	CPD Driveway & Fencing Repairs	\$ 285,000.00	\$ 2,118,577.43
MTSJOC347-19	N	SB Concrete and Asphalt Replacement (Training Area)	\$ 540,000.00	\$ 1,578,577.43
MTSJOC347-20	N	Transit Center Concrete Repair & Striping	\$ 100,000.00	\$ 1,478,577.43
MTSJOC347-21	Y	Modernization of Stadium Elevator	\$ 296,562.53	\$ 1,182,014.90



MTSJOC347-21.01	Y	CCO 01 Sapphire Novec 1230 Fire Suppression	\$ 149,867.29	\$ 1,032,147.61
MTSJOC347-22	Y	Iris Rapid Transit Station Fencing	\$ 278,517.25	\$ 753,630.36
MTSJOC347-23	Y	E. St. Cross Gate Foundation and Bollards	\$ 42,144.35	\$ 711,486.01
MTSJOC347-24	Y	Washing Wye Clearing and Fencing	\$ 130,555.96	\$ 580,930.05
MTSJOC347-25	N	FY24 Trolley Fencing	\$ 400,000.00	\$ 180,930.05
MTSJOC347-26	N	Oxnard Lot Fencing	\$ 102,809.93	\$ 78,120.12
MTSJOC347-27	N	A-Yard Asphalt Resurfacing & Repairs	\$ 578,092.38	\$ (397,162.33)
			\$ 6,499,972.26	\$ (499,972.26)

<b>EXECUTED WORK ORDER TOTALS</b>	<b>\$ 4,049,069.95</b>
<b>NON-EXECUTED WORK ORDER TOTALS - PENDING FINAL SCOPE OF WORK - ESTIMATED VALUE ONLY</b>	<b>\$ 2,450,902.31</b>



**Metropolitan  
Transit  
System**

## **Agenda Item No. 12**

**MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS**

March 14, 2024

**SUBJECT:**

On-Call Job Order Contracting (JOC) Railroad Construction Services – Contract Amendment

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Amendment No. 2 MTS Doc. No. PWG348.2-22 (in substantially the same format as Attachment A) with Veterans Engineering Services, Inc., (Veterans) for an increase in capacity to the JOC General Civil Construction Services Contract in the amount of \$4,000,000.00.

**Budget Impact**

The total cost of this amendment is estimated to be \$4,000,000.00, and the total contract cost of the services is estimated to be \$8,000,000.00. The contract will be funded by various MTS accounts. Funding will be included in the budget of each project for which a work order will be issued under this agreement.

**DISCUSSION:**

The JOC contract under consideration includes repair, remodeling or other repetitive work involving railroad construction improvements. This includes, but is not limited to, main Continuous Welded Rail (CWR) track rehabilitation/replacement, grade crossings (pre-cast concrete panels, rubber panels, paved with rubber rail interface) special track work, direct fixation, signal systems, overhead catenary, traction power, and related civil construction improvements work; and all required incidental professional and technical services required for quality control monitoring and testing, shop drawings, safety, environmental, scheduling, traffic control, storm water pollution prevention, geotechnical, surveying, biological, and hazardous/contaminated materials.

The JOC Railroad Construction Services Contract is nearing its \$4,000,000 total contract capacity and will not continue to have enough capacity to get through the current year and remaining options years on the contract. Currently executed work orders total \$2,498,468.22 (See Attachment B). An additional \$4,000,000 capacity is needed, comprised of \$3,200,000



planned MTS Capital Improvement Projects (CIP), and based on historical review of past work orders, about \$800,000 may be needed for unplanned repairs and maintenance.

Per the table below, this agreement is currently in option year one. There are two more option year remaining on the agreement that MTS plans on exercising. The additional funds will be used for the current and future option year, not to exceed the annual statutory maximums per each option year, as further discussed in this agenda.

Doc No.	Period of Performance	Contract Year	Board
PWG347.0-22	7/1/2022 to 6/30/2023	Base Year 1	Board authorized CEO to exercise base years and option years on 6/16/22, AI 12
PWG347.1-22	7/1/2023 to 6/30/2024	Option Year 1	Exercised
TBD	7/1/2024 to 6/30/2025	Option Year 2	Not yet exercised
TBD	7/1/2025 to 6/30/2026	Option Year 3	Not yet exercised

There are two (2) primary contributors to the need for this contract capacity increase: construction cost escalation of 8.6% since contract execution, and an increase in capital dollars available to invest in bringing existing MTS facilities up to a State of Good Repair (SGR). The state of California Department of General Services publishes a monthly construction cost index. The difference in the index between June 2022 and February 2024 calculates to an 8.6% increase in construction costs. This type of increase means less work can be accomplished within the original contract capacity. Secondly, due to the increase in capital funding, more work has been completed during the first year of the contract than originally anticipated. Going forward, the types of projects anticipated include retaining wall repairs and support of the annual track replacement work performed by MTS Maintenance of Way (MOW) crews. JOC is a procurement method under which public agencies may accomplish frequently encountered repairs, maintenance, and construction projects through a single, competitively procured long-term agreement.

The JOC program includes a catalog of pricing for a variety of potential tasks to be performed under the contract that have been pre-priced by the contractor, the Gordian Group. All potential contractors are subject to the pricing within this catalog. Each contractor then includes an adjustment factor, escalating their proposed price from the catalog price, to determine the total cost of the task order. The adjustment factor represents an average percentage increase over the catalog price (i.e. 1.25 adjustment factor represents 25% above the catalog price) for that respective task within the project. In order to select the lowest responsive and responsible bidder, MTS staff compares each contractor's proposed adjustment factor.

MTS's enabling legislation at Public Utilities Code Section 120222 authorizes MTS to use any procurement method authorized for state or local agencies under state or federal law. Certain public entities in California are expressly authorized to use the JOC process within limited parameters. MTS's ability to utilize the JOC contracting process is premised upon the statutory allowance granted to such entities. MTS shares in the same general limitations imposed on the JOC process by this statutory framework. Public Contract Code Section 20128.5 allows the board of supervisors of a county to utilize JOCs up to \$3,000,000 annually, adjusted annually to

reflect the percent change in the California Consumer Index. Calculations to December 2023 are \$6,189,000 annually. MTS maintains internal contract administration guidelines to ensure compliance with the annual maximum in JOC work orders for any given year.

On June 16, 2022 (Agenda Item No. 12), after a competitive invitation for bids process, the MTS Board of Directors approved MTS Doc. No. PWG348.0-22 with Veterans to provide job order contracting for building and facilities.

Today's action would authorize additional capacity to the JOC Master Agreement for Railroad Construction Services; however, no specific project or spending is authorized. Individual projects/task orders will be processed according to the signature authority set forth in MTS Board Policy No. 41 "Signature Authority" (e.g. task orders under \$150,000.00 will be approved by the CEO; task orders over \$150,000.00 will require Board approval).

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute Amendment No. 2 MTS Doc. No. PWG348.2-22 (in substantially the same format as Attachment A) with Veterans for an increase in capacity to the JOC railroad construction services contract in the amount of \$4,000,000.00.

---

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Draft Amendment PWG348.2-22  
B. JOC Work Order History



**Metropolitan  
Transit  
System**

## **Amendment 2**

Effective Date: March 14, 2024

MTS Doc No. PWG348.2-22

On-Call Railroad Construction Services

Veterans Engineering Services  
Paul Marshall  
Chief Operating Officer  
2300 N. Batavia St.  
Orange, CA, 92865

This shall serve as Amendment No.2 to the original agreement PWG348.0-22 as further described below.

### SCOPE

As a result of this Amendment, there shall be no change to the Scope of Work.

### SCHEDULE

There shall be no change to the Schedule as a result of this Amendment. The Schedule shall remain in effect from June 30, 2023 to June 30, 2024.

### PAYMENT

The total value of this contract, including this amendment, shall be in the amount of \$8,000,000.00 (\$4,000,000.00 for the current contract plus \$4,000,000.00 for this amendment). This amount shall not be exceeded without prior written approval from MTS.



Please sign and return the copy to the Contract Specialist at MTS. All other terms and conditions shall remain the same and in effect. Retain the other copies for your records.

Sincerely,

Agreed:

---

Sharon Cooney, Chief Executive Officer

---

Paul Marshall, COO  
Veterans Engineering Services

Date: \_\_\_\_\_

<b>JOC RAILROAD CONSTRUCTION SERVICES - VETERANS ENGINEERING SERVICE, INC.</b>				<b>\$ 4,000,000.00</b>
<b>WORK ORDER #</b>	<b>WORK EXECUTED? (Y/N)</b>	<b>WORK ORDER TITLE</b>	<b>WORK ORDER AMOUNT</b>	<b>CONTRACT REMAINING BALANCE</b>
MTSJOC348-01	Y	S85 Slope on Blue Lin	\$ 1,241,292.37	\$ 2,758,707.63
MTSJOC348-01.01	Y	No Cost Time Extension	\$ -	\$ -
MTSJOC348-01.02	Y	CCO 02 - Retaining Wall	\$ 865,530.74	\$ 1,893,176.89
MTSJOC348-02	Y	Friars Napa Grade Crossing	\$ 24,843.09	\$ 2,733,864.54
MTSJOC348-03	Y	Main St Bridge DF Assembly Replaceme	\$ 54,355.81	\$ 2,679,508.73
MTSJOC348-04	Y	Taylor St IJ Replacement	\$ 14,684.69	\$ 2,664,824.04
MTSJOC348-05	Y	Rail Welding	\$ 146,673.39	\$ 2,518,150.65
MTSJOC348-06	N	Main St Bridge DF Replacement II	\$ 300,000.00	\$ 2,218,150.65
MTSJOC348-07	N	Mission San Diego Fence Repair	\$ 150,000.00	\$ 2,068,150.65
MTSJOC348-08	Y	Hollister Slope Repair	\$ 34,910.23	\$ 2,033,240.42
MTSJOC348-09	N	Washington St Wall Modification	\$ 610,819.97	\$ 1,422,420.45
MTSJOC348-10	Y	Fletcher Bridge Connolly Joint Repair	\$ 116,177.90	\$ 1,306,242.55
			<b>\$ 3,559,288.19</b>	<b>\$ 440,711.81</b>

<b>EXECUTED WORK ORDER TOTALS</b>	<b>\$ 2,498,468.22</b>
<b>NON-EXECUTED WORK ORDER TOTALS - PENDING FINAL SCOPE OF WORK - ESTIMATED VALUE ONLY</b>	<b>\$ 1,060,819.97</b>



**Metropolitan  
Transit  
System**

## **Agenda Item No. 13**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Job Order Contracting (JOC) Consulting Programming Software Services – Contract Amendment

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Amendment No. 4 MTS Doc. No. L1282.4-15 (in substantially the same format as Attachment A) with The Gordian Group (Gordian) for an increase in capacity to the JOC Consulting Programming Software Services Contract in the amount of \$400,000.00.

**Budget Impact**

The total cost of this amendment is estimated to be \$400,000.00, and the total contract cost of the services is estimated to be \$1,200,000.00. The contract will be funded by various MTS accounts by each project that uses the service on a fee-for-service bases.

**DISCUSSION:**

A JOC is a firm fixed-price, indefinite quantity contract for renovation, maintenance, repair, and minor new construction projects. A price book of construction tasks and technical specifications is prepared by the JOC Consultant and provided to bidders, who submit competitive bids for an adjustment factor, or percentage increase, to be applied to each of the various tasks.

The JOC is a method of procuring maintenance, repair, and minor construction services under which a catalog of specific construction tasks with pre-set unit prices is provided to potential bidders who submit competitive bids for a multiplier, or unit price Adjustment Factor, that will be applied to the pre-set unit prices. Once contractors are selected, the total price for a specific project will be the sum of all pre-set unit prices required for that specific project multiplied by their respective adjustment factors.





In December 2014, the San Diego Association of Governments (SANDAG) and MTS launched a joint procurement for the development and implementation of a JOC consultant for a variety of minor routine or recurring construction, renovation, alteration, or repair of existing public facilities. A single response was received from Gordian and was determined to be responsive and responsible. As prescribed by the Federal Transit Administration (FTA) Circular 4220.1F, a detailed price analysis was held to make certain that the price was fair and reasonable in comparison with prevailing market prices for similar products and with the features of the product that was offered. The fees charged by Gordian vary annually based on the total value of work orders for the prior calendar year.

On September 17, 2015 (Agenda Item No. 22), the MTS Board approved MTS Doc No. L1282.0-16 to Gordian for JOC consulting services for the preparation and provision of software, technical specifications, unit price books, and Invitation for Bid (IFB) forms for various types of maintenance, repair, and minor construction projects.

Proposed Amendment No. 4 provides additional funds to cover Gordian’s fee for each JOC contract processed through the system. The need for additional funds is calculated based on the requested additional contract capacity for three (3) existing JOC contracts: General Civil, Buildings and Facilities, and Railroad Construction—the items also on today’s agenda.

The table below provides a history of the original agreement and subsequent amendments:

Doc No.	Purpose	Amount	Period of Performance	Board
L1282.0-16	Original Agreement	\$500,000	Base Term: 10/1/2015 to 9/30/2020	Board authorized CEO to exercise base years 9/17/15, AI 22
L1282.1-16	Extend base term and adjust the fee schedule to remove MTS as the pass through for the for JOC contractor's license fee.	\$0.00	Base Term: 10/1/2015 to 11/22/2021	Approved by CEO on 4/23/20
L1282.2-16	Add five years to base term and increase contract value.	\$300,000	Base Term: 10/1/2015 to 11/22/2026	Board authorized CEO to exercise base years 11/18/21, AI 9
L1282.3-16	Adjust the base license fee from 1.95% to 1.76%	\$0.00	Base Term: 10/1/2015 to 11/22/2026	Approved by CEO on 2/22/24. Pending consultant signature.
L1282.4-16	Add Funds	\$400,000	Base Term: 10/1/2015 to 11/22/2026	Today’s proposed action.
Total Contract Value		\$1,200,000		

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute Amendment No 4 MTS Doc. No. L1282.4-15 (in substantially the same format as Attachment A) with Gordian for an increase in capacity to the JOC Building and Facilities Construction Services Contract in the amount of \$400,000.00.

/S/ Sharon Cooney  
Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Draft Work Order L1282.4-15



**Metropolitan  
Transit  
System**

## Amendment 4

Effective Date: March 14, 2024

MTS Doc No. L1282.4-16

Job Order Contracting (JOC) Consulting Programming Software Services

The Gordian Group  
Ammon T. Leshner  
Vice President  
30 Patewood Dr., Suite 350  
Greenville, SC 29615

This shall serve as Amendment No.4 to the original agreement L1282.0-16 as further described below.

### SCOPE

There shall be no change to the Scope of Work as a result of this Amendment.

### SCHEDULE

There shall be no change to the Schedule as a result of this amendment. The Schedule shall remain in effect from November 22, 2021 to November 22, 2026.

### PAYMENT

The total value of this contract, including this amendment, shall be in the amount of \$1,200,000.00 (\$800,000.00 for the current contract plus \$400,000.00 for this amendment). This amount shall not be exceeded without prior written approval from MTS.

Please sign and return the copy to the Contract Specialist at MTS. All other terms and conditions shall remain the same and in effect. Retain the other copies for your records.

Sincerely,

Agreed:

\_\_\_\_\_  
Sharon Cooney, Chief Executive Officer

\_\_\_\_\_  
Ammon T. Leshner, Vice President  
The Gordian Group

Date: \_\_\_\_\_





# Agenda Item No. 14

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Propane Fueling Services at Copley Park Division (CPD) – Contract Award

**RECOMMENDATION:**

- 1) That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0760.0-24 (in substantially the same format as Attachment A) with Suburban Propane for Propane Fueling Services, in the amount of \$14,409,695.44, for a five (5) base year period with two (2) 1-year options, for a total of seven (7) years; and
- 2) Exercise option years at CEO's discretion.

Budget Impact

The total cost of this contract shall not exceed \$14,409,695.44 (\$9,337,560.39 for the base period and \$5,072,135.05 for the option period). The contract will be funded by the Minibus Operating Budget account 835012-541500 and Americans with Disabilities Act (ADA) Paratransit Operations Budget Account 850012-541500.

**DISCUSSION:**

MTS operates a fleet of minibus and paratransit buses for its complementary ADA paratransit operations. The existing fleet includes thirty-seven (37) minibus vehicles and one hundred twenty-one (121) paratransit vehicles. MTS is seeking an experienced and responsible contractor to provide propane vehicle fueling services for this fleet.

On September 20, 2023, MTS issued a Request for Proposals (RFP) to provide Propane Fueling Services. MTS received three (3) proposals on the due date of October 25, 2023, from the following:

Proposer	Firm Certification
Ferrellgas	N/A
Suburban Propane	N/A
Westair Gases & Equipment	None, but meets the U.S. Small Business Administration's small business size standard



All proposals were deemed responsive and responsible and were evaluated by a committee comprised of representations from the MTS Bus Operations and Finance Departments. The proposals were evaluated on the following:

- |  |            |
|--|------------|
| 1. Qualifications of the Firm or Individual    | 20%        |
| 2. Staffing, Organization, and Management Plan | 15%        |
| 3. Work Plan                                   | 25%        |
| 4. Cost and Price                              | <u>40%</u> |
| Total  | 100%       |

The following table illustrated the initial scores of the proposers:

PROPOSER	TOTAL COST (BASE + OPTIONS) *	COST SCORE	TOTAL AVG TECH SCORE	TOTAL AVG SCORE (TOTAL POSSIBLE: 100)	RANKING
Suburban Propane	\$4,869,023.36	40.00	35.33	75.33	1
Ferrellgas	\$8,993,296.93	21.66	33.00	54.66	2
Westair Gases & Equipment	\$76,308,040.34	2.55	2.67	5.22	3

\*Cost is exclusive of variable spot cost and sales tax.

As a result of the initial review, two (2) firms were determined to be within the competitive range (Suburban Propane and Ferrellgas). Staff requested additional clarifications to be provided regarding each firm's work plan. After reviewing the additional information provided, the scores were updated as follows:

PROPOSER	TOTAL COST (BASE + OPTION)	COST SCORE	TOTAL AVG TECH SCORE	TOTAL AVG SCORE (TOTAL POSSIBLE: 100)	RANKING
Suburban Propane	\$4,869,023.36	40.00	33.67	73.67	1
Ferrellgas	\$8,993,296.93	21.66	38.00	59.66	2

Based on the updated scores and information gained during the clarifications, Suburban Propane and Ferrellgas remained in the competitive range. MTS identified items that required further discussion with both firms. After negotiations and additional clarifications, staff was able to reduce Ferrellgas' cost proposal by \$2,589,965.53 (28%) and Suburban Propane did not revise pricing. However, Suburban Propane remained the highest-ranked proposer (Attachment B). The scores were updated as follows:

PROPOSER	TOTAL COST (BASE + OPTION)	COST SCORE	TOTAL AVG TECH SCORE	TOTAL AVG SCORE (TOTAL POSSIBLE: 100)	RANKING
Suburban Propane	\$4,869,023.36	40.00	40.00	80.00	1
Ferrellgas	\$6,403,331.40	30.42	38.00	68.42	2

The proposed contract is based on estimated quantities (gallons) of propane to be supplied each contract year. MTS is not obligated to purchase more propane than it needs each year.

Pricing for propane is set by the following: estimated quantity x (SPOT price + Bid Price over SPOT + Tax = Total Price per Gallon). SPOT price is the market price of the propane at the time of the purchase. Bid Price over SPOT is the price paid to the Contractor for providing the propane fueling services and equipment. Tax is 7.750%. The bid pricing for this procurement was for the “Bid Price over SPOT” charge. (See Attachment B.) The final contract price includes all expected costs that will be charged to MTS under this contract:

- The commodity price for the propane fuel (based on the then in effect SPOT price);
- The Bid Price over Spot factor of \$0.37/gallon; and
- California Sales Tax

Contract Term	Est. Qty (gallons)	SPOT Price*	Bid Price over SPOT	Tax	Total Price (per Gallon)	TOTAL
Base Year 1	750,000	\$1.55	\$0.37	\$0.15	\$2.07	\$1,551,600.00
Base Year 2	787,500	\$1.63	\$0.37	\$0.15	\$2.15	\$1,694,941.17
Base Year 3	826,875	\$1.71	\$0.37	\$0.16	\$2.24	\$1,852,189.92
Base Year 4	868,219	\$1.79	\$0.37	\$0.17	\$2.33	\$2,024,733.12
Base Year 5	911,630	\$1.88	\$0.37	\$0.17	\$2.43	\$2,214,096.18
Subtotal (Base)						\$9,337,560.39
Option Year I (Year 6)	957,211	\$1.98	\$0.37	\$0.18	\$2.53	\$2,421,958.96
Option Year II (Year 7)	1,005,072	\$2.08	\$0.37	\$0.19	\$2.64	\$2,650,176.09
Subtotal (Options)						\$5,072,135.05
<b>GRAND TOTAL (Base + Options)</b>						<b>\$14,409,695.44</b>

Based on the objectives of this procurement, consideration of the evaluation criteria, and Suburban Propane’s technical and cost proposal, the evaluation committee determined Suburban Propane presented the best overall value.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to:

- 1) Execute MTS Doc. No. B0760.0-24 (in substantially the same format as Attachment A) with Suburban Propane for Propane Fueling Services, in the amount of \$14,409,695.44, for a five (5) base year period with two (2) 1-year options, for a total of seven (7) years; and
- 2) Exercise option years at CEO's discretion.

/S/ Sharon Cooney  
 Sharon Cooney  
 Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Draft Agreement, MTS Doc. No. B0760.0-24  
 B. Revised Cost Proposal - Suburban



# Metropolitan Transit System

## STANDARD AGREEMENT

### FOR

### MTS DOC. NO. B0760.0-24

### PROPANE FUELING SERVICES

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024 in the State of California by and between San Diego Metropolitan Transit System (“MTS”), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Suburban Propane Address: 2260 La Miranda Dr  
Vista CA 92081  
City State Zip  
 Form of Business: Limited Partnership Email: [eabreu@suburbanpropane.com](mailto:eabreu@suburbanpropane.com)  
 (Corporation, Partnership, Sole Proprietor, etc.)  
 Telephone: 760-737-0440

Authorized person to sign contracts	Egidio Abreu	Customer Service Center Manager
	_____	_____
	Name	Title

The Contractor agrees to provide services with goods as specified in the conformed Scope of Work/Technical Specification (Exhibit A), Contractor’s Cost/Pricing Form (Exhibit B), and in accordance with the Standard Agreement, including Standard Conditions (Exhibit C), Forms (Exhibit D).

The contract term is for a five (5) year base period with two (2) 1-year options, exercisable at MTS’s sole discretion, for a total of seven (7) years. Base period shall be effective May 1, 2024 through April 30, 2029 and option years shall be effective May 1, 2029 through April 30, 2031, if exercised by MTS.

The total contract cost shall not exceed \$9,337,560.39 for the base period and \$5,072,135.05 for the option years for a total of \$14,409,695.44 (as reflected below).



Contract Term	Est. Qty (gallons)	SPOT Price*	Bid Price over SPOT	Tax	Total Price (per Gallon)	TOTAL
Base Year 1	750,000	\$1.55	\$0.37	\$0.15	\$2.07	\$1,551,600.00
Base Year 2	787,500	\$1.63	\$0.37	\$0.15	\$2.15	\$1,694,941.17
Base Year 3	826,875	\$1.71	\$0.37	\$0.16	\$2.24	\$1,852,189.92
Base Year 4	868,219	\$1.79	\$0.37	\$0.17	\$2.33	\$2,024,733.12
Base Year 5	911,630	\$1.88	\$0.37	\$0.17	\$2.43	\$2,214,096.18
Subtotal (Base)						\$9,337,560.39
Option Year I (Year 6)	957,211	\$1.98	\$0.37	\$0.18	\$2.53	\$2,421,958.96
Option Year II (Year 7)	1,005,072	\$2.08	\$0.37	\$0.19	\$2.64	\$2,650,176.09
Subtotal (Options)						\$5,072,135.05
<b>GRAND TOTAL (Base + Options)</b>						<b>\$14,409,695.44</b>

SAN DIEGO METROPOLITAN TRANSIT SYSTEM	SUBURBAN PROPANE
By: _____ Sharon Cooney, Chief Executive Officer  Approved as to form:  By: _____ Karen Landers, General Counsel	By _____  Title: _____



**EXHIBIT A  
SCOPE OF WORK/  
TECHNICAL SPECIFICATIONS**

## 1.1. SUMMARY

The San Diego Metropolitan Transit System (MTS) requests proposals from experienced and responsible contractors to provide propane vehicle fueling services for MTS's fleet of:

- 37 Minibus Vehicles
- 121 Paratransit Vehicles

The selected contractor shall be required to meet the needs of MTS propane fueling services in full to be considered responsive and responsible. Existing Propane Tank Systems are owned by the current Contractor. If needed, current Contractor and new Contractor may work together to negotiate the possible purchase of the tanks.

Contractor shall be required to provide **24-hour services** as to meet MTS' operational needs from May 1, 2024 through April 30, 2029 for the five (5) year base period and from May 1, 2029 through April 30, 2031 for the option year periods (exercisable at MTS's sole discretion).

## 1.2 SCOPE OF WORK

### a. Minimum Requirements:

1. Contractor shall be responsible for providing Contractor-owned and operated (Onsite) fueling systems 24 hours a day, 7 day per week and shall be able to accommodate MTS minibus and paratransit operations when and as services are required.
2. Contractor shall be responsible for providing Contractor-owned and operated mobile fueling services (Offsite wet-hose) during service windows to be scheduled with MTS operations manager. Contractor should anticipate overnight work. Fueling services to be provided 7 days per week and shall be able to accommodate MTS minibus and paratransit operations when and as services are required.
3. Contractor shall have a backup fueling system at Contractors on-site facility should there be a loss in power as to ensure continuous operation of the fueling services in order to meet MTS operational requirements. If the Contractors on-site fueling system becomes inoperable, Contractor shall provide 100% mobile fueling services (wet-hose) until Contractors facility becomes fully operational. (at bulk fuel price)
4. Due to operational demands, MTS requires its vehicles to have its fuel tanks near capacity after being fueled by the Contractor. The Minibus vehicles have an 80-gallon fuel tank with 76 gallons of useable space. Paratransit vehicles have an 80-gallon fuel tank with 64 usable gallons. Minibus vehicles shall be required to have 92.5% of tank full (including unusable space) and paratransit vehicles shall be required to have 77.5% of tank full (including useable space) after fueling by Contractor.
5. Contractor shall furnish all required insurance, licenses, permits, agency notification and approvals, management, supervision, equipment, fuel and taxes without interruption for the Contract term, pursuant to the requirements specified herein.

6. Contractor shall provide contact information including email and telephone number for Contractors’ staff, both those Onsite and Offsite, who will be responsible for 24/7/365 support.

**b. Fuel Requirements and Contractor Capacity:**

1. Fuel usage is estimated to be as listed below in Table 1. Current estimate of usage will begin on May 1, 2024. See table 1 below for projected vehicle arrival and estimated annual usage. Contractor’s current Onsite propane fueling system and Offsite (wet-hose) shall be required to accommodate the capacity needs equivalent to MTS’ required usage, shown in Table 1 below. Contractor shall be capable of fueling multiple vehicles at the same time. Facility fuel dispensers are to be compatible with a propane Autogas/liquefied petroleum gas system.
2. MTS’s estimated usage is provided as an approximate guideline only. Actual usage may be more or less than estimated. **MTS reserves the right to increase or decrease usage based on operational need.**

**Table 1**

Fiscal Year	New Vehicles	Total Vehicles	Estimated Gallons
2024	-	158	750,000
2025	-	158	787,500
2026	-	158	826,875
2027	-	158	868,219
2028	-	158	911,630
2029	-	158	957,211
2030	-	158	1,005,072

3. Most of MTS’s minibus and paratransit operations occur during the daytime hours (6am-6pm) and as such a majority of the refueling services are required during the evening and overnight hours. A Contractor attendant is not required to be on-site during fueling services. However, the Contractor shall be required to respond to MTS requests, if any problems occur with the fueling facility or mobile vehicle fueling, within one hour from MTS’s written notice.

**c. Fuel System Requirements:** Contractor’s propane fueling system shall include, but is not limited to, the following requirements:

1. Contractor-operated onsite and offsite fueling systems with fuel monitoring equipment shall incorporate propane autogas dispensers sized to refuel MTS minibus and paratransit vehicles, as needed.
2. Contractor shall maintain a fueling system (on-site and offsite) that will accurately track total fuel pumped, per vehicle, for ease of tracking and confirmation of fuel usage for each month of this Contract.
3. Contractor's fuel system (on-site and offsite) shall be capable of providing accurate and comprehensive records of fuel pumped, per vehicle to MTS on a monthly basis.
4. Contractor shall be required to guarantee maintenance of Contractor-owned propane fueling systems, including onsite and offsite fueling at no additional cost to MTS.
5. Contractor shall provide prompt repair of the propane fueling system (onsite and offsite) for the duration of the contract, at no additional cost to MTS, to ensure Contractor can meet MTS's operational requirements.
6. Contractor shall ensure that there is an available supply of propane fuel at all times throughout the term of this Contract.

**d. Training Requirements**

Safety training shall be provided to all identified MTS personnel, by the Contractor, at no cost including, but not limited to, proper handling and safe operational procedures for the propane system and refueling requirements/techniques.

**e. Fuel Specifications**

Propane fuel used throughout the term of this Contract shall meet the current specifications as approved by the State of California for Liquefied Petroleum Gas as specified in California Code of Regulations for Specifications for Liquefied Petroleum Gas - Title 13, Division 3, Chapter 5, Article 3. The Contractor shall be solely responsible for ensuring that all Environmental Protection Agency (EPA) requirements are met and adhered to as to ensure compliance with all Federal, State, and Local guidelines, regulations and requirements throughout the term of the Contract, including any and all renewals. Contractor shall provide all applicable Safety Data Sheets (SDS) throughout the term of the Contract.

**f. Product Quality**

In instances of substandard fuel and/or damage caused to MTS vehicles due to traceable contaminants in the fuel, the Contractor shall be responsible for making MTS whole, inclusive of all costs to repair damaged vehicles as well as removal of all contaminated fuel from tanks and/or drums, as required. Cost may also include but are not limited to MTS labor costs, equipment and/or vehicle replacement parts and filters and any additional expense caused as a result of substandard fuel. Substandard fuel (impurities) are considered to be, but is not limited to water, dirt, harmful oils, fibrous materials, bacteria, other petroleum products and contaminants.

**g. Product Testing**

Propane fuel offered shall meet the specifications listed in California Code of Regulations (CCR) Specifications for Liquefied Petroleum Gas - Title 13, Division 3, Chapter 5, Article 3. Prior to Award and/or during the term of any Contract resulting from this solicitation, tests may be performed by the state or MTS, at their discretion, using certified test equipment and methods to measure conformance with the aforementioned specifications. The Contractor shall be allowed to participate in any such tests.

**h. Interruption of Service**

In the event fueling services are disrupted as a result of Contractor's performance and/or non-performance, the Contractor shall immediately notify MTS personnel by telephone, as identified below, of said delay. Contractor shall determine the quickest and safest response plan to mitigate any interruption of services in order to ensure MTS operations remain unaffected. Such mitigated responses may include, but is not limited to, providing alternate onsite and/or offsite fueling, or any other means necessary to ensure interruptions in service do not exceed six (6) hours.

1. Maintenance Manager:
2. General Manager
3. Asst General Manager

**i. Propane Tank Installation**

Contractor shall provide installation of two (2) 2,000-gallon on-site Propane Tank Systems (Propane Tank) at a locations designated by MTS. Said tanks shall be designed and manufactured to the latest edition of ASME, Section VIII, Division 1. Furthermore, the systems shall be designed for a MAWP of 250 psi at 125 degrees Fahrenheit.

The Propane tanks shall have not less than four (4) total dispensers, which could be utilized simultaneously, to meet fueling demands.

**Propane Fuel:**

Pricing for propane fuel is to be based on a market plus per gallon fee adjusted at time of delivery to reflect current market price. Any lease costs for equipment should be incorporated into the per gallon cost. No separate lease payment will be made independent of the per gallon charge. Fuel price is to be based on AePEX Energy LA weekly costing.

**1.3 CHANGES/ADDITIONAL SERVICES**

No party hereto shall have the right to demand additional services to be performed under the resultant Agreement unless such additional services were clearly contemplated in the original RFP.

No cardinal changes (changes in the Terms and Conditions or Scope of Work that result in an alteration in the original intent of the Agreement) to the resultant Agreement is permissible.

In the event that additional services are deemed valid, such services will be subject to a separate procurement.

#### **1.4 COMPENSATION**

Except as provided under the terms of the resultant Agreement, Contractor shall be compensated in monthly milestone payments, in accordance with the actual cost of service, within a “not to exceed” lump sum award for propane fueling services, per month.

Said compensation shall reflect on-going spot + pricing from AePEX Energy LA weekly costing or as otherwise approved by MTS.

All payment milestones shall be based on actual service as documented by the Contractor and as approved by MTS. Payment shall at no time be made if documentation does not accurately support the cost of services at time of performance.

#### **1.5 INVOICES**

Invoices must be sent to the MTS Accounting Department, via email, at [ap@sdmts.com](mailto:ap@sdmts.com). All invoices must have the Purchase Order and contract number clearly displayed to ensure timely payment. MTS will not pay on packing slips, receiving documents, delivery documents, or other similar documents. Invoices must be submitted for payment.

Payment terms shall be net 30 days from invoice date.

Contractors must also indicate if any of the invoiced amount(s) is for service or work provided by a subcontractor and indicate the amount that will be paid to the subcontractor. Contractors must also comply with the prompt payment requirements in the *Prompt Progress Payments* section of the Standard Conditions.

#### **1.6 SAFETY DATA SHEETS (SDS)**

MTS retains the safety data sheets on an electronic database (currently CloudSDS). Upon award, Contractors shall email the SDS for chemicals that any individuals may be exposed to, attention Ngan Nguyen, MTS Environmental Health and Safety Specialist at [Ngan.Nguyen@sdmts.com](mailto:Ngan.Nguyen@sdmts.com) to upload into the database. The Contractor shall notify the MTS Environmental Health and Safety Specialist if there are changes or updates to the MSDS during the term of the contract to ensure the MTS database is kept updated throughout the contract.

#### **1.7 NO RIGHT TO POST SIGNS**

The Contractor shall not post or otherwise affix signs, decals or other media on MTS property or equipment, except as required to maintain safety during the course of repair or maintenance work. No permanent signs, decals, or other media may be installed without MTS’s express written permission.

#### **1.8 TRANSITION**

In the event there is a need to transition from the current Contractor to a new Contractor, the process will be as shown below:

- a. Current Agreement terminates on April 30, 2024

- b. On or about March 1, 2024 current Contractor shall start a transition of the services to new Contractor, without any interruption of or adverse impact on services (at a minimum, 60 days prior to termination of current agreement).
- c. The current and new Contractor shall select a time that has the least impact to client services.
- d. Under MTS direction and guidance, new Contractor and current Contractor shall be required to provide full cooperation and transition all the services on an expedited basis. The transition period shall be complete and detailed and allow for a smooth transition with no interruption of services. The entire conversion shall be completed by on or about May 1, 2024.

## 1.9 LIQUIDATED DAMAGES

### a. General

Liquidated damage requirements are appropriate if the parties to a contract may reasonably expect to incur damages in the form of increased Project costs resulting from the late completion of the contract, and if the extent or amount of such damages would be difficult or impossible to determine after the delay has occurred. Accordingly, any liquidated damages for this contract shall be at a specific rate per day for each day of overrun in contract time; and the rate will be specified in the third-party contract, and will comply with any other special liquidated damages restrictions FTA might impose. Any liquidated damages recovered shall be credited to the Project account involved unless the Federal Government permits otherwise.

### b. Rates

MTS has established a liquidated damage rate of \$27.38 per Minibus Vehicle, per hour for each non-operational minibus.

MTS has established a liquidated damage of \$129.20 per Paratransit Vehicle, per hour for each non-operational paratransit vehicle.

### c. Appeal Process

If the Contractor feels liquidated damages are being imposed unjustly, the Contractor can file an appeal with the Contract Officer within twenty-four (24) hours of the notification of impending liquidated damages. The letter must provide details of the situation and why the Contractor feels the liquidated damages are unjust. The Contract Officer shall review the situation, and if necessary, meet with the Contractor to provide an opportunity to state their reasons why liquidated damages should not be assessed. The Contract Officer shall render a decision.

If the Contractor feels the decision is not acceptable and the situation warrants further consideration, appeal reconsideration may be filed with the Manager of Procurement. The Manager of Procurement shall review the reconsideration, and a final determination shall be made. The decision of the Manager of Procurement shall be final. No other appeals shall be heard for this particular incident.

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**

**COST PROPOSAL FORMS**

**FOR:** PROPANE FUELING SERVICES RFP      **Revised Propos MTS DOC. NO. B0760.0-24**  
**DUE DATE:** 1/18/2024

<b>GROUP A - WET HOSE</b>						
<b>TERM</b>	<b>BUS UNITS</b>	<b>ANNUAL GALLONS</b>	<b>PRICE PER GALLON OVER SPOT</b>	<b>Multiplied by: Monthly Average*</b>	<b>Multiplied by: No. of Months</b>	<b>TOTAL COST</b>
YEAR 1 (5/1/24-4/30/25)	158	750,000	\$0.37	<b>62,500</b>	<b>12</b>	\$277,500
YEAR 2 (5/1/25-4/30/26)	158	787,500	\$0.37	<b>65,625</b>	<b>12</b>	\$291,375
YEAR 3 (5/1/26-4/30/27)	158	826,875	\$0.37	<b>68,906</b>	<b>12</b>	\$305,943.75
YEAR 4 (5/1/27-4/30/28)	158	868,219	\$0.37	<b>72,352</b>	<b>12</b>	\$321,241.03
YEAR 5 (5/1/28-4/30/29)	158	911,630	\$0.37	<b>75,969</b>	<b>12</b>	\$337,303.10
OPTION YR 1 (5/1/29-4/30/30)	158	957,211	\$0.37	<b>79,768</b>	<b>12</b>	\$354,168.07
OPTION YR 2 (5/1/30 - 4/30/31)	158	1,005,072	\$0.37	<b>83,756</b>	<b>12</b>	\$371,876.64
<b>Subtotal</b>						<b>\$2,259,407.59</b>
<b>CA Sales Tax or Use Tax (7.75%)</b>						<b>\$175,104.09</b>
<b>TOTAL</b>						<b>\$2,434,511.68</b>

Spot price based on current market price (BPN) TARGA Los Angeles  
 California Department of General Services, Procurement Division  
 Liquefied Petroleum Gas (LPG)  
 Market Base, Butane Propane Newsletter (BPN)



<b>GROUP B - 2,000 GALLON BULK TANK FILL</b>						
<b>TERM</b>	<b>BUS UNITS</b>	<b>ANNUAL GALLONS</b>	<b>PRICE PER GALLON OVER SPOT</b>	<b>Multiplied by: Monthly Average*</b>	<b>Multiplied by: No. of Months</b>	<b>TOTAL COST</b>
YEAR 1 (5/1/24-4/30/25)	158	750,000	\$0.37	<b>62,500</b>	<b>12</b>	\$277,500
YEAR 2 (5/1/25-4/30/26)	158	787,500	\$0.37	<b>65,625</b>	<b>12</b>	\$291,375
YEAR 3 (5/1/26-4/30/27)	158	826,875	\$0.37	<b>68,906</b>	<b>12</b>	\$305,943.75
YEAR 4 (5/1/27-4/30/28)	158	868,219	\$0.37	<b>72,352</b>	<b>12</b>	\$321,241.03
YEAR 5 (5/1/28-4/30/29)	158	911,630	\$0.37	<b>75,969</b>	<b>12</b>	\$337,303.10
OPTION YR 1 (5/1/29-4/30/30)	158	957,211	\$0.37	<b>79,768</b>	<b>12</b>	\$354,168.07
OPTION YR 2 (5/1/30-4/30/31)	158	1,005,072	\$0.37	<b>83,756</b>	<b>12</b>	\$371,876.64
<b>Subtotal</b>						<b>\$2,259,407.59</b>
<b>CA Sales Tax or Use Tax (7.75%)</b>						<b>\$175,104.09</b>
<b>TOTAL</b>						<b>\$2,434,511.68</b>

<b>GRAND TOTAL</b>	
<b>GROUP A: WET HOSE</b>	<b>\$2,434,511.68</b>
<b>GROUP B: 2,000 GALLON BULK TANK FILL</b>	<b>\$2,434,511.68</b>
<b>GRAND TOTAL</b>	<b>\$4,869,023.36</b>



**Metropolitan  
Transit  
System**

## **Agenda Item No. 15**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

SAP Support Services – Contract Award

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors:

- 1) Authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2782.0-24 (in substantially the same format as Attachment A) with Sage Group Technologies, Inc. (Sage) to provide SAP support services in the amount of \$600,000.00 for a contract period of thirty-two (32) months with one (1) option year.
- 2) Authorize the CEO to execute MTS Doc. No. G2783.0-24 (in substantially the same format as Attachment B) with Sierra Digital, Inc. (Sierra), a Disadvantaged Business Enterprise (DBE), to provide SAP support services in the amount of \$600,000.00 for a contract period of thirty-two (32) months with one (1) option year.
- 3) Exercise the option year of each agreement at the CEO's discretion.

**Budget Impact**

The total cost of these two (2) contracts are estimated to be \$1,200,000.00. These projects will be funded by Information Technology (IT) Operating Budget account 661010-571250.

**DISCUSSION:**

Since its implementation in 2015, SAP has been one of the agency's most critical enterprise resource planning (ERP) business systems. It is used throughout the organization to provide financial, budgetary, inventory and asset management, customer relationship management, and reporting business functions.

Currently, MTS is supported by two (2) full-time staff specializing in different areas of SAP system management and one (1) additional tier 3 support vendor. Due to the system's size, criticality and required enhancements, additional support is required from specialized SAP-affiliated vendors to ensure timely resolution of system issues and provide a wider breadth of talent to deliver assistance. Historically, MTS engaged a roster of three (3) vendors to meet this need.



On September 21, 2023, MTS issued a Request for Proposals (RFP) for SAP Support Services. A total of thirteen (13) proposals were received on the due date of November 7, 2023, from the following firms:

#	Proposer Name	DBE, Minority Business Enterprise (MBE), Small Business (SB)
1	Bhrigus Solutions, Inc.	None
2	Clovy, Inc.	MBE & SB
3	Effervescent Consulting LLC	None
4	Genius Business Solutions, Inc.	None
5	Grey Matter Solutions LLC	None
6	Kastech Solutions LLC	None
7	The Peloton Alliance	None
8	Phoenix Business Consulting	None
9	Sage Group Technologies, Inc.	None
10	Sierra Digital, Inc.	DBE & MBE
11	Smart IT Pros, Inc.	None
12	Tri-Force Consulting Services, Inc.	None
13	Vastek Inc.	DBE

All proposals were deemed responsive and responsible and were evaluated by a committee consisting of representatives from IT, Finance, Bus, and Procurement departments. The proposals were scored based on the following evaluation criteria:

The following table illustrates the initial scores and ranking of each firm:

1. Qualifications of the Firm or Individual	35%
2. Staffing, Organization, and Management Plan	15%
3. Work Plan	20%
4. Cost and Price	30%
<b>Total</b>	<b>100%</b>

The following table illustrates the initial scores and ranking of each firm:

Proposer Name	Technical Score	Cost Score	Total Score (Maximum 100)	Ranking
Phoenix Business Consulting	49.8	25.4	75.2	1
The Peloton Alliance	52.7	18.2	70.9	2
Sierra Digital, Inc.	44.7	24.4	69.1	3
Sage Group Technologies, Inc.	42	25	67	4
Grey Matter Solutions LLC	41.8	22.2	64	5
Kastech Solutions LLC	36.2	25.4	61.6	6
Genius Business Solutions, Inc.	38.4	23	64.4	7
Bhrigus Solutions, Inc.	36.2	23.6	59.8	8
Effervescent Consulting LLC	35.2	21.2	56.4	9
Clovy, Inc.	32.1	23	55.1	10
Vastek, Inc.	20.4	24.6	45	11
Tri-Force Consulting Services, Inc.	20.3	24	44.3	12
Smart IT Pros, Inc.	14.1	25.2	39.3	13

The evaluation committee invited the four (4) proposers who were within the competitive range for oral presentations and interviews: The Peloton Alliance, Phoenix Business Consulting, Sage Group Technologies, and Sierra Digital. Interviews were held January 24 and 29, 2024, wherein the proposers were asked to make presentations on their firm's services and provide clarifications on their proposal to MTS. After the presentations, the committee requested revised proposals from all four (4) top-ranked proposers. Before revised proposals were due The Peloton Alliance withdrew its proposal from any further consideration or negotiations.

After receipt of revised proposals, the evaluation committee rescored the remaining firms as follows:

<b>Proposer Name</b>	<b>Technical Score</b>	<b>Cost Score</b>	<b>Total Score (Maximum 100)</b>	<b>Ranking</b>
Sierra Digital, Inc.	50.4	25.8	76.2	1
Sage Group Technologies, Inc.	49.3	23.6	72.9	2
Phoenix Business Consulting	41.1	18.2	59.3	3

Based on the objectives of this procurement, consideration of the evaluation criteria and both Sage and Sierra's technical and cost proposals, the evaluation committee determined that Sage and Sierra presented the best overall value to MTS. Both firms specialize in SAP Support services and awarding contracts to two firms gives staff flexibility on deciding which to use based on each firm's staff expertise and specialty and the unique issue/ticket involved.

Therefore, staff recommends that the Board of Directors authorize the CEO to:

- 1) Authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2782.0-24 (in substantially the same format as Attachment A) with Sage to provide SAP support services in the amount \$600,000.00 for a contract period of thirty-two (32) months and with (1) option year.
- 2) Authorize the CEO to execute MTS Doc. No. G2783.0-24 (in substantially the same format as Attachment B) with Sierra, a DBE, to provide SAP support services in the amount \$600,000.00 for a contract period of thirty-two (32) months and one (1) option year.
- 3) Exercise the option year of each agreement at the CEO's discretion.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Draft Agreement MTS Doc. No. G2872.0-24  
B. Draft Agreement MTS Doc. No. G2873.0-24  
C. Sage Group Technologies, Inc. Cost Form  
D. Sierra Digital, Inc. Cost Form



# Metropolitan Transit System

**STANDARD AGREEMENT  
FOR  
MTS DOC. NO. G2872.0-24  
SAP SUPPORT SERVICES**

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024 in the State of California by and between San Diego Metropolitan Transit System (“MTS”), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Sage Group Technologies, Inc. Address: 3400 Rt. 35, Suite # 9A  
 Form of Business: Corporation Hazlet NJ 07730  
 (Corporation, Partnership, Sole Proprietor, etc.) City State Zip  
 Telephone: (732) 994-3322 Email: [ksharma@sagegroupinc.com](mailto:ksharma@sagegroupinc.com)

Authorized person to sign contracts Kiran Sharma Director  
 Name Title

The Contractor agrees to provide services as specified in the conformed Scope of Work/Technical Specification (Exhibit A), Contractor’s Cost/Pricing Form (Exhibit B), and in accordance with the Standard Agreement, including Standard Conditions (Exhibit C), Forms (Exhibit D), Policy 44C Travel Guidelines for Contractors (Exhibit F), and Network Access Memorandum of Understanding (Exhibit G).

The contract term is for up to 32 base months with 1 option year, exercisable at MTS’s sole discretion, for a total of 45 months. Base period shall be effective April 1, 2024 through November 30, 2026 and option years shall be effective December 1, 2026 through November 30, 2027, if exercised by MTS.

Payment terms shall be net 30 days from invoice date. The total cost of this contract shall not exceed \$450,000.00 for the base years and \$150,000.00 for the option year, for a contract total not to exceed \$600,000.00 without the express written consent of MTS.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM	SAGE GROUP TECHNOLOGIES, INC.
By: <u>Sharon Cooney, Chief Executive Officer</u>	By _____
Approved as to form:	Title: _____
By: <u>Karen Landers, General Counsel</u>	



**STANDARD AGREEMENT  
FOR  
MTS DOC. NO. G2873.0-24  
SAP SUPPORT SERVICES**

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024 in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Sierra Digital, Inc. Address: 6001 Savoy Drive, Suite #210  
Houston TX 77036  
City State Zip  
 Form of Business: Corporation  
 (Corporation, Partnership, Sole Proprietor, etc.) Email: [senthil.k@sierradigitalinc.com](mailto:senthil.k@sierradigitalinc.com)  
 Telephone: (713) 747-9693

Authorized person to sign contracts Raghunathan S. Kumar Vice President  
Name Title

The Contractor agrees to provide services as specified in the conformed Scope of Work/Technical Specification (Exhibit A), Contractor's Cost/Pricing Form (Exhibit B), and in accordance with the Standard Agreement, including Standard Conditions (Exhibit C), Forms (Exhibit D), Policy 44C Travel Guidelines for Contractors (Exhibit F), and Network Access Memorandum of Understanding (Exhibit G).

The contract term is for up to 32 base months with 1 option year, exercisable at MTS's sole discretion, for a total of 45 months. Base period shall be effective April 1, 2024 through November 30, 2026 and option years shall be effective December 1, 2026 through November 30, 2027, if exercised by MTS.

Payment terms shall be net 30 days from invoice date. The total cost of this contract shall not exceed \$450,000.00 for the base years and \$150,000.00 for the option year, for a contract total not to exceed \$600,000.00 without the express written consent of MTS.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM	SIERRA DIGITAL, INC.
By: _____ Sharon Cooney, Chief Executive Officer  Approved as to form:  By: _____ Karen Landers, General Counsel	By _____  Title: _____

**Sage Group Technologies, Inc.**

Proposers will propose fixed blended rates (includes labor, travel, and expenses) for any or all of the Job Titles/Task Descriptions below. Additional Job Titles/Task Descriptions may be included under 'Other' or on a separate sheet if necessary.

OFFSITE FIXED HOURLY RATE					
#	Job Title/Task Description	4/1/24 - 11/30/24	12/1/24-11/30/25	12/1/25-11/30/26	12/1/26-11/30/27
		Base Term YR1	Base Term YR2	Base Term YR3	1 YR Option Term YR4
1	BASIS Administrators	\$ 110.00	\$ 110.00	\$ 120.00	\$ 120.00
2	ABAP Developers	\$ 50.00	\$ 50.00	\$ 55.00	\$ 55.00
3	NetWeaver Developers	\$ 100.00	\$ 100.00	\$ 105.00	\$ 105.00
4	BOBJ Developers	\$ 100.00	\$ 100.00	\$ 105.00	\$ 105.00
5	Workflow Developers	\$ 100.00	\$ 100.00	\$ 105.00	\$ 105.00
6	Configuration Specialists	\$ 125.00	\$ 125.00	\$ 130.00	\$ 130.00
7	Solution Architect/S4 HANA	\$ 135.00	\$ 135.00	\$ 140.00	\$ 140.00
8	Finance	\$ 125.00	\$ 125.00	\$ 130.00	\$ 135.00
9	Junior SAP Consultant Fin.	\$ 90.00	\$ 90.00	\$ 100.00	\$ 100.00
10	MM/Procurement	\$ 125.00	\$ 125.00	\$ 130.00	\$ 135.00
11	EAM/PM	\$ 125.00	\$ 125.00	\$ 130.00	\$ 135.00
12	CRM	\$ 135.00	\$ 135.00	\$ 140.00	\$ 140.00
13	Junior SAP EAM Consultant	\$ 90.00	\$ 90.00	\$ 100.00	\$ 100.00
14	Mobility	\$ 125.00	\$ 125.00	\$ 130.00	\$ 130.00
15	Fiori/Personas	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00
16	Project Management	\$ 140.00	\$ 140.00	\$ 145.00	\$ 145.00
17	Security	\$ 110.00	\$ 110.00	\$ 120.00	\$ 120.00
18	GIS Developer/Functional	\$ 110.00	\$ 110.00	\$ 120.00	\$ 120.00
19	BI/BW	\$ 100.00	\$ 100.00	\$ 110.00	\$ 110.00
20	Training/Change Management	\$ 120.00	\$ 120.00	\$ 120.00	\$ 120.00
21	Support Staff	\$ 50.00	\$ 50.00	\$ 55.00	\$ 55.00
22	Others (Please specify in additional line)	\$	\$	\$	\$

ONSITE FIXED HOURLY RATE					
#	Job Title/Task Description	4/1/24 - 11/30/24	12/1/24-11/30/25	12/1/25-11/30/26	12/1/26-11/30/27
		Base Term YR1	Base Term YR2	Base Term YR3	1 YR Option Term YR4
1	BASIS Administrators	\$ 130.00	\$ 130.00	\$ 135.00	\$ 135.00
2	ABAP Developers	\$ 110.00	\$ 115.00	\$ 115.00	\$ 115.00
3	NetWeaver Developers	\$ 120.00	\$ 120.00	\$ 125.00	\$ 125.00
4	BOBJ Developers	\$ 120.00	\$ 120.00	\$ 125.00	\$ 125.00
5	Workflow Developers	\$ 125.00	\$ 125.00	\$ 130.00	\$ 130.00
6	Configuration Specialists	\$ 140.00	\$ 140.00	\$ 145.00	\$ 145.00
7	Solution Architect/S4 HANA	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
8	Finance	\$ 145.00	\$ 145.00	\$ 145.00	\$ 145.00
9	Junior SAP Consultant Fin.	\$ 100.00	\$ 100.00	\$ 110.00	\$ 110.00
10	MM/Procurement	\$ 145.00	\$ 145.00	\$ 145.00	\$ 145.00
11	EAM/PM	\$ 145.00	\$ 145.00	\$ 145.00	\$ 145.00
12	CRM	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
13	Junior SAP EAM Consultant	\$ 100.00	\$ 100.00	\$ 110.00	\$ 110.00
14	Mobility	\$ 145.00	\$ 145.00	\$ 145.00	\$ 145.00
15	Fiori/Personas	\$ 145.00	\$ 145.00	\$ 145.00	\$ 145.00
16	Project Management	\$ 155.00	\$ 155.00	\$ 160.00	\$ 160.00
17	Security	\$ 130.00	\$ 130.00	\$ 130.00	\$ 130.00
18	GIS Developer/Functional	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00
19	BI/BW	\$ 130.00	\$ 130.00	\$ 130.00	\$ 130.00
20	Training/Change Management	\$ 135.00	\$ 135.00	\$ 135.00	\$ 135.00
21	Support Staff	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
22	Others (Please specify in additional line)	\$	\$	\$	\$

**Sierra Digital, Inc.**

Proposers will propose fixed blended rates (includes labor, travel, and expenses) for any or all of the Job Titles/Task Descriptions below. Additional Job Titles/Task Descriptions may be included under 'Other' or on a separate sheet if necessary.

OFFSITE FIXED HOURLY RATE					
#	Job Title/Task Description	4/1/24 - 11/30/24	12/1/24-11/30/25	12/1/25-11/30/26	12/1/26-11/30/27
		Base Term YR1	Base Term YR2	Base Term YR3	1 YR Option Term YR4
1	BASIS Administrators	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
2	ABAP Developers	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
3	NetWeaver Developers	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
4	BOBJ Developers	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
5	Workflow Developers	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
6	Configuration Specialists	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
7	Solution Architect/S4 HANA	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00
8	Finance	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
9	Junior SAP Consultant Fin.	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00
10	MM/Procurement	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
11	EAM/PM	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00
12	CRM	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
13	Junior SAP EAM Consultant	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
14	Mobility	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00
15	Fiori/Personas	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
16	Project Management	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
17	Security	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
18	GIS Developer/Functional	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
19	BI/BW	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
20	Training/Change Management	\$ 70.00	\$ 70.00	\$ 70.00	\$ 70.00
21	Support Staff	\$ 55.00	\$ 55.00	\$ 55.00	\$ 55.00
22	Others (Please specify in additional line)	\$	\$	\$	\$

ONSITE FIXED HOURLY RATE					
#	Job Title/Task Description	4/1/24 - 11/30/24	12/1/24-11/30/25	12/1/25-11/30/26	12/1/26-11/30/27
		Base Term YR1	Base Term YR2	Base Term YR3	1 YR Option Term YR4
1	BASIS Administrators	\$ 135.00	\$ 135.00	\$ 135.00	\$ 135.00
2	ABAP Developers	\$ 130.00	\$ 130.00	\$ 130.00	\$ 130.00
3	NetWeaver Developers	\$ 130.00	\$ 130.00	\$ 130.00	\$ 130.00
4	BOBJ Developers	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00
5	Workflow Developers	\$ 135.00	\$ 135.00	\$ 135.00	\$ 135.00
6	Configuration Specialists	\$ 140.00	\$ 140.00	\$ 140.00	\$ 140.00
7	Solution Architect/S4 HANA	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00
8	Finance	\$ 145.00	\$ 145.00	\$ 145.00	\$ 145.00
9	Junior SAP Consultant Fin.	\$ 110.00	\$ 110.00	\$ 110.00	\$ 110.00
10	MM/Procurement	\$ 140.00	\$ 140.00	\$ 140.00	\$ 140.00
11	EAM/PM	\$ 160.00	\$ 160.00	\$ 160.00	\$ 160.00
12	CRM	\$ 135.00	\$ 135.00	\$ 135.00	\$ 135.00
13	Junior SAP EAM Consultant	\$ 115.00	\$ 115.00	\$ 115.00	\$ 115.00
14	Mobility	\$ 135.00	\$ 135.00	\$ 135.00	\$ 135.00
15	Fiori/Personas	\$ 130.00	\$ 130.00	\$ 130.00	\$ 130.00
16	Project Management	\$ 140.00	\$ 140.00	\$ 140.00	\$ 140.00
17	Security	\$ 135.00	\$ 135.00	\$ 135.00	\$ 135.00
18	GIS Developer/Functional	\$ 130.00	\$ 130.00	\$ 130.00	\$ 130.00
19	BI/BW	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00
20	Training/Change Management	\$ 140.00	\$ 140.00	\$ 140.00	\$ 140.00
21	Support Staff	\$ 130.00	\$ 130.00	\$ 130.00	\$ 130.00
22	Others (Please specify in additional line)	\$	\$	\$	\$



---

**From:** Sharon Cooney  
**Sent:** Wednesday, March 13, 2024 9:14 AM  
**To:** Dalia Gonzalez  
**Subject:** FW: Please don't approve 1.2 mil wasteful IT spending at MTS -from former MTS employee

---

**From:** frank hogan <fhogan619@gmail.com>  
**Sent:** Monday, March 11, 2024 3:32 PM  
**To:** [Monica.MontgomerySteppe@sdcounty.ca.gov](mailto:Monica.MontgomerySteppe@sdcounty.ca.gov) <Monica.MontgomerySteppe@sdcounty.ca.gov>; Steve Goble <sgoble@elcajon.gov>; [stephenwhitburn@sandiego.gov](mailto:stephenwhitburn@sandiego.gov) <stephenwhitburn@sandiego.gov>; [VivianMoreno@sandiego.gov](mailto:VivianMoreno@sandiego.gov) <VivianMoreno@sandiego.gov>; [seanelorivera@sandiego.gov](mailto:seanelorivera@sandiego.gov) <seanelorivera@sandiego.gov>; [mbush@nationalcityca.gov](mailto:mbush@nationalcityca.gov) <mbush@nationalcityca.gov>; [pdillard@cityofflamesa.us](mailto:pdillard@cityofflamesa.us) <pdillard@cityofflamesa.us>  
**Subject:** Please don't approve 1.2 mil wasteful IT spending at MTS -from former MTS employee

---

**CAUTION:** [EXTERNAL EMAIL] Do not click any links or open any attachments unless you trust the sender and know the content is safe.

---

Hello,  
Sending this to exec committee and my local city council member Dillard in La Mesa

Dear MTS Board Member, Monday 3/11/2024

The MTS board should not approve consent item #15 (see below) on the March 2024 MTS Board agenda which authorizes 1.2 million in SAP consulting spending until a competent new CIO (with SAP or ERP experience) is hired and the Board has some oversight to that hiring.

MTS has had 4 failed CIOs in 10 years. 4 of my SAP colleagues and I worked with 3 of them and were finally driven out by the last one. That is why I appeared at the January Board meeting to protest any exorbitant settlement with the last CIO. I was a top performer at MTS for over 7 years with great reviews. I did not retire. I was driven out due to negligence, waste and mismanagement. I tried to bring the troubles in IT and SAP to Sharon's attention upon my reluctant resignation but was ignored.

MTS has squandered its 10-15 million-dollar investment in the keystone SAP ERP software through negligent management including dismissal of staff maintaining SAP as required by the vendor. Mismanagement of this system is a ticking time bomb that is going to cost 5-15 million to repair or replace in the next 2-3 years. This 1.2 million is a band-aid and just the beginning of millions more in wasteful spending for a critical system that incompetent IT and Finance Department leadership over the last 8 years finally drove into the ground.

An apt analogy would be that MTS buys a bus and does not change the oil or maintain it as required by the vendor. When it fails, they report it as broken and come to the board and taxpayers for more capital funds to replace it. This is what has happened to the SAP software system that serves 200+ business users a day in finance, procurement, materials management, warehouse and most importantly asset and equipment management on both the train and bus side.

The Information Technology department at MTS has been profoundly mismanaged for years and is now in chaos, devoid of experienced leadership and lacking in advanced skills to meet current challenges of current technology and security. Most IT spending and strategy is now driven almost exclusively by vendors easily exploiting the lack of knowledge, experience and competency in IT. It is the tail wagging the dog. Despite having numerous highly paid staff most work is performed by vendors and consultants that could be performed by staff such as the one million being spent on consultants for Microsoft 365.

The failure of SAP at MTS is a direct manifestation of unqualified and negligent leadership as compared to the success of SAP at the City where it continues to deliver significant efficiencies, innovation and digital transformation across the city enterprise. The city employs 25+ FTEs to maintain, expand and innovate with SAP. In contrast to the city MTS has turned the most successful, on time, on budget project ever delivered at MTS into a failure and is now starting to ask for millions for band-aids for a system failing due to their direct negligence. Another example of a lack of competent technical leadership may be the Pronto system\* which is at least 10 million over budget and counting due to inadequate in-house technical oversight. New high dollar IT spending should be suspended until a qualified CIO is hired.

The Board should ask why the selection of the last 3 CIOs only involved interviewers from non-technical departments like finance and HR. The last CIO was selected with absolutely zero input from and IT managers or senior IT staff. Common sentiment among the 4 IT managers who quit or were dismissed by this last CIO was that the last CIO's only qualification was some possible personal connection to existing management. The selection process of CIOs has been based on sentiment and connections and not on actual qualifications and experience for the technology and software being used at MTS. This has led to extreme staff turnover, no promotion from within and millions in waste over the last decade and endless over budget projects that take years and deliver meager or questionable results.

Allowing accountants and administrators to select the last 4 CIOs is like allowing accountants to hire your attorneys and vice versa. There is not a single person at MTS today with technical expertise who can vet a new CIO properly. The Board should insist on a better CIO selection process through an appropriate executive search and perhaps oversight from competent experienced IT professionals (perhaps from the city IT leadership) to avoid further failures and overspending. In this complex and fast-moving technology environment a CIO with technical acumen is as important as management experience.

My interest here is as a taxpayer and personal. As a taxpayer it bothers me to see millions of dollars wasted and staff replaced by less effective consultants for inferior results when we continue to be asked for more sales tax increases for public transportation to fund such waste. Other than rubber stamping spending it appears there is zero Board oversight or accountability of MTS leadership and it's sometimes questionable business practices and treatment of employees. On the personal side, I was a qualified candidate for CIO in 2019 who presented a detailed tactical and strategic plan and technology roadmap. My interview process was biased and different from all the other candidates to preclude my promotion from within. The board should ask why persons like my 3 colleagues and I, all top performers, leave what are supposed to be good government jobs with pensions (that we the taxpayers fund). These were jobs where we all energetically tried to deliver great results and innovation to our coworkers and the public. With this new spending you will pay 10 times more for 20 percent of what committed experienced competent staff like my colleagues and I could have delivered under adequate management.

Please don't approve more frivolous spending in IT until there is better oversight and competent leadership.

I would be happy to discuss this with any of you or appear in person at your request.

Thank You,

Frank Hogan

-see my profile on LinkedIn for my position and function at MTS

[fhogan619@gmail.com](mailto:fhogan619@gmail.com) - 619 846-5151

\*An example of PRONTO lacking good technical leadership: see the recent issue at SANDAG regarding the toll road where the decision to buy hardware from the software vendor instead of generic "open source" hardware has locked them in and will cost millions and over a year to fix. A similar decision was made by MTS for 10 million over five years for hardware from INIT, the Pronto software vendor. Open-Source hardware not tied to the software vendor was in the original RFP for Pronto but was later abandoned by uninformed, non-technical managers making an expedient decision to make up for missed project deadlines.

**15. SAP Support Services – Contract Award Approve Action would 1) Authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2782.0-24 with Sage Group Technologies, Inc. (Sage) to provide SAP support services in the amount of \$600,000.00 for a contract period of thirty-two (32) months with one (1) option year. 2) Authorize the CEO to execute MTS Doc. No. G2783.0-24 with Sierra Digital, Inc. (Sierra), a Disadvantaged Business Enterprise (DBE), to provide SAP support services in the amount of \$600,000.00 for a contract period of thirty-two (32) months with one (1) option year. 3) Exercise the option year of each agreement at the CEO's discretion.CC:**

**Cc:**

[Monica.MontgomerySteppe@sdcounty.ca.gov](mailto:Monica.MontgomerySteppe@sdcounty.ca.gov); [sgoble@elcajon.gov](mailto:sgoble@elcajon.gov); [stephenwhitburn@sandiego.gov](mailto:stephenwhitburn@sandiego.gov); [VivianMoreno@sandiego.gov](mailto:VivianMoreno@sandiego.gov); [seanelorivera@sandiego.gov](mailto:seanelorivera@sandiego.gov); [mbush@nationalcityca.gov](mailto:mbush@nationalcityca.gov); [pdillard@cityoflamesa.us](mailto:pdillard@cityoflamesa.us)



**Metropolitan  
Transit  
System**

## Agenda Item No. 16

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Light Rail Vehicle (LRV) Pantograph Carbon Strips - Contract Award

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1660.0-24 (in substantially the same format as Attachment A) with Schunk Carbon Technology (Schunk) for the purchase of LRV Pantograph Carbon Strips for a five (5) year base period in the amount of \$687,536.59.

Budget Impact

The total contract cost of materials is estimated to be \$687,536.59 (inclusive of CA sale tax). This will be funded by the San Diego Trolley (SDTI) LRV maintenance Operating Budget account 350016-545100.

**DISCUSSION:**

MTS requires a regular supply of pantograph carbon strips that are essential in maintaining the functionality of its LRVs. A pantograph is a device for collecting an electrical current to power an LRV. The electrical current is collected through the metalized carbon strips, located at the head of the pantograph, which then contacts the catenary wire. MTS estimates that it will need approximately 3,500 pantograph carbon strips for its LRVs over a five (5) year period.

MTS released a solicitation request across ninety-seven (97) prospective suppliers and received bids from two (2) suppliers – Schunk and Siemens. Siemens included additional part numbers and prices on their bid form that were not requested in the solicitation. Therefore, Siemen’s bid was deemed non-responsive.

BIDDER	BID AMOUNT	FIRM CERTIFICATION
Schunk - <i>Lowest responsive and responsible Bidder</i>	\$687,536.59	N/A
Siemens – <i>Nonresponsive Bid</i>	\$770,843.50	N/A



MTS has deemed Schunk to be the lowest responsive and responsible bidder. Based on the bids received, and in comparison, with MTS' Independent Cost Estimate (\$624,561.00), Schunk's price was determined to be fair and reasonable.

This contract will be firm-fixed pricing with set lead times. This will enable MTS to realize savings from an aggregation of volume and mitigate excessive price increases due to overseas freight fluctuations. Predetermined delivery dates will allow our warehouse to maintain lean inventory levels based on consumption levels for the duration of the contract.

Protest Period: Staff's usual practice is to issue a Notice of Intent to Award (NIA) and bring the item to the Board for approval only after the full 15-day protest period has elapsed. However, in this case, there is a need for expediency in executing this contract due to long standard lead time, which is approximately 27-32 weeks from purchase order issuance date and to ensure MTS does not run out of stock. The NIA was issued on February 26, 2024 and the 15-day protest period ends on March 12, 2024 for this procurement. If a protest is received within this time frame, staff will review promptly and determine whether this agenda item may need to be pulled at that time.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute MTS Doc. No. L1660.0-24 (in substantially the same format as Attachments A) with Schunk for the purchase of LRV Pantograph Carbon Strips for a five (5) year base period in the amount of \$687,536.59.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Draft Agreement, MTS Doc. No. L1660.0-24  
B. Scope of Work  
C. Bid Form



# Metropolitan Transit System

## STANDARD AGREEMENT FOR

MTS DOC. NO. L1660.0-24

### PANTOGRAPH CARBON STRIPS

THIS AGREEMENT is entered into this 1<sup>st</sup> day of April, 2024 in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Schunk Carbon Technology, LLC Address: W146 N9300 Held Dr

Menomonee Falls, WI 53051

Form of Business: LLC  
(Corporation, Partnership, Sole Proprietor, etc.)

Email: [julie.leitner-audoui@us.schunk-group.com](mailto:julie.leitner-audoui@us.schunk-group.com)

Telephone: (262) 250-4814

Authorized person to sign contracts	<u>Julie Leitner-Audoui</u>	<u>Controller</u>
	Name	Title

The Contractor agrees to provide goods as specified in the conformed Scope of Work/Minimum Technical Specification (Exhibit A), Contractor's Bid/Pricing Form (Exhibit B), and in accordance with the Standard Agreement, including Standard Conditions (Exhibit C), Federal Requirements (Exhibit D), and Forms (Exhibit E),

The contract term is for a five (5) year base period effective April 1, 2024 through March 31, 2029.

Payment terms shall be net 30 days from invoice date. The total cost of this contract shall not exceed \$687,536.59 (inclusive of 7.75 % CA Sales tax) without the express written consent of MTS.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM	SCHUNK CARBON TECHNOLOGY, LLC
By: _____ Sharon Cooney, Chief Executive Officer	By _____
Approved as to form:	
By: _____ Karen Landers, General Counsel	Title: _____



# SCOPE OF WORK/TECHNICAL SPECIFICATIONS

---

## 4.1. BUY AMERICA

This scope of work may trigger Buy America and/or Build America Buy America requirements, which apply to construction materials, manufactured products, rolling stock, iron and steel. The below list of definitions and examples is not exhaustive and is only to be used as illustrative and a guidance tool for Contractor compliance.

### 4.1.1. MANUFACTURED PRODUCT

Per IIJA Section 70912 (2)(B), all manufactured products used in the project must be produced in the United States. Examples for manufactured products provided per Appendix A to 49 CFR 661.3 include: Infrastructure projects not made primarily of steel or iron, including structures (terminals, depots, garages, and bus shelters), ties and ballast; contact rail not made primarily of steel or iron; fare collection systems; computers; information systems; security systems; data processing systems; and mobile lifts, hoists, and elevators.

### 4.1.2. IRON OR STEEL

*Per IIJA Section 70912 (2)(A), all iron and steel used in the project must be produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. Examples of iron and steel provided per Appendix A to 49 CFR 661.3 include: Items made primarily of steel or iron such as structures, bridges, and track work, including running rail, contact rail, and turnouts.*

## 4.2. GENERAL OVERVIEW

San Diego Metropolitan Transit System (MTS) is looking for a capable Contracted Supplier (CS) that is able to provide up to 3,500 LRV Pantograph Carbon Strips. The proposed LRV Pantograph Carbon Strips must be in active use on at least three (3) light rail properties of comparable size or larger than MTS for a minimum of three (3) years since calendar year 2021.

The minimum technical description provided for all items, under this solicitation, represent MTS's exact requirements. Nothing less than parts described will be accepted, whilst MTS will do its best to provide the most accurate quantity forecast for the duration of this contract. MTS reserves the right to purchase more or less quantities across each item at its sole discretion, depending on actual usage and pricing.

## 4.3. CONTRACT TERMS

The period of performance under the resultant agreement shall be for a (5) year base period effective approximately April 1, 2024 – March 31, 2029.

## 4.4. DESCRIPTION AND MINIMUM SPECIFICATION OF MATERIALS

- The carbon strip shall be of one (1) piece, one thousand eighty to one thousand eighty-one millimeters (1,080 - 1,081mm) long, sixty millimeters (60mm) wide by

twenty-one to twenty-two millimeters (21 - 22mm) deep, mounted onto and adhesively bonded to an aluminum carrier that is one thousand seventy-two to one thousand seventy-three millimeters (1,072 - 1073mm) long, sixty-six millimeters (66mm) wide by seventeen millimeters (17mm) deep.

- The carbon carrier shall be able to mount directly to the pantograph without the use of adapters or inserts.
- The carbon strip shall have a one millimeter (1mm) wide, full length, manufacturers specified carbon strip wear line indicator located five millimeters (5mm) from the base of the carbon strip.
- Total carbon weight with mounting hardware shall be two thousand nine hundred fifty to three thousand fifty grams (2950 – 3050g).
- The carbon strip shall be rated for five (5) to seven (7) amp/mm contact width for standard operating load, and ten (10) to twelve (12) amp/mm contact width for peak load.
- The carbon strip material shall be Carbon.
- Carbon Strip mounting hardware studs shall be M8 x 25, grade 8.8, located thirty millimeters (30mm) from ends of carbon strip.
- Shunt mounting hardware studs shall be M8 x 20, grade 8.8, located seven hundred forty millimeters (740mm) plus/minus two millimeters ( $\pm 2$ mm) from each other.
- All hardware shall be equipped with M8 lock washers and hex nuts.
- The physical characteristic of the carbon strip shall be equal to or better than the following:
  - Bending Strength: 30 N/mm<sup>2</sup>
  - Rockwell Hardness HR 5/40: 105
  - Bulk Density: 1.60 g/cm<sup>3</sup>
  - Resistivity: 351.Qm

#### **4.5. CERTIFICATION AND TESTS**

In all cases, materials must be furnished as specified in the technical specifications with part numbers permanently stamped or etched onto each part. They shall be provided with OEM material certifications and marked in accordance to OEM details and requirements. Production tests, ultrasonic and Rockwell Hardness Tests, shall be conducted on one-hundred (100%) percent of the strips. Each strip shall be stamped with the Rockwell Hardness Tests stamp. All inspections, certifications, and test results, shall be furnished to the MTS Project Manager for approval prior to shipment of carbon strips.

#### **4.6. PACKAGING**

Carbon Strips will be packaged stacked with a liner between each row in hardwood boxes.



Each shipped box will contain two hundred (200) matched Carbon Strips, and provided with material certifications and marked in accordance with OEM requirements.

**4.7. FEDERAL REQUIREMENTS AND REFERENCES**

MTS requires all items under this contract to be fully compliant with all Federal Rail Administration (FRA) and California Public Utilities Commission's rail requirements.

The Bidder's attention is directed to the "Buy America" requirements set forth in Section 165 of the Federal Surface Transportation Act of 1982, and the FTA requirements implementing Section 165 (49 C.F.R., part 661).

**4.8. DAMAGED OR DEFECTIVE ITEMS**

All items delivered damaged or with a defect in packaging or manufacturing shall be returned to the CS. The CS shall provide a replacement in full within fifteen (15) business days of the receipt of the defective material. All cost incurred as a result of the return of the defective material and redelivery of the replacement material including but not limited to freight, insurance, re-stocking, and packaging arising from the defective item shall be borne by the CS.

**4.9. BID PRICING**

Bidders shall use the Bid Forms provided herein. Bidders shall provide pricing for all line items on the bid form, failure to do so may deem your bid non-responsive. All bids shall include all materials, delivery fees, and all applicable taxes required to complete the items as described on the bid forms.

**4.10. INVOICES**

Invoices must be sent to the MTS Accounting Department, via email, at [ap@sdmts.com](mailto:ap@sdmts.com). All invoices must have the Purchase Order and contract number clearly displayed to ensure timely payment. MTS will not pay on packing slips, receiving documents, delivery documents, or other similar documents. Invoices must be submitted for payment.

Payment terms shall be net 30 days from invoice date.

Contractors must also indicate if any of the invoiced amount(s) is for service or work provided by a subcontractor and indicate the amount that will be paid to the subcontractor. Contractors must also comply with the prompt payment requirements in the *Prompt Progress Payments* section of the Standard Conditions.

**4.11. SAFETY DATA SHEETS (SDS)**

MTS retains the safety data sheets on an electronic database (currently CloudSDS). Upon award, Contractors shall email the SDS for chemicals that any individuals may be exposed to, attention Ngan Nguyen, MTS Environmental Health and Safety Specialist at [Ngan.Nguyen@sdmts.com](mailto:Ngan.Nguyen@sdmts.com) to upload into the database. The Contractor shall notify the MTS Environmental Health and Safety Specialist if there are changes or updates to the SDS during the term of the contract to ensure the MTS database is kept updated throughout the contract

#### **4.12. WARRANTY**

CS warrants all items delivered under this contract will be in factory new condition, free from liens and defects in design, materials, workmanship and title and shall conform in all respects to the terms of this Agreement and to the drawings issued for manufacture by the CS, and shall be of the best quality, if no quality is specified. Unless the warranty period is otherwise extended, the following minimum warranty shall apply.

If within one (1) year from the date of commercial operation for the purpose for which the goods are purchased, or within eighteen (18) months from the date of receipt by MTS, whichever comes first, it appears that goods, or any part thereof, do not conform to these warranties, and MTS so notifies the CS within thirty (30) days after discovery, CS shall thereupon promptly correct such non-conformity to the satisfaction of MTS at the CS's sole expense.

MTS may reject and cover the discrepancy if it is not satisfied with the CS's attempt to remedy the discrepancy by purchasing substitute goods or make corrections or accomplish the CS's performance by the most expeditious means available where all costs related to the correction shall be charged to the CS.

CS's liability hereunder shall extend to all damages such as demand inspection, cost of return or warehousing. CS shall not be liable for any consequential damages, such as loss of revenue or profit, loss of use or production or costs of capital. NO IMPLIED WARRANTY OF MERCHANTABILITY OR OF FITNESS FOR PURPOSE SHALL APPLY.

#### **4.13. DELIVERY AND ACCEPTANCE**

The first order of Carbon Strips shall be delivered ninety (90) calendar days after first Purchase Order. All subsequent orders shall be due at MTS within a maximum of thirty (30) calendar days after contractor's receipt of MTS' purchase order. Changes to the delivery schedule shall require prior notification and approval by the Project Manager. Questions, comments or concerns, on this matter will be submitted to the MTS during the solicitation question and answer period.

Equipment or any deliverable provided under this contract shall be delivered F.O.B. to SDTI, 1341 Commercial Street, San Diego, California 92113 unless otherwise specified, in first class condition, complete and ready for operation, and the Contractor shall assume all responsibility and risk of loss incident to said delivery.

Contractor shall indicate delivery date on the Bid Form unless already specified, in which case, shall be made within the time set forth. Delivery is part of the consideration and must be adhered to as specified.

Contractor will not be held liable for failure to make delivery because of strikes, construction of property, governmental regulations, acts of God or any other causes beyond his control, provided a written extension of time is obtained from MTS.

Upon delivery, MTS will acknowledge receipt of said items or products. Delivery shall not constitute acceptance. Upon inspection and testing (if necessary) by MTS, a determination will be made whether said items or products are in conformance with contract requirements. If found in conformance, MTS shall approve the Contractor's invoice for payment; thereby constituting acceptance. Payment terms begin from this point. If the

delivered items or products are found not in compliance, MTS will immediately notify the Contractor, and furnish all details of deficiencies. Contractor shall correct the deficiencies or supply new items or products (at the discretion of MTS), and resubmit for inspection and testing (if necessary).

#### **4.14. LIQUIDATED DAMAGES**

#### **4.15. KEY PERFORMANCE INDICATORS (KPI)**

The CS performance shall be measured by a set of Key Performance Indicators (KPI). Each KPI shall be produced and reviewed monthly between MTS and the CS to assess the status of service level achievements and areas of improvement. The initial KPI shall be created at 2 months after the conclusion of any ramp up period where required. The review shall be conducted through a conference call between the parties and may be changed to quarterly once the service levels reach a rolling 3 months of reaching the expected target.

##### 1. Purchase Order On-Time Delivery:

- a. Purchase Order On-Time Delivery measures the lapsed period for the actual delivery time for all Purchase orders and Line Items in full from the date of the order placement to the MTS receipt.
- b. The target service level for on time delivery shall be 60 days which is aligned to the contract delivery time.
- c. The measurement shall be for an order quantity not to exceed 125% of the average monthly estimated forecast quantity and may be aggregated to a higher monthly quantity if orders are not placed in previous months.
- d. The success target will be set at 98% across the volume of orders and line items that meet these criteria.

##### 2. Purchase Order Recovery

- a. Purchase Order Recovery measures the delivery time of Purchase Orders and Line Items that failed the Purchase Order On-Time Delivery. Where an On-Time Delivery has failed, the CS shall have an additional 10 days to ship the items to fully fulfil the failed order. Similarly, the target service level will be consistent at 98%.

MTS BID FORM  
 PURCHASE OF PAMTOGRAPH CARBON STRIPS IFB  
 MTS DOC. NO. L1660.0-24

BIDDER NAME: SCHUNK CARBON TECHNOLOGY

MTS Material #	Manufacturer Part #	Item Description	Annual Usage	Year 1 Bid	Year 1 Total	Year 2 Bid	Year 2 Total	Year 3 Bid	Year 3 Total	Year 4 Bid	Year 4 Total	Year 5 Bid	Year 5 Total
70093377	68000104; 188128	Carbon Strips	700	\$ 170.60	\$ 119,420.00	\$ 176.23	\$ 123,361.00	\$ 182.08	\$ 127,456.00	\$ 188.16	\$ 131,712.00	\$ 194.48	\$ 136,136.00
<b>Subtotals Per Year</b>					\$ 119,420.00		\$ 123,361.00		\$ 127,456.00		\$ 131,712.00		\$ 136,136.00
<b>Annual Sales Tax @ 7.75%</b>					\$ 9,255.05		\$ 9,560.48		\$ 9,877.84		\$ 10,207.68		\$ 10,550.54
<b>Subtotals Per Year w/Sales Tax</b>					\$ 128,675.05		\$ 132,921.48		\$ 137,333.84		\$ 141,919.68		\$ 146,686.54
<b>Grand Total (Basis of Award)</b>					\$ 687,536.59								

*Bid prices will be firm-fixed, all inclusive.*



**Metropolitan  
Transit  
System**

## Agenda Item No. 17

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Property Insurance Renewal

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to renew the property insurance coverage for MTS, San Diego Transit Corporation (SDTC), and San Diego Trolley, Inc. (SDTI) with the Public Risk Innovation, Solutions, and Management (PRISM) Property Insurance Program, effective March 31, 2024 through March 31, 2025, with various coverage deductibles of \$50,000 (real property, personal property and business interruption), \$100,000 (bus fleet), \$250,000 (light rail fleet) and a \$3,000,000 sublimit for each occurrence subject to a \$500,000 deductible for unscheduled infrastructure.

**Budget Impact**

The total contract cost for this service is estimated to be \$4,324,766. The premium will be funded between fiscal years 2024 and 2025 as follows:

PROPERTY PREMIUM ESTIMATED FISCAL YEAR SPLIT				
Policy Period: 03/31/24 - 03/31/25				
Agency	Operating Account	FY 24	FY 25	Total Premium
MTS	633010-562240	\$41,154	\$123,457	\$164,611
SDTC	633014-562240	\$275,187	\$825,560	\$1,100,747
SDTI	633016-562240	\$764,853	\$2,294,555	\$3,059,408
<b>TOTAL</b>		<b>\$1,081,194</b>	<b>\$3,243,572</b>	<b>\$4,324,766</b>

**DISCUSSION:**

MTS's current property insurance policy will expire on March 31, 2024. This line of coverage insures against physical damage, vandalism and theft caused to the real and personal property of MTS, SDTC, and SDTI, which together includes \$2,124,395,669 in total insured values. Business Interruption coverage is also included in this policy. The coverage is obtained through PRISM, which is a joint powers insurance authority of 364 public entity members. Of this



number, approximately 120 members participate in the property insurance program. All MTS agencies have been insured with PRISM since 1997.

PRISM provides a complex layering of multiple insurance carriers, including both domestic and international insurers. Due to the size of its membership, PRISM has tremendous premium purchasing power. Special form perils coverage provides risk protection on most perils (including terrorism), and causes of loss unless specifically excluded by the policy. Some of the perils excluded in MTS' program include earthquake, wear and tear, pollution, war risk, employee fraud, nuclear radiation, and loss to unscheduled landscaping, money, or watercraft. These exclusions do not include every peril or property specifically excluded; however, they are examples of the types of losses that would not be covered.

MTS and its entities have traditionally elected not to purchase optional earthquake coverage as the terms and conditions primarily support real estate damage caused by an earthquake event with high deductibles. The coverage would not support the majority of MTS's infrastructure and guideways.

The proposed renewal policy carries an all-risk limit of \$600 million, which applies to perils for any one occurrence. Under the proposed renewal, the following occurrence-based deductibles would apply: (1) \$50,000 for real property, personal property & business interruption; (2) \$100,000 for busses; (3) \$250,000 for light rail vehicles; and \$3,000,000 sublimit each occurrence subject to a \$500,000 deductible for unscheduled infrastructure. Loss valuation is generally calculated on a replacement cost basis. Total insured values (TIV) are up 9% due to additions to property assets from last year's renewal to the current one and year over year trending of all current property and content values, with this year being at 7.5%. TIV is subject to change as there are several property appraisals pending approval.

Since the latter part of calendar year 2019, the property market has experienced significant hardening resulting in considerable premium increases to all property insurance buyers in both the public and private sectors. While there are indications at the beginning of 2024 that we are slowly emerging from a "hard market" and stabilizing, underwriters, specific to California, still have great concern with losses from the 2023/24 California winter storms along with catastrophic perils (EQ, Flood and Wildfire). Despite the increase, MTS still saves premium dollars and is afforded lower deductibles overall by insuring its property through PRISM than it would on a stand-alone basis.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to renew the property insurance coverage for MTS, SDTC, and SDTI with the PRISM Property Insurance Program, effective March 31, 2024 through March 31, 2025 with various coverage deductibles of \$50,000 (real property, personal property and business interruption), \$100,000 (bus fleet), \$250,000 (light rail fleet) and a \$3,000,000 sublimit for each occurrence subject to a \$500,000 deductible for unscheduled infrastructure.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachment: A. 2024 Property Program Outlook



February 28, 2024

To: Property Program Members

From: Gina Dean, CEO

**Re: Property Market Update**

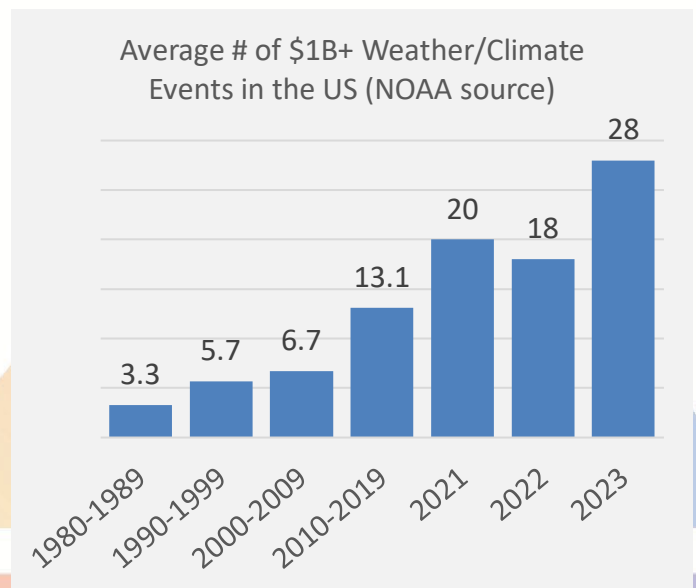
*A tale of two renewals – Primary and Excess*

As we close out Q1 of 2024, it comes with a bit of mixed news for the PRISM Property Program. For the first time in about 7 years, we are experiencing a more stable property insurance market keen on growth. At the same time, PRISM has experienced unprecedented losses within the Program, primarily from winter storms. These conflicting scenarios are leading to a disjointed renewal with quite different expectations in the self-funded primary layer versus the excess carrier renewals.

Insurance Market Background

Following large insurance industry losses from Hurricanes Harvey, Irma, and Maria (HIM) in 2017, the property insurance market exited the soft cycle and became particularly challenging. Over the next 7 years, as the industry continued to experience more frequent and severe natural catastrophe events, carriers have heavily restricted terms and conditions while increasing pricing and deductibles. To have more control over pricing and coverage, PRISM's Property Committee chose to retain the primary \$10M of the Program effective 3/31/22. Although we are still subject to market pricing in the excess layers, we continue to lean on our size, sophistication, and extremely long-term strategic relationships with carriers to obtain better renewals than would be available to a stand-alone risk.

A major factor currently impacting the insurance market is an increase in the frequency and severity of weather and climate events. This includes freezing, significant rain events, and tornadoes that primarily occur outside of California, but also includes exposures that impact PRISM and other California public entities. Since 2017, increased frequency and severity of wildfires have concerned underwriters; however, in the last two years the severe winter storms, often referred to as atmospheric rivers, have become the newest catastrophe exposure within our state.



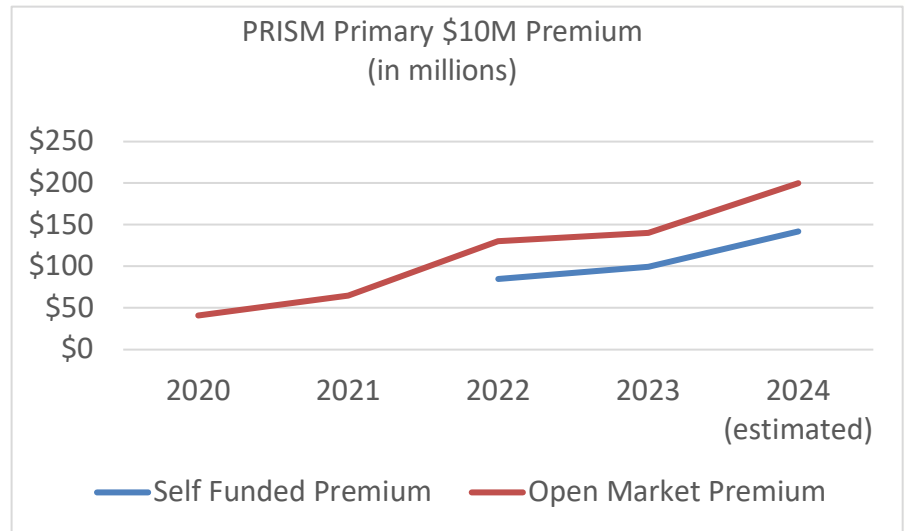
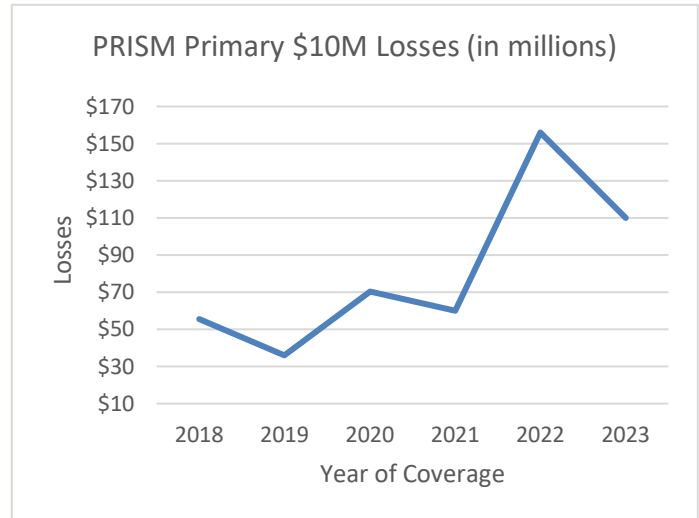


Excess Capacity Renewal

Despite an increase of natural catastrophes, 2023 was a profitable year for most carriers. This profitability has resulted in easing of rate increases and has also shifted many carriers into a mode of growth, which we have not seen in more than 7 years. As a result, we expect that carriers on the Program excess of \$25M that have had little or no loss experience within the Program will offer very favorable renewal pricing.

Primary Capacity Renewal

While loss experience for carriers excess of \$25M has been minimal, the primary has experienced unprecedented losses. In the 5 years leading up to PRISM self-insuring the primary \$10M, the average annual loss trend for this layer was \$60M. The first year of PRISM self-insuring the primary \$10M layer (2022/23), the Program experienced \$156M in losses. Of those losses, \$70M was due to winter storms in the last quarter of the program year. Current estimates for the second year (2023/24) are \$110M+ of losses. Fortunately, the Program’s Net Position (often referred to as surplus) was robust enough to manage these losses. However, the Program also subsidized member premiums to the tune of \$40M for the past two years and the reduction in Net Position means the premium subsidy will not be available for the 2024/25 year. Despite discontinuing the premium subsidy, pricing for this layer of coverage is still well below what it would cost the Program or any individual entity in the open marketplace. In 2022/23, the move to self-insurance was necessary due to the open market offering unacceptable pricing, terms, and conditions. As losses have increased, so has the open market pricing. PRISM’s retention of the primary \$10M layer has shielded members from gaps in coverage, restrictive renewal terms and exorbitant pricing increases.



In summary, the PRISM Property Program has had a tough few years. PRISM’s sophistication and robust Net Position has allowed the Program to absorb these losses and remain in a positive funding position. In addition, the Program structure has prevented negative loss experience to most of the long-term carrier partners. Finally, PRISM provides members the most comprehensive coverage at a more favorable price than any member could obtain on their own. Our power is in pooling, and together the members will be able to work through the challenges resulting from unforeseen events and continue to provide the lowest cost to members for years to come.



# 2024 PROPERTY INSURANCE MARKET UPDATE

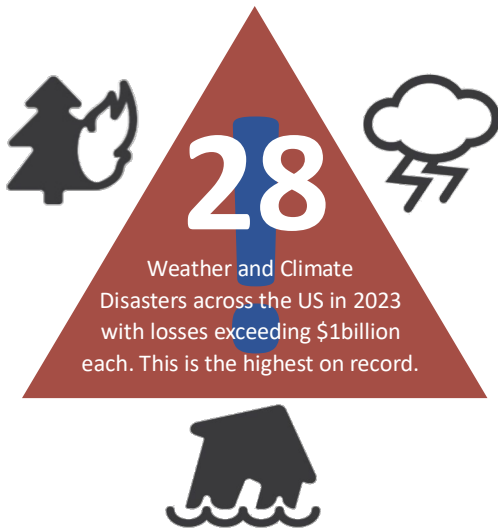
## A TALE OF TWO RENEWALS: PRIMARY AND EXCESS

Att. A, AI 17, 03/14/24

As we close out Q1 of 2024, it comes with a bit of mixed news for the PRISM Property program. For the first time in about 7 years, we are experiencing a more stable property insurance market keen on growth. At the same time, Natural Catastrophes are occurring at unprecedented rates causing PRISM to experience large losses within the program, primarily from winter storms. These two details in combination are leading to a disjointed renewal with quite different expectations in the self-funded primary layer versus the excess which is placed in the open market.



PRISM's Property Program has saved members \$85M to date. This savings is projected to increase to at least \$140M following the 2024/25 renewal.



Weather and Climate Disasters across the US in 2023 with losses exceeding \$1 billion each. This is the highest on record.

Primary \$10M Average Annual loss for the 5 years prior to PRISM self-funding

**\$60M**

**\$133M**

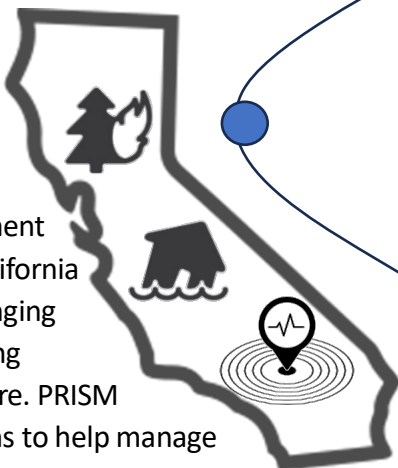
Primary \$10M Average Annual loss after self-funding

Increased losses to the Primary results in higher open market premium for this layer and also necessitates more conservative funding by PRISM.

### PRISM Benefits

- The PRISM Property Program size creates stability and allows for economies of scale.
- PRISM has the benefit of long-standing carrier relationships worldwide which results in better renewal offerings.
- PRISM's proactive approach allows for unique and sophisticated funding solutions through utilization of their captive, PRISM ARC. This allows for PRISM to absorb losses, provide competitive pricing and offer broad terms and conditions not available in the open market.

Despite a more favorable open market environment in the excess, California has many challenging exposures, making it difficult to insure. PRISM provides solutions to help manage these challenges.





**Metropolitan  
Transit  
System**

## **Agenda Item No. 18**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Excess General Liability (Liability) And Excess Workers' Compensation (Workers' Compensation) Insurance Renewals

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors:

- 1) Authorize the Chief Executive Officer (CEO) to purchase a Liability insurance program, effective March 31, 2024, that results in a not to exceed premium amount of \$3,976,021 (excluding the State of California surplus lines taxes) based on the coverage structure of \$75 million total program coverage, inclusive of a \$7.5 million Self Insured Retention (SIR) on Bus and Rail Operations, and a \$5 million SIR on Public Entity Errors and Omissions, and Employment Practices Liability.
- 2) Approve a two-year commitment from Mid-West Employers for MTS Excess Workers' Compensation Insurance program, excess of a \$1 million SIR effective March 31, 2024, for an annual deposit premium of \$228,499, for a total of approximately \$456,998.

**Budget Impact**

The contract cost of these insurance programs is estimated to be \$3,976,021 for Liability (through March 30, 2025) and \$456,998 for Workers' Compensation through March 30, 2026, excluding applicable taxes. The estimated total cost for the first policy year is \$4,204,520 (excluding taxes). This represents a 24% increase compared to the approved Liability program cost for March 1, 2023 to February 29, 2024 (\$3,196,218), and a 17% decrease in the Workers' Compensation program cost for the same period (\$275,878). Each year's annual Workers' Compensation program costs may vary slightly based on MTS's estimated payroll for that policy period, which is subject to audit. Any cost increases would be within the CEO's Board Policy 41 authority to approve.

The coverage will be funded by the operating budgets of MTS, San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), and San Diego & Arizona Eastern Railroad (SD&AE). The approximate annual breakdown of insurance cost between MTS cost centers is noted within the table below:



COMBINED EXCESS LIABILITY INSURANCE PREMIUM COST ALLOCATION					
AGENCY	MTS 633010- 562210	(SDTC) 633014- 562210	(SDTI) 633016- 562210	(SD&AE) 771017- 562210	TOTAL
	\$504,542	\$1,871,011	\$1,786,921	\$42,046	\$4,204,520

DISCUSSION:

Each year MTS purchases insurance to protect against various risks. Today’s proposed action addresses MTS insurance policies for Liability and Workers’ Compensation. MTS’s current Liability and Workers’ Compensation insurance program was approved on February 16, 2023 (AI 7), was for a policy period of March 1, 2023 to February 29, 2024. Due to the need to conduct additional negotiations on a final insurance program for the upcoming policy period, on February 8, 2024 (AI 7), the Board approved an extension of the prior policies (and the insurance carriers agreed) to March 15, 2024. Following that Board approval, the insurance carriers agreed to an additional extension to March 30, 2024 to allow the parties time to implement the new program proposed for approval today.

Therefore, today’s proposed action is to approve the Liability and Workers Compensation insurance programs with an effective policy period of March 31, 2024 to March 30, 2025.

The nature of the insurance market and negotiations for new policies is such that insurance companies and their underwriters generally will not provide renewal quotations until shortly before the renewal date. Often, final negotiations are not wrapped up until the final weeks (or days) before a new program commences. Staff has been in extensive discussions with MTS insurance brokers, Alliant, over the past several months as they have engaged with our underwriters over the cost and structure of a new program.

*Excess General Liability – Current Program*

MTS’ Liability insurance policy covers various areas of potential risk to MTS and its wholly owned entities (SDTC, SDTI, and SD&AE). Primarily, this includes bodily injury, property damage and other damage claims that are inherent in Bus and Rail operations. Historically, MTS’ insurance coverage has been structured so that MTS is directly responsible for a self-insured layer (the “SIR”), the amount of which has varied over the years based on insurance market conditions and our own independent actuarial projections of the ultimate expected cost in the retained layer. Only if a lawsuit or claim exceeds, or is reasonably expected to exceed the SIR, does MTS’ excess liability coverage step in. MTS currently keeps a self-insurance reserve amount in its budget specifically to partially cover claims that fall within the insurance retention amounts. Where anticipated, the Risk Department budget includes sufficient funds to pay known claims. The MTS Risk Department internally manages and resolves liability claims, either directly or by overseeing litigation handled by outside counsel.

Coverage limits and retentions have varied over the years based on insurance market conditions, third party requirements, and perceptions of a reasonable maximum foreseeable loss.

Currently, MTS purchases \$70 million in insurance limits, in excess of its \$ 5 million retention, for its operations. This results in a total coverage limit of \$75 million. No *single* insurer will provide such limits given the nature of the risk involved, so coverage is purchased in a “layered and quota share” arrangement with numerous insurers both domestic and abroad participating in the program. The total limit is intended to adhere to the requirements set by MTS’ Shared Use Agreement with North County Transit District (NCTD) and Burlington Northern Santa Fe (BNSF) Railway, which governs the shared light and heavy Rail Operations on the railroad right-of-way between Santa Fe Depot and Oceanside. Under that agreement, MTS is required to maintain at least a \$75 million (retention plus limits purchased) limit. NCTD and BNSF are required to maintain much higher limits (\$295 million and \$200 million respectively as of 2023) based on the difference in perceived risk between Rail Operations (MTS) and heavy rail operations, in this case, those of NCTD, Amtrak (operating under NCTD’s rights), and BNSF.

While MTS is under no obligation to carry a specific limit of coverage for its Bus Operations (or other) operational activities, historically it has carried the same limits of coverage as Rail, for the sake of consistency, and as it has been financially efficient to do so.

#### *The Excess Insurance Market for Transit Risks*

Rates for the excess liability coverage are generally based on a combination of passenger counts, revenue miles, operating revenue, construction costs, loss history, SIR, and current market conditions.

Beginning in 2020, unfavorable insurance market conditions (catastrophic weather-related losses and extreme jury verdicts) began causing widespread disruptions in the availability of commercial insurance. For MTS, and other public transit agencies, the difficult market conditions had been felt most notably in the Liability market. Recently, demand for limits of coverage have outstripped supply relative to past market cycles, and prices increased accordingly. Specific loss activity of MTS also put pressure on rates.

For our 2024 renewal, our insurance broker, Alliant, sought various options for limits and retentions to combat expected price increases and potential narrowing of the terms and conditions of coverage. An unusual amount of difficulty was faced this year as our long-term lead insurer, MunichRE, decided to not offer renewal terms citing the litigious environment in California and likelihood of adverse verdicts in the public entity space. After reviewing various options, MTS staff is recommending a Liability program that retains the coverage elements of the expiring program through a new combination of insurers in the primary layer but attaching at \$7.5 million SIR for Bus, Rail and premises liability and \$5 million SIR for public entity errors and omissions and employment practices liability. While pricing at the \$5 million SIR for all coverage parts is theoretically achievable, the cost for doing was excessive, and therefore staff is not recommending.

The program limits of \$75 million inclusive of the MTS SIR is achieved through a combination of both domestic and international insurers. The chart below reflects the most likely structure and participation by insurer for our renewal program.

Coverage	Bus/Rail/All Other		
\$75M	\$25M x \$50M - Convex/Hiscox/Aspen/Aegis		
\$50M	\$10M X \$40M - Canopus/Ascot		
\$40M	\$10M x \$30M Great American Assurance Company		
\$30M	\$5M x \$25M - MAP/Arcadian		
\$25M	\$10M x \$15M - Hiscox / Inigo		
\$15M	\$5M x \$10M - Allied World National Insurance Company		
\$10M	Bus/Rail/GL Lexington \$2.5M X SIR	POL/EPL Chubb \$5M X SIR	Security Guard Lexington \$2.5M X SIR
\$7.5M \$5M	Self Insured Retention		

*Workers' Compensation*

There is presently more stability in the Workers' Compensation insurance market, and in some instances, insurers are being more aggressive. Such is the case for the MTS program this year. For the renewal, Mid-West is proposing a new two-year rate commitment that staff and our broker, Alliant, supports and views as favorable. Following is a snapshot of the renewal relative to the expiring program:

Excess Workers' Compensation	2023-24	2024-25	\$ Change	% Change
Est. Payroll	\$113,250,343	\$119,071,697	\$5,821,354	5%
Limit	Statutory	Statutory	-	0%
Rate Per \$100	.2436	.1919	(0.052)	(21%)
Self-Insured Retention	\$1,000,000	\$1,000,000	-	0%
Est. Premium	\$275,878	\$228,499	(47,379)	(17.2%)
<i>*Final premium subject to payroll audit conducted at the end of policy term.</i>				

The two-year rate commitment comes with standard limitations surrounding unexpected MTS losses, or significant changes in MTS operations or financial conditions, or market conditions that are out of Mid-West Employers' control.

Therefore, staff recommends that the MTS Board of Directors:

- 1) Authorize the CEO to purchase a Liability insurance program, effective March 31, 2024, that results in a not to exceed premium amount of \$3,976,021 (excluding the State of California surplus lines taxes) based on the coverage structure of \$75 million total program coverage,

inclusive of a \$7.5 million Self Insured Retention (SIR) on Bus and Rail Operations, and a \$5 million SIR on Public Entity Errors and Omissions, and Employment Practices Liability. Approve a two-year commitment from Mid-West Employers for MTS Excess Workers' Compensation Insurance program, excess of a \$1 million SIR effective March 31, 2024, for an annual deposit premium of \$228,499, for a total of approximately \$456,998.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)



**Metropolitan  
Transit  
System**

## **Agenda Item No. 19**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Fiscal Year (FY) 2024 Operating Budget Midyear Amendment (Gordon Meyer)

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) Board of Directors enact Resolution No. 24-01 (Attachment B) amending the FY 2024 operating budget for MTS, San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), MTS Contract Services, and the Coronado Ferry.

Budget Impact

The action will amend the FY 2024 operating budget.

Budget Development Committee Recommendation

At its March 7, 2024 meeting, the Budget Development Committee voted 3 to 0 with Board Members: Whitburn, Moreno and Goble in favor to recommend that the Board of Directors approve the staff recommendation and Board Members: Montgomery Steppe and McCann absent.

**DISCUSSION:**

The FY 2024 operating budget was approved on May 18, 2023. Based on new information and additional evaluation of expenses and revenues for the year, staff has developed the midyear amendment, which will amend the FY 2024 operating budget for MTS, SDTC, SDTI, MTS Contract Services, and the Coronado Ferry.

Combined MTS FY 2024 Midyear Adjustments

Revenues: In total, consolidated revenues are increasing by \$6,958,000 (1.7%).

Passenger Revenue: Passenger revenues were unfavorable to budget by \$2,228,000 (-5.8%) over the first six months of the fiscal year, primarily due to lower ridership versus the original budget. The original budget assumed ridership growth of 16.0% over the prior year actual ridership (after removing estimated impact of last year's strike). Ridership is currently trending



9.5% higher than last year through the first half of the FY. The revised ridership forecast for FY 2024 is now 76.5 million passengers, representing 9.9% growth over the prior year. Based on the current ridership and average fare trends, passenger revenue is projected to be \$74,558,000 in the FY 2024 amended budget, a decrease of \$4,367,000 (-5.5%) from the original budget.

Other Operating Revenue: Other operating revenue is projected to increase by \$6,448,000 (26.1%) versus the original FY 2024 budget. This is primarily due a projected increase of \$6.4 million in interest revenue due to high interest rates combined with higher than expected cash balances. Rental income is projected to increase by \$550,000, primarily due to the new lease revenue generated by the Grantville Trolley station development. Energy credit revenue is expected to increase by \$417,000 in the amended budget, primarily due to favorable federal Renewable Identification Numbers (RINs) energy credit prices. RINs prices have been trading at an average of \$3.15 per credit, versus the original budget of \$2.00 per credit. The impact of these high prices has more than offset the unfavorable impact of lackluster Low Carbon Fuel Standards (LCFS) prices, which have averaged \$70.54 per credit versus \$92.50 included in the original budget. The amended budget includes revised price targets of \$3.10 for RINs and \$70.00 for LCFS.

Subsidy Revenue: Subsidy revenue, in total, is projected to increase by \$1,395,000 (0.4%). MTS receives a variety of recurring federal revenues (Federal Transit Administration (FTA) Sections 5307, 5337, 5339, 5311, etc.) for preventive maintenance, paratransit operations, rural operations, and capital projects. Recurring federal revenues are expected to increase by \$70,000 (0.1%) from the original budget, primarily due to a one-time increase in the allocation of FTA Section 5307 funds for FY 2024. The original budget included \$375,000 in FTA Route Restoration Program funding, which was granted to MTS for conducting planning studies for the Baltimore Junction and Euclid Ave service areas. These funds are being removed from the FY 2024 amended budget with spending now anticipated in FY 2025 as a result of the delays in the vendor selection process. Overall, non-stimulus federal funds are decreasing by \$305,000 (-0.4%) in the FY 2024 amended budget.

On March 27, 2020, the President signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which provided \$25 billion to the transit industry nationwide. MTS is expected to receive \$220 million in CARES Act funding over multiple fiscal years to supplement lost revenues and increased expenses related to the pandemic. On March 11, 2021, the President signed the American Rescue Plan (ARP) Act into law, providing \$140 million in additional stimulus funding for MTS. In total, MTS has been allocated \$360 million in federal stimulus funds that MTS has used to fund structural deficits in the operating budget thus far. MTS has drawn and received \$260.3 million of these stimulus funds so far. The original FY 2024 budget included \$85.0 million of federal stimulus, and there is no change to the projected drawdown of \$85.0 million in the amended budget. Of the \$85.0 million in stimulus funds, \$54.8 million is projected to be used to cover the structural deficit in FY 2024, while the remaining \$30.2 million will be contributed to the operating deficit reserve for addressing future structural deficits.

Transportation Development Act (TDA) revenue is remaining at the original budget of \$92,858,000. TDA is one-quarter of a percent of the 7.75% sales tax in the region and is apportioned by the San Diego Association of Governments (SANDAG). TDA funds both the operating and capital budget. Regional sales tax receipts are trending 1.6% lower than budget through January. However, part of this is due to the extension of tax filing deadlines last calendar year, which is expected to lead to higher cash receipts in the second half of the year



as all remaining tax returns are processed. Overall, regional sales tax receipts are expected to come in very close to the original budget. Regardless of sales tax performance in FY 2024, the TDA claim for FY 2024 will not change and there will be zero impact to the FY 2024 budget. If TDA cash receipts end the year unfavorable to budget in FY 2024, the difference will be covered by the TDA reserve at the County.

TransNet revenue is expected to increase by \$212,000 (0.3%). TransNet is a one-half cent local sales tax revenue distributed to MTS both on a formula basis as well as through direct reimbursement for TransNet funded services such as Bus Rapid Transit (BRT) operations and the Mid-Coast extension. The overall formula share is expected to stay at the original budget of \$42.0 million. As with TDA, Transnet cash receipts have lagged the budgeted figures by -1.7% through January; however, forecasts are still indicating that the regional sales tax target will be achieved in FY 2024 as postponed tax returns are processed in the second half of the year. TransNet provided as direct reimbursement for BRT services and Mid-Coast is expected to increase by \$212,000 (0.3%), based on projected increases in net subsidy needed to fully fund these services.

State Transit Assistance (STA) is a state sales tax revenue derived from the sales tax on diesel fuel and apportioned by the state. STA is primarily used to fund the capital budget due to its volatile history; however, a portion is used to fund operations. The original FY24 budget included an overall projection of \$39.4 million, with \$28.1 million being allocated to the Capital Improvement Program (CIP) and the remaining \$11.3 million to operations. The Governor's January proposed budget includes \$36.5 million in total STA for MTS, a reduction of \$2.9 million (-25.7%) overall. The decrease in total STA funds is being applied to the operating budget to keep the capital budget fully funded. Therefore, STA in the operating budget is projected at \$8,400,000 in the FY 2024 amended budget, a decrease of \$2,900,000 (-25.7%).

State revenue is expected to increase by \$4,388,000 in the amended budget. State revenue includes the addition of Senate Bill 125 (SB 125) Transit and Intercity Rail Capital Program (TIRCP) funds, a new one-time funding source in FY 2024, as well as Medi-Cal revenues provided by the state. SB 125, approved by the Governor on July 10, 2023, guides the distribution of \$4 billion in General Fund through the TIRCP on a population-based formula to regional transportation planning agencies, which can use the funds for either capital or operations. MTS is expected to receive \$237.3 million in SB 125 TIRCP funds over the next four years, including both capital and operations. The FY 2024 amended budget includes the addition of \$4,500,000 in SB 125 funds to fund security enhancements and Iris Rapid operations. State Medi-Cal revenue is decreasing by \$112,000 in the FY 2024 amended budget.

Other local funds are projected to remain at the original budget figure of \$4,491,000. Other local funds include *Fastrak* toll revenue provided by SANDAG, reimbursement from UCSD for operating the Route 201 and 202 shuttle service, and smaller revenue streams provided by the City of San Diego and the North County Transit District through ancillary agreements.

Reserves: For Hire Vehicle Administration (FHVA) and San Diego & Arizona Eastern (SD&AE) are self-funded entities who must balance their operating expenses with operating revenues or their contingency reserve revenue. FHVA is projected to add \$137,000 to its reserve balance in the FY 2024 amended budget, as revenues are expected to exceed expenses. SD&AE is projected to add \$80,000 to its reserve, as revenues are expected to exceed expenses.

In FY 2023, the Board of Directors approved the creation of the operating deficit reserve. This allowed MTS to draw federal stimulus funds based on maximum allowable expenses, versus only drawing the amount needed to cover the annual structural deficit. Excess stimulus funds are then contributed to the operating deficit reserve where they can be used in future fiscal years for addressing structural deficits. The original FY 2024 budget included a contribution of \$33.8 million to the operating deficit reserve based on projected excess revenues over expenses. The amended budget includes a contribution of \$30.2 million, a reduction of \$3.6 million (-10.7%). The decrease in the projected contribution is due to an increase in the structural deficit, with projected expenses increasing more than projected non-reserve revenues in the FY 2024 amended budget.

In total, consolidated revenues are projected to increase by \$6,958,000 (1.7%).

Expenses: Total consolidated operating expenses are projected to increase by \$6,958,000 (1.7%) from the original budget.

Personnel: Personnel-related expenses are increasing by \$5,125,000 (3.0%), primarily due to hiring 47 new security personnel within Administration, increasing wages within Bus and Rail operations, increasing health and welfare premiums coupled with decreasing employee deductions for SDTC union employees, increasing CalPERS pension costs within Rail operations, and increasing worker's compensation costs within Rail operations.

Outside Services: Total outside services are projected to increase by \$568,000 (0.4%). This is primarily due a projected increase of \$1.9 million in repair and maintenance costs for Rail operations. The primary driver within Rail operations is an increase of \$2.1 million in projected tie replacement costs. These costs were originally spread over multiple fiscal years, but the contractor is scheduled to complete the planned tie replacement by the end of the fiscal year. Within Bus operations, engine and transmission overhaul costs are projected to increase by \$171,000 (23.9%) based on unfavorable experience in the first half of the year. Increases in outside services expenses are being partially offset by a decrease of \$1.6 million in purchased transportation costs. Purchased transportation costs are decreasing due to reduced fixed route service levels versus the original budget. Bus operator hiring continues to be a challenge and the amended budget assumes slower restoration of some services, resulting in lower purchased transportation costs.

Materials and Supplies: Staff projects materials and supplies expenses to increase by \$2,422,000 (14.9%) versus the original budget. This is primarily due to unfavorable revenue vehicle parts costs within Rail operations, which are increasing by \$1.7 million in the amended budget. The budget for revenue vehicle parts within Bus operations is increasing by \$520,000, primarily due to inflation.

Energy: Energy expenses are projected to decrease by \$12,000 (-0.0%) in total. Within energy, CNG is projected to increase by \$106,000 (0.7%), primarily due to increasing forecasted consumption. This is being more than offset by favorable electricity and propane costs. Electricity rates are projected to be 1.4% favorable to the original budget, and propane consumption is decreasing in the amended budget due higher usage of third-party providers to provide paratransit trips which are operated with non-propane vehicles.

Risk Management: Risk management costs are decreasing by \$557,000 (-6.1%), primarily due to projected decreases in risk-related legal expenses and favorable claim recoveries.

General and Administrative. General and administrative costs are projected to decrease by \$629,000 (-9.2%). This is primarily due to decreasing credit card fees related to the fare system as well as decreasing advertising costs within the Marketing department.

Debt Service: Debt service costs are remaining at the original budget of \$54,000.

Vehicle/Facility Leases. Vehicle/facility leases are expected to increase by \$42,000 (2.5%), primarily due to higher non-revenue vehicle lease costs.

Net income: The increase in revenues and expenses results in a balanced budget.

Therefore, staff recommends that the MTS Board of Directors enact Resolution No. 24-01 (Attachment B) amending the FY 2024 operating budget for MTS, SDTC, SDTI, MTS Contract Services, and the Coronado Ferry.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Proposed Fiscal Year 2024 Amended Budget  
B. Board Resolution No. 24-01  
C. Calendar of Budgetary Process



# Fiscal Year 2024 Amended Budget

**Metropolitan Transit System**



**This page intentionally left blank.**

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
TABLE OF CONTENTS  
AMENDED BUDGET FISCAL YEAR 2024**

Table of Contents.....	i
 Section 2, Amended Budgets	
2.01 MTS Consolidated Budget.....	1
2.02 Consolidated Operations Budget.....	2
2.03 Consolidated Administrative Budget.....	3
2.04 Consolidated Other Activities Budget.....	4
4.02 San Diego Transit Corporation Budget.....	5
4.03 San Diego Trolley Incorporated Budget.....	6
4.04 Contracted Bus Operations - Fixed Route Budget.....	7
4.05 Contracted Bus Operations - Paratransit Budget.....	8
4.06 Coronado Ferry Budget.....	9
4.07 Administrative Pass Through Budget.....	10
 Section 3, Amended Revenues	
3.02 Revenue Summary.....	11
9.01 Funding Sources by Activity - Summary.....	12
9.02 Funding Sources by Activity - Detail.....	13
 Section 4, Position Information	
10.03 Position Table Summary.....	16
10.04 Position Table Detail.....	17

**This page intentionally left blank.**

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
OPERATING BUDGET SUMMARY  
FISCAL YEAR 2024  
SECTION 2.01**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	67,545,690	78,925,285	74,557,786	(4,367,499)	-5.5%
OTHER OPERATING REVENUE	23,935,008	24,710,122	31,157,761	6,447,639	26.1%
<b>TOTAL OPERATING REVENUES</b>	<b>91,480,698</b>	<b>103,635,407</b>	<b>105,715,547</b>	<b>2,080,140</b>	<b>2.0%</b>
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	341,143,987	337,243,173	338,638,609	1,395,436	0.4%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	(53,336,099)	(33,881,687)	(30,399,173)	3,482,514	-10.3%
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	(53,336,099)	(33,881,687)	(30,399,173)	3,482,514	-10.3%
<b>TOTAL NON OPERATING REVENUE</b>	<b>287,807,888</b>	<b>303,361,486</b>	<b>308,239,436</b>	<b>4,877,950</b>	<b>1.6%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>379,288,586</b>	<b>406,996,893</b>	<b>413,954,984</b>	<b>6,958,090</b>	<b>1.7%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	96,393,219	101,605,387	105,264,289	3,658,902	3.6%
FRINGE EXPENSES	68,374,361	71,217,488	72,683,649	1,466,161	2.1%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>164,767,580</b>	<b>172,822,875</b>	<b>177,947,938</b>	<b>5,125,063</b>	<b>3.0%</b>
SECURITY EXPENSES	12,476,293	14,170,431	14,162,707	(7,724)	-0.1%
REPAIR/MAINTENANCE SERVICES	7,960,588	10,967,666	12,893,884	1,926,218	17.6%
ENGINE AND TRANSMISSION REBUILD	572,610	716,400	887,602	171,202	23.9%
OTHER OUTSIDE SERVICES	17,878,355	21,611,646	21,695,819	84,173	0.4%
PURCHASED TRANSPORTATION	83,685,813	104,821,016	103,215,028	(1,605,988)	-1.5%
<b>TOTAL OUTSIDE SERVICES</b>	<b>122,573,659</b>	<b>152,287,159</b>	<b>152,855,040</b>	<b>567,881</b>	<b>0.4%</b>
LUBRICANTS	440,435	473,735	529,020	55,285	11.7%
TIRES	1,253,990	1,305,500	1,309,700	4,200	0.3%
OTHER MATERIALS AND SUPPLIES	14,737,624	14,436,261	16,798,512	2,362,251	16.4%
<b>TOTAL MATERIALS AND SUPPLIES</b>	<b>16,432,050</b>	<b>16,215,496</b>	<b>18,637,232</b>	<b>2,421,736</b>	<b>14.9%</b>
GAS/DIESEL/PROPANE	2,558,901	2,872,960	2,790,683	(82,277)	-2.9%
CNG	18,974,494	15,060,000	15,166,101	106,101	0.7%
TRACTION POWER	24,428,328	24,117,862	24,108,733	(9,129)	0.0%
UTILITIES	6,622,067	6,017,669	5,990,696	(26,973)	-0.4%
<b>TOTAL ENERGY</b>	<b>52,583,790</b>	<b>48,068,491</b>	<b>48,056,213</b>	<b>(12,278)</b>	<b>0.0%</b>
RISK MANAGEMENT	7,807,775	9,058,779	8,502,081	(556,698)	-6.1%
GENERAL AND ADMINISTRATIVE	5,917,152	6,838,481	6,209,331	(629,150)	-9.2%
DEBT SERVICE	161,436	54,149	54,149	-	0.0%
VEHICLE / FACILITY LEASE	1,645,186	1,651,462	1,693,000	41,538	2.5%
<b>TOTAL OPERATING EXPENSES</b>	<b>371,888,627</b>	<b>406,996,892</b>	<b>413,954,984</b>	<b>6,958,092</b>	<b>1.7%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(280,407,929)</b>	<b>(303,361,485)</b>	<b>(308,239,437)</b>	<b>4,877,952</b>	<b>1.6%</b>
OVERHEAD ALLOCATION	0	(0)	0	0	0.0%
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(280,407,929)</b>	<b>(303,361,485)</b>	<b>(308,239,437)</b>	<b>4,877,952</b>	<b>1.6%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	<b>7,399,959</b>	<b>1</b>	<b>(0)</b>	<b>2</b>	<b>0.0%</b>



**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
OPERATIONS BUDGET  
FISCAL YEAR 2024  
SECTION 2.02**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	67,545,690	78,925,285	74,557,786	(4,367,499)	-5.5%
OTHER OPERATING REVENUE	964,773	915,000	900,500	(14,500)	-1.6%
<b>TOTAL OPERATING REVENUES</b>	<b>68,510,463</b>	<b>79,840,285</b>	<b>75,458,286</b>	<b>(4,381,999)</b>	<b>-5.5%</b>
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	272,853,069	296,282,600	299,889,222	3,606,622	1.2%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	-	-	-	-	-
<b>TOTAL NON OPERATING REVENUE</b>	<b>272,853,069</b>	<b>296,282,600</b>	<b>299,889,222</b>	<b>3,606,622</b>	<b>1.2%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>341,363,532</b>	<b>376,122,885</b>	<b>375,347,508</b>	<b>(775,377)</b>	<b>-0.2%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	78,065,044	82,065,916	83,717,763	1,651,847	2.0%
FRINGE EXPENSES	59,817,546	62,831,604	63,842,613	1,011,009	1.6%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>137,882,590</b>	<b>144,897,520</b>	<b>147,560,376</b>	<b>2,662,856</b>	<b>1.8%</b>
SECURITY EXPENSES	1,038,507	1,153,399	1,182,345	28,946	2.5%
REPAIR/MAINTENANCE SERVICES	7,749,656	10,825,666	12,711,484	1,885,818	17.4%
ENGINE AND TRANSMISSION REBUILD	572,610	716,400	887,602	171,202	23.9%
OTHER OUTSIDE SERVICES	6,482,663	8,056,823	7,625,479	(431,344)	-5.4%
PURCHASED TRANSPORTATION	83,685,813	104,821,016	103,215,028	(1,605,988)	-1.5%
<b>TOTAL OUTSIDE SERVICES</b>	<b>99,529,250</b>	<b>125,573,304</b>	<b>125,621,938</b>	<b>48,634</b>	<b>0.0%</b>
LUBRICANTS	440,435	473,715	529,020	55,305	11.7%
TIRES	1,253,990	1,305,500	1,309,700	4,200	0.3%
OTHER MATERIALS AND SUPPLIES	14,599,467	14,396,411	16,462,262	2,065,851	14.3%
<b>TOTAL MATERIALS AND SUPPLIES</b>	<b>16,293,893</b>	<b>16,175,626</b>	<b>18,300,982</b>	<b>2,125,356</b>	<b>13.1%</b>
GAS/DIESEL/PROPANE	2,314,337	2,641,660	2,559,083	(82,577)	-3.1%
CNG	18,974,494	15,060,000	15,166,101	106,101	0.7%
TRACTION POWER	24,428,328	24,117,862	24,108,733	(9,129)	0.0%
UTILITIES	5,665,368	5,016,069	4,953,315	(62,754)	-1.3%
<b>TOTAL ENERGY</b>	<b>51,382,527</b>	<b>46,835,591</b>	<b>46,787,232</b>	<b>(48,359)</b>	<b>-0.1%</b>
<b>RISK MANAGEMENT</b>	<b>6,862,100</b>	<b>7,884,624</b>	<b>7,553,606</b>	<b>(331,018)</b>	<b>-4.2%</b>
<b>GENERAL AND ADMINISTRATIVE</b>	<b>934,023</b>	<b>1,073,143</b>	<b>1,084,226</b>	<b>11,083</b>	<b>1.0%</b>
<b>DEBT SERVICE</b>	<b>161,436</b>	<b>54,149</b>	<b>54,149</b>	<b>-</b>	<b>0.0%</b>
<b>VEHICLE / FACILITY LEASE</b>	<b>1,402,974</b>	<b>1,381,462</b>	<b>1,367,000</b>	<b>(14,462)</b>	<b>-1.0%</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>314,448,794</b>	<b>343,875,419</b>	<b>348,329,509</b>	<b>4,454,090</b>	<b>1.3%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(245,938,330)</b>	<b>(264,035,134)</b>	<b>(272,871,223)</b>	<b>8,836,089</b>	<b>3.3%</b>
OVERHEAD ALLOCATION	(29,899,737)	(32,247,464)	(27,018,000)	5,229,464	-16.2%
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(275,838,068)</b>	<b>(296,282,598)</b>	<b>(299,889,222)</b>	<b>3,606,624</b>	<b>1.2%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	<b>(2,984,999)</b>	<b>2</b>	<b>(0)</b>	<b>2</b>	<b>-116.8%</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
ADMINISTRATIVE BUDGET  
FISCAL YEAR 2024  
SECTION 2.03**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	-	-	-	-	-
OTHER OPERATING REVENUE	21,978,425	22,894,522	29,266,261	6,371,739	27.8%
<b>TOTAL OPERATING REVENUES</b>	<b>21,978,425</b>	<b>22,894,522</b>	<b>29,266,261</b>	<b>6,371,739</b>	<b>27.8%</b>
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	68,290,918	40,960,573	38,749,387	(2,211,186)	-5.4%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	(53,039,759)	(33,791,231)	(30,182,046)	3,609,185	-10.7%
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	(53,039,759)	(33,791,231)	(30,182,046)	3,609,185	-10.7%
<b>TOTAL NON OPERATING REVENUE</b>	<b>15,251,159</b>	<b>7,169,342</b>	<b>8,567,341</b>	<b>1,397,999</b>	<b>19.5%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>37,229,584</b>	<b>30,063,864</b>	<b>37,833,602</b>	<b>7,769,738</b>	<b>25.8%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	18,002,731	19,184,820	21,194,875	2,010,055	10.5%
FRINGE EXPENSES	8,382,820	8,190,159	8,638,223	448,064	5.5%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>26,385,551</b>	<b>27,374,979</b>	<b>29,833,098</b>	<b>2,458,119</b>	<b>9.0%</b>
SECURITY EXPENSES	11,437,785	13,017,032	12,980,362	(36,670)	-0.3%
REPAIR/MAINTENANCE SERVICES	208,224	138,000	178,400	40,400	29.3%
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	11,375,508	13,500,023	14,016,140	516,117	3.8%
PURCHASED TRANSPORTATION	-	-	-	-	-
<b>TOTAL OUTSIDE SERVICES</b>	<b>23,021,517</b>	<b>26,655,055</b>	<b>27,174,902</b>	<b>519,847</b>	<b>2.0%</b>
LUBRICANTS	-	20	-	(20)	-100.0%
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	137,953	39,350	335,750	296,400	753.2%
<b>TOTAL MATERIALS AND SUPPLIES</b>	<b>137,953</b>	<b>39,370</b>	<b>335,750</b>	<b>296,380</b>	<b>752.8%</b>
GAS/DIESEL/PROPANE	238,681	224,300	224,600	300	0.1%
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	956,699	1,001,600	1,037,381	35,781	3.6%
<b>TOTAL ENERGY</b>	<b>1,195,381</b>	<b>1,225,900</b>	<b>1,261,981</b>	<b>36,081</b>	<b>2.9%</b>
<b>RISK MANAGEMENT</b>	<b>874,496</b>	<b>1,085,155</b>	<b>859,000</b>	<b>(226,155)</b>	<b>-20.8%</b>
<b>GENERAL AND ADMINISTRATIVE</b>	<b>4,916,755</b>	<b>5,694,674</b>	<b>5,054,941</b>	<b>(639,733)</b>	<b>-11.2%</b>
<b>DEBT SERVICE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>VEHICLE / FACILITY LEASE</b>	<b>228,525</b>	<b>250,000</b>	<b>320,000</b>	<b>70,000</b>	<b>28.0%</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>56,760,178</b>	<b>62,325,133</b>	<b>64,839,672</b>	<b>2,514,539</b>	<b>4.0%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(34,781,752)</b>	<b>(39,430,611)</b>	<b>(35,573,411)</b>	<b>(3,857,200)</b>	<b>-9.8%</b>
OVERHEAD ALLOCATION	29,915,551	32,261,268	27,006,070	(5,255,199)	-16.3%
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(4,866,201)</b>	<b>(7,169,343)</b>	<b>(8,567,341)</b>	<b>1,397,999</b>	<b>19.5%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	<b>10,384,957</b>	<b>(1)</b>	<b>-</b>	<b>(1)</b>	<b>-100.0%</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
OTHER ACTIVITIES BUDGET  
FISCAL YEAR 2024  
SECTION 2.04**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	-	-	-	-	-
OTHER OPERATING REVENUE	991,810	900,600	991,000	90,400	10.0%
<b>TOTAL OPERATING REVENUES</b>	<b>991,810</b>	<b>900,600</b>	<b>991,000</b>	<b>90,400</b>	<b>10.0%</b>
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	-	-	-	-	-
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	(296,340)	(90,456)	(217,127)	(126,671)	140.0%
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	(296,340)	(90,456)	(217,127)	(126,671)	140.0%
<b>TOTAL NON OPERATING REVENUE</b>	<b>(296,340)</b>	<b>(90,456)</b>	<b>(217,127)</b>	<b>(126,671)</b>	<b>140.0%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>695,470</b>	<b>810,144</b>	<b>773,873</b>	<b>(36,271)</b>	<b>-4.5%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	325,444	354,651	351,651	(3,000)	-0.8%
FRINGE EXPENSES	173,995	195,725	202,813	7,088	3.6%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>499,438</b>	<b>550,376</b>	<b>554,464</b>	<b>4,088</b>	<b>0.7%</b>
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	2,709	4,000	4,000	-	0.0%
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	20,184	54,800	54,200	(600)	-1.1%
PURCHASED TRANSPORTATION	-	-	-	-	-
<b>TOTAL OUTSIDE SERVICES</b>	<b>22,893</b>	<b>58,800</b>	<b>58,200</b>	<b>(600)</b>	<b>-1.0%</b>
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	204	500	500	-	0.0%
<b>TOTAL MATERIALS AND SUPPLIES</b>	<b>204</b>	<b>500</b>	<b>500</b>	<b>-</b>	<b>0.0%</b>
GAS/DIESEL/PROPANE	5,882	7,000	7,000	-	0.0%
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	-	-	-	-	-
<b>TOTAL ENERGY</b>	<b>5,882</b>	<b>7,000</b>	<b>7,000</b>	<b>-</b>	<b>0.0%</b>
<b>RISK MANAGEMENT</b>	<b>71,178</b>	<b>89,000</b>	<b>89,475</b>	<b>475</b>	<b>0.5%</b>
<b>GENERAL AND ADMINISTRATIVE</b>	<b>66,374</b>	<b>70,664</b>	<b>70,164</b>	<b>(500)</b>	<b>-0.7%</b>
<b>DEBT SERVICE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>VEHICLE / FACILITY LEASE</b>	<b>13,686</b>	<b>20,000</b>	<b>6,000</b>	<b>(14,000)</b>	<b>-70.0%</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>679,656</b>	<b>796,340</b>	<b>785,803</b>	<b>(10,537)</b>	<b>-1.3%</b>
<b>NET OPERATING SUBSIDY</b>	<b>312,154</b>	<b>104,260</b>	<b>205,197</b>	<b>(100,937)</b>	<b>96.8%</b>
<b>OVERHEAD ALLOCATION</b>	<b>(15,814)</b>	<b>(13,804)</b>	<b>11,930</b>	<b>-</b>	<b>-186.4%</b>
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>296,340</b>	<b>90,456</b>	<b>217,127</b>	<b>(126,671)</b>	<b>140.0%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	<b>0</b>	<b>(0)</b>	<b>(0)</b>	<b>(0)</b>	<b>0.0%</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BUS OPERATIONS BUDGET SUMMARY  
FISCAL YEAR 2024  
SECTION 4.02**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	19,666,167	21,576,772	20,688,183	(888,590)	-4.1%
OTHER OPERATING REVENUE	54,650	-	152,500	152,500	-
<b>TOTAL OPERATING REVENUES</b>	<b>19,720,817</b>	<b>21,576,772</b>	<b>20,840,683</b>	<b>(736,090)</b>	<b>-3.4%</b>
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	92,171,697	97,725,201	95,649,423	(2,075,778)	-2.1%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	-	-	-	-	-
<b>TOTAL NON OPERATING REVENUE</b>	<b>92,171,697</b>	<b>97,725,201</b>	<b>95,649,423</b>	<b>(2,075,778)</b>	<b>-2.1%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>111,892,514</b>	<b>119,301,973</b>	<b>116,490,106</b>	<b>(2,811,868)</b>	<b>-2.4%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	43,435,936	46,079,303	46,635,420	556,117	1.2%
FRINGE EXPENSES	42,345,933	44,949,491	45,315,190	365,699	0.8%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>85,781,870</b>	<b>91,028,794</b>	<b>91,950,610</b>	<b>921,816</b>	<b>1.0%</b>
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	874,846	888,190	876,078	(12,112)	-1.4%
ENGINE AND TRANSMISSION REBUILD	41,023	224,400	224,400	-	0.0%
OTHER OUTSIDE SERVICES	1,205,013	1,909,527	1,527,784	(381,743)	-20.0%
PURCHASED TRANSPORTATION	-	-	-	-	-
<b>TOTAL OUTSIDE SERVICES</b>	<b>2,120,882</b>	<b>3,022,117</b>	<b>2,628,262</b>	<b>(393,855)</b>	<b>-13.0%</b>
LUBRICANTS	149,006	148,715	145,000	(3,715)	-2.5%
TIRES	1,243,452	1,283,500	1,283,700	200	0.0%
OTHER MATERIALS AND SUPPLIES	5,211,937	5,533,850	6,001,668	467,818	8.5%
<b>TOTAL MATERIALS AND SUPPLIES</b>	<b>6,604,395</b>	<b>6,966,065</b>	<b>7,430,368</b>	<b>464,303</b>	<b>6.7%</b>
GAS/DIESEL/PROPANE	248,010	225,000	295,000	70,000	31.1%
CNG	10,002,035	7,523,000	7,601,246	78,246	1.0%
TRACTION POWER	102,499	110,000	110,000	-	0.0%
UTILITIES	899,905	892,000	852,350	(39,650)	-4.4%
<b>TOTAL ENERGY</b>	<b>11,252,448</b>	<b>8,750,000</b>	<b>8,858,596</b>	<b>108,596</b>	<b>1.2%</b>
<b>RISK MANAGEMENT</b>	<b>2,828,561</b>	<b>3,324,003</b>	<b>3,117,321</b>	<b>(206,682)</b>	<b>-6.2%</b>
<b>GENERAL AND ADMINISTRATIVE</b>	<b>425,691</b>	<b>500,050</b>	<b>520,179</b>	<b>20,129</b>	<b>4.0%</b>
<b>DEBT SERVICE</b>	<b>161,436</b>	<b>54,149</b>	<b>54,149</b>	<b>-</b>	<b>0.0%</b>
<b>VEHICLE / FACILITY LEASE</b>	<b>441,992</b>	<b>405,462</b>	<b>405,000</b>	<b>(462)</b>	<b>-0.1%</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>109,617,276</b>	<b>114,050,640</b>	<b>114,964,485</b>	<b>913,845</b>	<b>0.8%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(89,896,459)</b>	<b>(92,473,868)</b>	<b>(94,123,802)</b>	<b>1,649,935</b>	<b>1.8%</b>
<b>OVERHEAD ALLOCATION</b>	<b>(5,260,238)</b>	<b>(5,251,333)</b>	<b>(1,525,621)</b>	<b>3,725,712</b>	<b>-70.9%</b>
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(95,156,697)</b>	<b>(97,725,201)</b>	<b>(95,649,424)</b>	<b>(2,075,777)</b>	<b>-2.1%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	<b>(2,985,000)</b>	<b>(0)</b>	<b>(1)</b>	<b>1</b>	<b>0.0%</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
RAIL OPERATIONS BUDGET SUMMARY  
FISCAL YEAR 2024  
SECTION 4.03**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	26,728,848	31,278,658	30,023,928	(1,254,730)	-4.0%
OTHER OPERATING REVENUE	910,123	915,000	748,000	(167,000)	-18.3%
<b>TOTAL OPERATING REVENUES</b>	<b>27,638,971</b>	<b>32,193,658</b>	<b>30,771,928</b>	<b>(1,421,730)</b>	<b>-4.4%</b>
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	97,684,683	99,121,099	105,524,392	6,403,293	6.5%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	-	-	-	-	-
<b>TOTAL NON OPERATING REVENUE</b>	<b>97,684,683</b>	<b>99,121,099</b>	<b>105,524,392</b>	<b>6,403,293</b>	<b>6.5%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>125,323,654</b>	<b>131,314,757</b>	<b>136,296,319</b>	<b>4,981,563</b>	<b>3.8%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	34,088,059	35,448,613	36,550,343	1,101,730	3.1%
FRINGE EXPENSES	16,938,818	17,280,543	17,895,353	614,810	3.6%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>51,026,877</b>	<b>52,729,156</b>	<b>54,445,696</b>	<b>1,716,540</b>	<b>3.3%</b>
SECURITY EXPENSES	183,654	200,000	207,345	7,345	3.7%
REPAIR/MAINTENANCE SERVICES	6,854,723	9,927,476	11,826,406	1,898,930	19.1%
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	1,850,754	2,250,288	2,944,038	693,750	30.8%
PURCHASED TRANSPORTATION	-	-	-	-	-
<b>TOTAL OUTSIDE SERVICES</b>	<b>8,889,131</b>	<b>12,377,764</b>	<b>14,977,789</b>	<b>2,600,025</b>	<b>21.0%</b>
LUBRICANTS	291,429	325,000	384,020	59,020	18.2%
TIRES	10,538	22,000	26,000	4,000	18.2%
OTHER MATERIALS AND SUPPLIES	9,313,709	8,782,861	10,417,212	1,634,351	18.6%
<b>TOTAL MATERIALS AND SUPPLIES</b>	<b>9,615,676</b>	<b>9,129,861</b>	<b>10,827,232</b>	<b>1,697,371</b>	<b>18.6%</b>
GAS/DIESEL/PROPANE	485,263	481,222	505,600	24,378	5.1%
CNG	-	-	-	-	-
TRACTION POWER	24,287,135	23,607,862	23,681,733	73,871	0.3%
UTILITIES	3,840,970	3,185,200	3,188,200	3,000	0.1%
<b>TOTAL ENERGY</b>	<b>28,613,368</b>	<b>27,274,284</b>	<b>27,375,533</b>	<b>101,249</b>	<b>0.4%</b>
<b>RISK MANAGEMENT</b>	<b>4,018,539</b>	<b>4,545,571</b>	<b>4,421,285</b>	<b>(124,286)</b>	<b>-2.7%</b>
<b>GENERAL AND ADMINISTRATIVE</b>	<b>490,237</b>	<b>540,849</b>	<b>541,649</b>	<b>800</b>	<b>0.1%</b>
<b>DEBT SERVICE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
VEHICLE / FACILITY LEASE	597,130	605,000	599,000	(6,000)	-1.0%
<b>TOTAL OPERATING EXPENSES</b>	<b>103,250,958</b>	<b>107,202,485</b>	<b>113,188,184</b>	<b>5,985,699</b>	<b>5.6%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(75,611,987)</b>	<b>(75,008,827)</b>	<b>(82,416,256)</b>	<b>7,407,429</b>	<b>9.9%</b>
<b>OVERHEAD ALLOCATION</b>	<b>(22,072,694)</b>	<b>(24,112,272)</b>	<b>(23,108,136)</b>	<b>1,004,136</b>	<b>-4.2%</b>
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(97,684,681)</b>	<b>(99,121,099)</b>	<b>(105,524,392)</b>	<b>6,403,293</b>	<b>6.5%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	<b>2</b>	<b>0</b>	<b>(0)</b>	<b>0</b>	<b>0.0%</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**CONTRACTED BUS OPERATIONS - FIXED ROUTE BUDGET SUMMARY**  
**FISCAL YEAR 2024**  
**SECTION 4.04**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	20,023,028	24,573,860	22,275,937	(2,297,923)	-9.4%
OTHER OPERATING REVENUE	-	-	-	-	-
<b>TOTAL OPERATING REVENUES</b>	<b>20,023,028</b>	<b>24,573,860</b>	<b>22,275,937</b>	<b>(2,297,923)</b>	<b>-9.4%</b>
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	68,795,121	79,663,699	79,612,450	(51,249)	-0.1%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	-	-	-	-	-
<b>TOTAL NON OPERATING REVENUE</b>	<b>68,795,121</b>	<b>79,663,699</b>	<b>79,612,450</b>	<b>(51,249)</b>	<b>-0.1%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>88,818,150</b>	<b>104,237,559</b>	<b>101,888,387</b>	<b>(2,349,172)</b>	<b>-2.3%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	426,581	425,000	426,000	1,000	0.2%
FRINGE EXPENSES	331,730	255,000	286,500	31,500	12.4%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>758,311</b>	<b>680,000</b>	<b>712,500</b>	<b>32,500</b>	<b>4.8%</b>
SECURITY EXPENSES	854,854	953,399	975,000	21,601	2.3%
REPAIR/MAINTENANCE SERVICES	20,086	10,000	9,000	(1,000)	-10.0%
ENGINE AND TRANSMISSION REBUILD	531,587	492,000	663,202	171,202	34.8%
OTHER OUTSIDE SERVICES	2,403,298	2,569,717	2,157,318	(412,399)	-16.0%
PURCHASED TRANSPORTATION	71,306,920	87,298,396	85,693,710	(1,604,686)	-1.8%
<b>TOTAL OUTSIDE SERVICES</b>	<b>75,116,745</b>	<b>91,323,512</b>	<b>89,498,230</b>	<b>(1,825,282)</b>	<b>-2.0%</b>
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	73,821	79,700	43,382	(36,318)	-45.6%
<b>TOTAL MATERIALS AND SUPPLIES</b>	<b>73,821</b>	<b>79,700</b>	<b>43,382</b>	<b>(36,318)</b>	<b>-45.6%</b>
GAS/DIESEL/PROPANE	723,213	746,716	737,766	(8,950)	-1.2%
CNG	8,972,459	7,537,000	7,564,855	27,855	0.4%
TRACTION POWER	38,694	400,000	317,000	(83,000)	-20.8%
UTILITIES	924,493	938,869	912,765	(26,104)	-2.8%
<b>TOTAL ENERGY</b>	<b>10,658,860</b>	<b>9,622,585</b>	<b>9,532,386</b>	<b>(90,199)</b>	<b>-0.9%</b>
RISK MANAGEMENT	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	5,238	9,970	11,584	1,614	16.2%
DEBT SERVICE	-	-	-	-	-
VEHICLE / FACILITY LEASE	21,324	28,000	20,000	(8,000)	-28.6%
<b>TOTAL OPERATING EXPENSES</b>	<b>86,634,299</b>	<b>101,743,767</b>	<b>99,818,082</b>	<b>(1,925,685)</b>	<b>-1.9%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(66,611,270)</b>	<b>(77,169,907)</b>	<b>(77,542,145)</b>	<b>372,238</b>	<b>0.5%</b>
OVERHEAD ALLOCATION	(2,183,851)	(2,493,791)	(2,070,305)	423,486	-17.0%
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(68,795,121)</b>	<b>(79,663,698)</b>	<b>(79,612,450)</b>	<b>(51,248)</b>	<b>-0.1%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	<b>(0)</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0.0%</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
CONTRACTED BUS OPERATIONS - PARA TRANSIT BUDGET SUMMARY  
FISCAL YEAR 2024  
SECTION 4.05**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	1,127,646	1,495,995	1,569,739	73,744	4.9%
OTHER OPERATING REVENUE	-	-	-	-	-
<b>TOTAL OPERATING REVENUES</b>	<b>1,127,646</b>	<b>1,495,995</b>	<b>1,569,739</b>	<b>73,744</b>	<b>4.9%</b>
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	13,543,065	18,925,691	18,256,047	(669,644)	-3.5%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	-	-	-	-	-
<b>TOTAL NON OPERATING REVENUE</b>	<b>13,543,065</b>	<b>18,925,691</b>	<b>18,256,047</b>	<b>(669,644)</b>	<b>-3.5%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>14,670,711</b>	<b>20,421,686</b>	<b>19,825,786</b>	<b>(595,901)</b>	<b>-2.9%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	114,467	113,000	106,000	(7,000)	-6.2%
FRINGE EXPENSES	85,648	59,000	58,000	(1,000)	-1.7%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>200,115</b>	<b>172,000</b>	<b>164,000</b>	<b>(8,000)</b>	<b>-4.7%</b>
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	-	-	-	-	-
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	793,947	1,091,264	760,312	(330,952)	-30.3%
PURCHASED TRANSPORTATION	12,065,458	17,199,307	17,198,005	(1,302)	0.0%
<b>TOTAL OUTSIDE SERVICES</b>	<b>12,859,405</b>	<b>18,290,571</b>	<b>17,958,317</b>	<b>(332,254)</b>	<b>-1.8%</b>
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	-	-	-	-	-
<b>TOTAL MATERIALS AND SUPPLIES</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
GAS/DIESEL/PROPANE	857,851	1,188,722	1,020,717	(168,005)	-14.1%
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	-	-	-	-	-
<b>TOTAL ENERGY</b>	<b>857,851</b>	<b>1,188,722</b>	<b>1,020,717</b>	<b>(168,005)</b>	<b>-14.1%</b>
<b>RISK MANAGEMENT</b>	<b>15,000</b>	<b>15,050</b>	<b>15,000</b>	<b>(50)</b>	<b>-0.3%</b>
<b>GENERAL AND ADMINISTRATIVE</b>	<b>12,858</b>	<b>22,274</b>	<b>10,814</b>	<b>(11,460)</b>	<b>-51.5%</b>
<b>DEBT SERVICE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>VEHICLE / FACILITY LEASE</b>	<b>342,528</b>	<b>343,000</b>	<b>343,000</b>	<b>-</b>	<b>0.0%</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>14,287,757</b>	<b>20,031,617</b>	<b>19,511,848</b>	<b>(519,769)</b>	<b>-2.6%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(13,160,111)</b>	<b>(18,535,622)</b>	<b>(17,942,109)</b>	<b>(593,513)</b>	<b>-3.2%</b>
<b>OVERHEAD ALLOCATION</b>	<b>(382,954)</b>	<b>(390,069)</b>	<b>(313,938)</b>	<b>76,131</b>	<b>-19.5%</b>
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(13,543,065)</b>	<b>(18,925,690)</b>	<b>(18,256,047)</b>	<b>(669,644)</b>	<b>-3.5%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	<b>0</b>	<b>1</b>	<b>(0)</b>	<b>1</b>	<b>0.0%</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
CORONADO FERRY BUDGET SUMMARY  
FISCAL YEAR 2024  
SECTION 4.06**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	-	-	-	-	-
OTHER OPERATING REVENUE	-	-	-	-	-
<b>TOTAL OPERATING REVENUES</b>	-	-	-	-	-
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	313,435	323,313	323,313	-	0.0%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	-	-	-	-	-
<b>TOTAL NON OPERATING REVENUE</b>	<b>313,435</b>	<b>323,313</b>	<b>323,313</b>	-	<b>0.0%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>313,435</b>	<b>323,313</b>	<b>323,313</b>	-	<b>0.0%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	-	-	-	-	-
FRINGE EXPENSES	-	-	-	-	-
<b>TOTAL PERSONNEL EXPENSES</b>	-	-	-	-	-
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	-	-	-	-	-
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	-	-	-	-	-
PURCHASED TRANSPORTATION	313,435	323,313	323,313	-	0.0%
<b>TOTAL OUTSIDE SERVICES</b>	<b>313,435</b>	<b>323,313</b>	<b>323,313</b>	-	<b>0.0%</b>
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	-	-	-	-	-
<b>TOTAL MATERIALS AND SUPPLIES</b>	-	-	-	-	-
GAS/DIESEL/PROPANE	-	-	-	-	-
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	-	-	-	-	-
<b>TOTAL ENERGY</b>	-	-	-	-	-
<b>RISK MANAGEMENT</b>	-	-	-	-	-
<b>GENERAL AND ADMINISTRATIVE</b>	-	-	-	-	-
<b>DEBT SERVICE</b>	-	-	-	-	-
<b>VEHICLE / FACILITY LEASE</b>	-	-	-	-	-
<b>TOTAL OPERATING EXPENSES</b>	<b>313,435</b>	<b>323,313</b>	<b>323,313</b>	-	<b>0.0%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(313,435)</b>	<b>(323,313)</b>	<b>(323,313)</b>	-	<b>0.0%</b>
<b>OVERHEAD ALLOCATION</b>	-	-	-	-	-
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(313,435)</b>	<b>(323,313)</b>	<b>(323,313)</b>	-	<b>0.0%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	-	-	-	-	<b>0.0%</b>



**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
ADMINISTRATIVE PASS THROUGH BUDGET SUMMARY  
FISCAL YEAR 2024  
SECTION 4.07**

	ACTUAL FY23	ORIGINAL BUDGET FY24	AMENDED BUDGET FY24	\$ CHANGE BUDGET/ AMENDED	% CHANGE BUDGET/ AMENDED
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	-	-	-	-	-
OTHER OPERATING REVENUE	-	-	-	-	-
<b>TOTAL OPERATING REVENUES</b>	-	-	-	-	-
<b>NON OPERATING REVENUE</b>					
TOTAL SUBSIDY REVENUE	345,069	523,597	523,597	-	0.0%
OTHER NON OPERATING REVENUE					
RESERVE REVENUE	-	-	-	-	-
OTHER INCOME	-	-	-	-	-
TOTAL OTHER NON OPERATING REVENUE	-	-	-	-	-
<b>TOTAL NON OPERATING REVENUE</b>	<b>345,069</b>	<b>523,597</b>	<b>523,597</b>	-	<b>0.0%</b>
<b>TOTAL COMBINED REVENUES</b>	<b>345,069</b>	<b>523,597</b>	<b>523,597</b>	-	<b>0.0%</b>
<b>OPERATING EXPENSES</b>					
LABOR EXPENSES	-	-	-	-	-
FRINGE EXPENSES	115,417	287,570	287,570	-	0.0%
<b>TOTAL PERSONNEL EXPENSES</b>	<b>115,417</b>	<b>287,570</b>	<b>287,570</b>	-	<b>0.0%</b>
SECURITY EXPENSES	-	-	-	-	-
REPAIR/MAINTENANCE SERVICES	-	-	-	-	-
ENGINE AND TRANSMISSION REBUILD	-	-	-	-	-
OTHER OUTSIDE SERVICES	229,652	236,027	236,027	-	0.0%
PURCHASED TRANSPORTATION	-	-	-	-	-
<b>TOTAL OUTSIDE SERVICES</b>	<b>229,652</b>	<b>236,027</b>	<b>236,027</b>	-	<b>0.0%</b>
LUBRICANTS	-	-	-	-	-
TIRES	-	-	-	-	-
OTHER MATERIALS AND SUPPLIES	-	-	-	-	-
<b>TOTAL MATERIALS AND SUPPLIES</b>	-	-	-	-	-
GAS/DIESEL/PROPANE	-	-	-	-	-
CNG	-	-	-	-	-
TRACTION POWER	-	-	-	-	-
UTILITIES	-	-	-	-	-
<b>TOTAL ENERGY</b>	-	-	-	-	-
<b>RISK MANAGEMENT</b>	-	-	-	-	-
<b>GENERAL AND ADMINISTRATIVE</b>	-	-	-	-	-
<b>DEBT SERVICE</b>	-	-	-	-	-
<b>VEHICLE / FACILITY LEASE</b>	-	-	-	-	-
<b>TOTAL OPERATING EXPENSES</b>	<b>345,069</b>	<b>523,597</b>	<b>523,597</b>	-	<b>0.0%</b>
<b>NET OPERATING SUBSIDY</b>	<b>(345,069)</b>	<b>(523,597)</b>	<b>(523,597)</b>	-	<b>0.0%</b>
<b>OVERHEAD ALLOCATION</b>	-	-	-	-	-
<b>ADJUSTED NET OPERATING SUBSIDY</b>	<b>(345,069)</b>	<b>(523,597)</b>	<b>(523,597)</b>	-	<b>0.0%</b>
<b>TOTAL REVENUES LESS TOTAL EXPENSES</b>	-	-	-	-	<b>0.0%</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
REVENUE BUDGET SUMMARY  
FISCAL YEAR 2024  
SECTION 3.02**

	<u>ACTUAL FY23</u>	<u>ORIGINAL BUDGET FY24</u>	<u>AMENDED BUDGET FY24</u>	<u>\$ CHANGE AMENDED/ ORIGINAL</u>	<u>% CHANGE AMENDED/ ORIGINAL</u>
<b>OPERATING REVENUE</b>					
PASSENGER REVENUE	67,545,690	78,925,285	74,557,786	(4,367,499)	-5.5%
OTHER INCOME	23,935,008	24,710,122	31,157,761	6,447,639	26.1%
TOTAL OPERATING REVENUE	91,480,698	103,635,407	105,715,547	2,080,140	2.0%
<b>NON OPERATING REVENUE</b>					
<b>SUBSIDY REVENUE</b>					
FEDERAL REVENUE	67,062,133	70,771,128	70,466,497	(304,631)	-0.4%
FEDERAL REVENUE - CARES/ARP	90,300,000	85,000,000	85,000,000	0	0.0%
TRANSPORTATION DEVELOPMENT ACT (TDA)	97,868,252	92,858,098	92,858,098	0	0.0%
STATE TRANSIT ASSISTANCE (STA)	11,300,000	11,300,000	8,400,000	(2,900,000)	-25.7%
STATE REVENUE - OTHER	46,125	112,000	4,500,000	4,388,000	3917.9%
TRANSNET	67,938,341	72,710,953	72,923,021	212,069	0.3%
OTHER LOCAL SUBSIDIES	6,629,135	4,490,994	4,490,994	0	0.0%
TOTAL SUBSIDY REVENUE	341,143,986	337,243,172	338,638,609	1,395,438	0.4%
<b>OTHER REVENUE</b>					
OTHER FUNDS	-	-	-	0	-
RESERVES REVENUE	(53,336,099)	(33,881,687)	(30,399,173)	3,482,514	-10.3%
TOTAL OTHER REVENUE	(53,336,099)	(33,881,687)	(30,399,173)	3,482,514	-10.3%
TOTAL NON OPERATING REVENUE	287,807,887	303,361,485	308,239,437	4,877,952	1.6%
<b>GRAND TOTAL REVENUES</b>	<b><u>379,288,585</u></b>	<b><u>406,996,892</u></b>	<b><u>413,954,984</u></b>	<b><u>6,958,092</u></b>	<b><u>1.7%</u></b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
NON OPERATING FUNDING SOURCES BY ACTIVITY  
FISCAL YEAR 2024  
SECTION 9.01**

	Federal	TDA	STA	State - Other	TransNet	Other Local	Other Non Operating	Reserves/ Carryovers	Total
SRTC	38,911,901	5,778,150	8,400,000	-	39,369,690	3,189,683	-	-	95,649,423
SRTI	45,612,224	35,580,142	-	-	24,332,025	-	-	-	105,524,392
MCS 801 - South Central	22,216,414	22,132,723	-	-	-	-	-	-	44,349,137
MCS 802 - South Bay BRT	-	1,017,591	-	-	4,415,340	-	-	-	5,432,931
MCS 803 - South Bay Iris Rapid	-	1,155,266	-	3,000,000	-	-	-	-	4,155,266
MCS 820 - East County	3,243,669	10,167,438	-	-	-	-	-	-	13,411,106
MCS 825 - Rural	911,000	141,066	-	-	-	-	-	-	1,052,066
MCS 830 - Commuter Express	-	559,708	-	-	-	1,000,000	-	-	1,559,708
MCS 831 - Murphy Canyon	-	-	-	-	-	-	-	-	-
MCS 835 - Central Routes 961-965	1,674,395	3,992,394	-	-	-	-	-	-	5,666,788
MCS 840 - Regional Transit Center Maintenance	-	432,862	-	-	-	-	-	-	432,862
MCS 841 - Iris Rapid Transit Center Maintenance	-	-	-	-	-	-	-	-	-
MCS 845 - BRT Superloop	-	-	-	-	403,603	-	-	-	403,603
MCS 846 - I15 Transit Center Maintenance	-	-	-	-	1,149,931	-	-	-	1,149,931
MCS 847 - Mid City Transit Center Maintenance	-	-	-	-	324,857	-	-	-	324,857
MCS 848 - South Bay BRT Transit Center Maintenance	-	-	-	-	1,174,122	-	-	-	1,174,122
MCS 850 - ADA Access	6,133,628	10,063,441	-	-	1,267,332	191,311	-	-	17,655,711
MCS 856 - ADA Certification	-	600,336	-	-	-	-	-	-	600,336
MCS 875 - Coaster Connection	-	390,072	-	-	-	110,000	-	-	500,072
Coronado Ferry	-	323,313	-	-	-	-	-	-	323,313
Administrative Pass Thru	-	523,597	-	-	-	-	-	-	523,597
Subtotal Operations	118,703,230	92,858,098	8,400,000	3,000,000	72,436,901	4,490,994	-	-	299,889,222
FHV Administration	-	-	-	-	-	-	-	(137,478)	(137,478)
SD&AE	-	-	-	-	-	-	-	(79,649)	(79,649)
Subtotal Other Activities	-	-	-	-	-	-	-	(217,127)	(217,127)
Administrative	36,763,267	-	-	1,500,000	486,120	-	-	(30,182,046)	8,567,341
Grand Total	155,466,497	92,858,098	8,400,000	4,500,000	72,923,021	4,490,994	0	(30,399,173)	308,239,436

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
NON OPERATING FUNDING SOURCES BY ACTIVITY  
FISCAL YEAR 2024  
SECTION 9.02**

	FTA 5307 Preventative Maintenance	FTA 5307 CARES/ARP Act	Federal Other	FTA 5311/ 5311(f) Rural	TDA Article 4.0	TDA Article 4.5 ADA
SDTC	21,500,000	17,411,901	-	-	5,239,815	-
SDTI	31,570,369	14,041,855	-	-	35,580,142	-
MCS 801 - South Central	10,000,000	12,216,414	-	-	22,132,723	-
MCS 802 - South Bay BRT	-	-	-	-	1,017,591	-
MCS 803 - South Bay Iris Rapid	-	-	-	-	1,155,266	-
MCS 820 - East County	-	3,243,669	-	-	10,167,438	-
MCS 825 - Rural	-	-	-	911,000	141,066	-
MCS 830 - Commuter Express	-	-	-	-	-	-
MCS 835 - Central Routes 961-965	-	1,474,395	-	200,000	3,992,394	-
MCS 840 - Regional Transit Center Maintenance	-	-	-	-	432,862	-
MCS 841 - Iris Rapid Transit Center Maintenance	-	-	-	-	-	-
MCS 845 - BRT Superloop	-	-	-	-	-	-
MCS 846 - I15 Transit Center Maintenance	-	-	-	-	-	-
MCS 847 - Mid City Transit Center Maintenance	-	-	-	-	-	-
MCS 848 - South Bay BRT Transit Center Maintenance	-	-	-	-	-	-
MCS 850 - ADA Access	6,133,628	-	-	-	3,873,233	6,190,208
MCS 856 - ADA Certification	-	-	-	-	-	600,336
MCS 875 - Coaster Connection	-	-	-	-	390,072	-
Coronado Ferry	-	-	-	-	-	-
Administrative Pass Thru	-	-	-	-	523,597	-
Subtotal Operations	69,203,997	48,388,233	-	1,111,000	84,646,197	6,790,544
FHV Administration	-	-	-	-	-	-
SD&AE	-	-	-	-	-	-
Subtotal Other Activities	-	-	-	-	-	-
Administrative	-	36,611,767	151,500	-	-	-
Grand Total	69,203,997	85,000,000	151,500	1,111,000	84,646,197	6,790,544

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
NON OPERATING FUNDING SOURCES BY ACTIVITY  
FISCAL YEAR 2024  
SECTION 9.02**

	TDA Article 8.0	STA Formula	TIRCP	Medical	TransNet Operating	TransNet Access ADA	TransNet Other
SDTC	538,335	8,400,000	-	-	26,485,464	-	12,884,226
SDTI	-	-	-	-	14,337,726	-	9,994,300
MCS 801 - South Central	-	-	-	-	-	-	-
MCS 802 - South Bay BRT	-	-	-	-	-	-	-
MCS 803 - South Bay Iris Rapid	-	-	3,000,000	-	-	-	4,415,340
MCS 820 - East County	-	-	-	-	-	-	-
MCS 825 - Rural	-	-	-	-	-	-	-
MCS 830 - Commuter Express	559,708	-	-	-	-	-	-
MCS 835 - Central Routes 961-965	-	-	-	-	-	-	-
MCS 840 - Regional Transit Center Maintenance	-	-	-	-	-	-	-
MCS 841 - Iris Rapid Transit Center Maintenance	-	-	-	-	-	-	-
MCS 845 - BRT Superloop	-	-	-	-	-	-	403,603
MCS 846 - 115 Transit Center Maintenance	-	-	-	-	-	-	1,149,931
MCS 847 - Mid City Transit Center Maintenance	-	-	-	-	-	-	324,857
MCS 848 - South Bay BRT Transit Center Maintenance	-	-	-	-	-	-	1,174,122
MCS 850 - ADA Access	-	-	-	-	1,203,412	-	63,920
MCS 856 - ADA Certification	-	-	-	-	-	-	-
MCS 875 - Coaster Connection	-	-	-	-	-	-	-
Coronado Ferry	323,313	-	-	-	-	-	-
Administrative Pass Thru	-	-	-	-	-	-	-
Subtotal Operations	1,421,356	8,400,000	3,000,000	-	40,823,190	1,203,412	30,410,299
FHV Administration	-	-	-	-	-	-	-
SD&AE	-	-	-	-	-	-	-
Subtotal Other Activities	-	-	-	-	-	-	-
Administrative	-	-	1,500,000	-	-	-	486,120
Grand Total	1,421,356	8,400,000	4,500,000	0	40,823,190	1,203,412	30,896,420

Att.A, AI 19, 03/14/24

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
NON OPERATING FUNDING SOURCES BY ACTIVITY  
FISCAL YEAR 2024  
SECTION 9.02**

	City of San Diego	SANDAG FasTrak	Other Local	Reserves/ Carryovers	Total
SDTC	-	2,500,000	689,683	-	95,649,423
SDTI	-	-	-	-	105,524,392
MCS 801 - South Central	-	-	-	-	44,349,137
MCS 802 - South Bay BRT	-	-	-	-	5,432,931
MCS 803 - South Bay Iris Rapid	-	-	-	-	4,155,266
MCS 820 - East County	-	-	-	-	13,411,106
MCS 825 - Rural	-	-	-	-	1,052,066
MCS 830 - Commuter Express	-	1,000,000	-	-	1,559,708
MCS 835 - Central Routes 961-965	-	-	-	-	5,666,788
MCS 840 - Regional Transit Center Maintenance	-	-	-	-	432,862
MCS 841 - Iris Rapid Transit Center Maintenance	-	-	-	-	-
MCS 845 - BRT Superloop	-	-	-	-	403,603
MCS 846 - I15 Transit Center Maintenance	-	-	-	-	1,149,931
MCS 847 - Mid City Transit Center Maintenance	-	-	-	-	324,857
MCS 848 - South Bay BRT Transit Center Maintenance	-	-	-	-	1,174,122
MCS 850 - ADA Access	191,311	-	-	-	17,655,711
MCS 856 - ADA Certification	-	-	-	-	600,336
MCS 875 - Coaster Connection	-	-	110,000	-	500,072
Coronado Ferry	-	-	-	-	323,313
Administrative Pass Thru	-	-	-	-	523,597
Subtotal Operations	191,311	3,500,000	799,683	-	299,889,222
FHV Administration	-	-	-	(137,478)	(137,478)
SD&AE	-	-	-	(79,649)	(79,649)
Subtotal Other Activities	-	-	-	(217,127)	(217,127)
Administrative	-	-	-	(30,182,046)	8,567,341
<b>Grand Total</b>	<b>191,311</b>	<b>3,500,000</b>	<b>799,683</b>	<b>(30,399,173)</b>	<b>308,239,436</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
POSITION INFORMATION (SUMMARY FORMAT)  
FISCAL YEAR 2024 AMENDED BUDGET  
SECTION 10.03**

Att.A, AI 19, 03/14/24

	Original Budget	Position	Net Positons	Amended	Frozen
	FY 2024	Shifts	Requiring	FY 2024	Positions
	FTE's	FTE's	Funding Adjs	FTE's	FTE's
<b><u>MTS Administration</u></b>					
BOD ADMINISTRATION	2.0	0.0	0.0	2.0	0.0
CAPITAL PROJECTS	8.0	0.0	2.0	10.0	0.0
COMPASS CARD	10.5	0.0	4.0	14.5	0.0
EXECUTIVE	4.0	0.0	1.0	5.0	0.0
FINANCE	23.5	0.0	0.0	23.5	0.0
HUMAN RESOURCES	17.0	0.0	2.0	19.0	0.0
INFORMATION TECHNOLOGY	34.0	0.0	1.0	35.0	0.0
LEGAL	2.0	0.0	1.0	3.0	0.0
MARKETING	11.0	0.0	0.0	11.0	0.0
PLANNING	9.5	0.0	0.0	9.5	0.0
PROCUREMENT	14.0	0.0	2.0	16.0	0.0
RIGHT OF WAY	2.0	0.0	0.0	2.0	0.0
RISK	4.0	0.0	0.0	4.0	0.0
SECURITY	92.0	0.0	47.0	139.0	0.0
STORES (ADMIN)	2.0	0.0	0.0	2.0	0.0
STORES (BUS)	13.0	0.0	0.0	13.0	0.0
STORES (RAIL)	7.0	0.0	0.0	7.0	0.0
TELEPHONE INFORMATION SERVICES	17.0	0.0	0.0	17.0	0.0
TRANSIT STORES	8.0	0.0	0.0	8.0	0.0
<b>Subtotal MTS Administration</b>	<b>280.5</b>	<b>0.0</b>	<b>60.0</b>	<b>340.5</b>	<b>0.0</b>
<b><u>Bus Operations</u></b>					
CONTRACT SERVICES	8.5	0.0	0.0	8.5	0.0
EXECUTIVE (BUS)	3.5	0.0	0.0	3.5	0.0
MAINTENANCE	189.0	0.0	0.0	189.0	0.0
MAINTENANCE-FACILITY	5.0	0.0	0.0	5.0	0.0
PASSENGER SERVICES	8.0	0.0	0.0	8.0	0.0
REVENUE (BUS)	6.0	0.0	0.0	6.0	0.0
SAFETY	2.0	0.0	0.0	2.0	0.0
TRAINING	8.0	0.0	3.0	11.0	0.0
TRANSPORTATION (BUS)	609.5	0.0	-0.5	609.0	0.0
<b>Subtotal Bus Operations</b>	<b>839.5</b>	<b>0.0</b>	<b>2.5</b>	<b>842.0</b>	<b>0.0</b>
<b><u>Rail Operations</u></b>					
EXECUTIVE (RAIL)	4.5	0.0	0.0	4.5	0.0
FACILITIES	81.0	0.0	0.0	81.0	0.0
LIGHT RAIL VEHICLES	107.0	0.0	0.0	107.0	0.0
MAINTENANCE OF WAYSIDE	46.0	0.0	0.0	46.0	0.0
REVENUE (RAIL)	56.5	0.0	0.0	56.5	0.0
TRACK	22.0	0.0	0.0	22.0	0.0
TRANSPORTATION (RAIL)	258.0	0.0	24.3	282.2	0.0
<b>Subtotal Rail Operations</b>	<b>575.0</b>	<b>0.0</b>	<b>24.3</b>	<b>599.2</b>	<b>0.0</b>
<b><u>Other MTS Operations</u></b>					
FHV ADMINISTRATION	6.0	0.0	0.0	6.0	0.0
<b>Subtotal Other MTS Operations</b>	<b>6.0</b>	<b>0.0</b>	<b>0.0</b>	<b>6.0</b>	<b>0.0</b>
<b>Grand Total</b>	<b>1,701.0</b>	<b>0.0</b>	<b>86.8</b>	<b>1,787.7</b>	<b>0.0</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT) Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

		Original Budget	Position	Net Positons		
	Salary	FY 2024	Shifts	Requiring	Amended	Frozen
	Grade	(FTE's)	(FTE's)	Funding Adjs	FY 2024	Positions
				(FTE's)	(FTE's)	(FTE's)
<b><u>MTS Administration</u></b>						
<b><u>BOD ADMINISTRATION</u></b>						
Exec Asst GC/Asst Board Clrk	07	1.0	0.0	0.0	1.0	0.0
Internal Auditor	10	1.0	0.0	0.0	1.0	0.0
<b>BOD ADMINISTRATION TOTAL</b>		<b>2.0</b>	<b>0.0</b>	<b>0.0</b>	<b>2.0</b>	<b>0.0</b>
<b><u>CAPITAL PROJECTS</u></b>						
Administrative Assistant	03	1.0	0.0	0.0	1.0	0.0
Director of Capital Projects	13	1.0	0.0	0.0	1.0	0.0
Project Engineer	09	2.0	0.0	0.0	2.0	0.0
Project Manager	10	1.0	0.0	1.0	2.0	0.0
Senior Project Manager	11	2.0	0.0	1.0	3.0	0.0
Sr. Project Manager - Rail Sys	11	1.0	0.0	0.0	1.0	0.0
<b>CAPITAL PROJECTS TOTAL</b>		<b>8.0</b>	<b>0.0</b>	<b>2.0</b>	<b>10.0</b>	<b>0.0</b>
<b><u>COMPASS CARD</u></b>						
Call/Service Center Rep (FT)	02	1.0	0.0	3.0	4.0	0.0
Call/Service Center Rep (PT)	02	1.5	0.0	0.0	1.5	0.0
Director of Fare Technology &	12	1.0	0.0	0.0	1.0	0.0
Fare Systems Administrator	10	1.0	0.0	0.0	1.0	0.0
Mgr of PRONTO & Passenger Supp	08	1.0	0.0	0.0	1.0	0.0
Service Center Specialist (FT)	03	4.0	0.0	1.0	5.0	0.0
Supervisor of Pronto Support	06	1.0	0.0	0.0	1.0	0.0
<b>COMPASS CARD TOTAL</b>		<b>10.5</b>	<b>0.0</b>	<b>4.0</b>	<b>14.5</b>	<b>0.0</b>
<b><u>EXECUTIVE</u></b>						
Chief Executive Officer	16	1.0	0.0	0.0	1.0	0.0
Exec Asst/Clerk of the Board	07	1.0	0.0	0.0	1.0	0.0
Grants Administrator	07	1.0	0.0	0.0	1.0	0.0
Grants Analyst	07	0.0	0.0	1.0	1.0	0.0
Manager of Government Affairs	08	1.0	0.0	0.0	1.0	0.0
<b>EXECUTIVE TOTAL</b>		<b>4.0</b>	<b>0.0</b>	<b>1.0</b>	<b>5.0</b>	<b>0.0</b>
<b><u>FINANCE</u></b>						
Chief Financial Officer	15	1.0	0.0	0.0	1.0	0.0
Accounting Assistant	04	3.0	0.0	0.0	3.0	0.0
Accounting Manager	10	1.0	0.0	0.0	1.0	0.0
Controller	12	1.0	0.0	0.0	1.0	0.0
Dir Fin Planning & Analysis	12	1.0	0.0	0.0	1.0	0.0
Finance Assistant	06	1.0	0.0	0.0	1.0	0.0
Finance Intern	01	0.5	0.0	0.0	0.5	0.0
Financial Analyst	07	2.0	0.0	0.0	2.0	0.0
Manager of Financial Planning	09	1.0	0.0	0.0	1.0	0.0
Payroll Coordinator	06	3.0	0.0	0.0	3.0	0.0
Payroll Manager	10	1.0	0.0	0.0	1.0	0.0
Payroll Supervisor	08	1.0	0.0	0.0	1.0	0.0
Senior Accountant	09	2.0	0.0	0.0	2.0	0.0
Staff Accountant I	05	2.0	0.0	0.0	2.0	0.0
Staff Accountant II	06	2.0	0.0	0.0	2.0	0.0
Transit Asset Mgmt Program Mgr	09	1.0	0.0	0.0	1.0	0.0
<b>FINANCE TOTAL</b>		<b>23.5</b>	<b>0.0</b>	<b>0.0</b>	<b>23.5</b>	<b>0.0</b>



**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT) Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

	Net Positons					
	Original Budget	Position	Requiring	Amended	Frozen	
	Salary Grade	FY 2024 (FTE's)	Shifts (FTE's)	Funding Adjs (FTE's)	FY 2024 (FTE's)	Positions (FTE's)
<b><u>HUMAN RESOURCES</u></b>						
Admin Assistant (Copy Center)	03	1.0	0.0	0.0	1.0	0.0
Benefits & Comp Analyst	06	3.0	0.0	0.0	3.0	0.0
Chief Human Resources Officer	15	1.0	0.0	0.0	1.0	0.0
Director of Human Resources	12	1.0	0.0	0.0	1.0	0.0
Human Resources Assistant	03	3.0	0.0	0.0	3.0	0.0
Human Resources Specialist	06	1.0	0.0	0.0	1.0	0.0
Leadership Dev Specialist	09	1.0	0.0	0.0	1.0	0.0
Manager of Benefits & Comp	09	1.0	0.0	0.0	1.0	0.0
Manager of Talent Acquisition	09	1.0	0.0	0.0	1.0	0.0
Senior Human Resources Analyst	07	1.0	0.0	0.0	1.0	0.0
Talent Acquisition Specialist	07	3.0	0.0	2.0	5.0	0.0
<b>HUMAN RESOURCES TOTAL</b>		<b>17.0</b>	<b>0.0</b>	<b>2.0</b>	<b>19.0</b>	<b>0.0</b>
<b><u>INFORMATION TECHNOLOGY</u></b>						
Business Systems Analyst (SAP)	11	1.0	0.0	0.0	1.0	0.0
Chief Information Officer	14	1.0	0.0	0.0	1.0	0.0
Database Administrator	10	1.0	0.0	0.0	1.0	0.0
ETL Developer	11	0.0	0.0	1.0	1.0	0.0
Executive Assistant (CIO)	06	1.0	0.0	0.0	1.0	0.0
Info Security & Intel Eng	10	2.0	0.0	0.0	2.0	0.0
Information Security Manager	11	1.0	0.0	0.0	1.0	0.0
IT Development Manager	12	1.0	0.0	0.0	1.0	0.0
IT Enterprise Architect (IoT)	11	1.0	0.0	0.0	1.0	0.0
IT Operations Manager	12	1.0	0.0	0.0	1.0	0.0
IT Support Specialist	07	4.0	0.0	0.0	4.0	0.0
Network Engineer I	08	2.0	0.0	0.0	2.0	0.0
Network Engineer II	09	2.0	0.0	0.0	2.0	0.0
Network Engineer III	09	1.0	0.0	0.0	1.0	0.0
Network Operations Manager	12	1.0	0.0	0.0	1.0	0.0
Project Administrator	07	1.0	0.0	0.0	1.0	0.0
Report Development Analyst	09	1.0	0.0	0.0	1.0	0.0
SAP Software Developer	11	1.0	-1.0	0.0	0.0	0.0
Senior SAP Architect	11	1.0	-1.0	0.0	0.0	0.0
Senior Systems Administrator	10	3.0	0.0	0.0	3.0	0.0
Service Desk Supervisor	09	1.0	0.0	0.0	1.0	0.0
Software Developer	09	1.0	2.0	0.0	3.0	0.0
Systems Administrator	10	4.0	0.0	0.0	4.0	0.0
Technical Project Manager	11	1.0	0.0	0.0	1.0	0.0
<b>INFORMATION TECHNOLOGY TOTAL</b>		<b>34.0</b>	<b>0.0</b>	<b>1.0</b>	<b>35.0</b>	<b>0.0</b>
<b><u>LEGAL</u></b>						
General Counsel	15	1.0	0.0	0.0	1.0	0.0
Deputy General Counsel	10	1.0	0.0	0.0	1.0	0.0
Staff Attorney-Reg Compliance	09	0.0	0.0	1.0	1.0	0.0
<b>LEGAL TOTAL</b>		<b>2.0</b>	<b>0.0</b>	<b>1.0</b>	<b>3.0</b>	<b>0.0</b>
<b><u>MARKETING</u></b>						
Dir Marketing & Communications	13	1.0	0.0	0.0	1.0	0.0
Community Engagement Specialis	06	1.0	0.0	0.0	1.0	0.0
Creative Design Manager	08	1.0	0.0	0.0	1.0	0.0
Digital Content Developer	07	1.0	0.0	0.0	1.0	0.0
Graphic Designer	07	2.0	0.0	0.0	2.0	0.0
Marketing Assistant	05	1.0	0.0	0.0	1.0	0.0
Marketing Intern	01	1.0	-1.0	0.0	0.0	0.0
Mgr of Marketing & Communicati	08	1.0	0.0	0.0	1.0	0.0
Multimedia Designer	07	1.0	0.0	0.0	1.0	0.0
Public Relations Specialist	07	1.0	0.0	0.0	1.0	0.0
Social Media Coordinator	04	0.0	1.0	0.0	1.0	0.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT)    Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

	Salary Grade	Original Budget	Position	Net Positons Requiring	Amended	Frozen
		FY 2024	Shifts	Funding Adjs	FY 2024	Positions
		(FTE's)	(FTE's)	(FTE's)	(FTE's)	(FTE's)
MARKETING TOTAL		11.0	0.0	0.0	11.0	0.0

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT) Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

	Salary Grade	Original Budget	Position	Net Positons	Amended	Frozen
		FY 2024	Shifts	Requiring	FY 2024	Positions
		(FTE's)	(FTE's)	Funding Adjs	(FTE's)	(FTE's)
<b><u>PLANNING</u></b>						
Assoc Transportation Planner	06	3.0	0.0	0.0	3.0	0.0
Dir of Planning & Scheduling	12	1.0	0.0	0.0	1.0	0.0
Manager of Scheduling	10	1.0	0.0	0.0	1.0	0.0
Planning Intern	01	0.5	0.0	0.0	0.5	0.0
Senior Data Analyst	08	1.0	0.0	0.0	1.0	0.0
Senior Scheduler	07	2.0	0.0	0.0	2.0	0.0
Senior Transportation Planner	09	1.0	0.0	0.0	1.0	0.0
<b>PLANNING TOTAL</b>		<b>9.5</b>	<b>0.0</b>	<b>0.0</b>	<b>9.5</b>	<b>0.0</b>
<b><u>PROCUREMENT</u></b>						
Manager of Procurement	11	1.0	0.0	0.0	1.0	0.0
Buyer	07	1.0	0.0	0.0	1.0	0.0
Contract Specialist	06	1.0	0.0	0.0	1.0	0.0
Contracts Administrator	08	1.0	0.0	0.0	1.0	0.0
Director of Supply Chain & Ops	12	1.0	0.0	0.0	1.0	0.0
Principal Contract Admin	09	1.0	0.0	0.0	1.0	0.0
Procurement Specialist	08	7.0	0.0	2.0	9.0	0.0
Senior Procurement Specialist	09	1.0	0.0	0.0	1.0	0.0
<b>PROCUREMENT TOTAL</b>		<b>14.0</b>	<b>0.0</b>	<b>2.0</b>	<b>16.0</b>	<b>0.0</b>
<b><u>RIGHT OF WAY</u></b>						
Manager of Real Estate Assets	12	1.0	0.0	0.0	1.0	0.0
Right of Way Permit Coord	08	1.0	0.0	0.0	1.0	0.0
<b>RIGHT OF WAY TOTAL</b>		<b>2.0</b>	<b>0.0</b>	<b>0.0</b>	<b>2.0</b>	<b>0.0</b>
<b><u>RISK</u></b>						
Claims Specialist	06	1.0	0.0	0.0	1.0	0.0
Liability Claims Supervisor	08	1.0	0.0	0.0	1.0	0.0
Manager of Risk and Claims	10	1.0	0.0	0.0	1.0	0.0
Workers' Compensation Analyst	07	1.0	0.0	0.0	1.0	0.0
<b>RISK TOTAL</b>		<b>4.0</b>	<b>0.0</b>	<b>0.0</b>	<b>4.0</b>	<b>0.0</b>
<b><u>SECURITY</u></b>						
Asst Mgr of Field Operations	08	1.0	0.0	1.0	2.0	0.0
Clerk Typist/Data Entry TSS	BU	2.0	0.0	1.0	3.0	0.0
Code Compl Insp-Canine Handler	BU	3.0	0.0	0.0	3.0	0.0
Code Compliance Dispatcher	BU	0.0	0.0	5.0	5.0	0.0
Code Compliance Inspector	BU	61.0	0.0	34.0	95.0	0.0
Code Compliance Supervisor	06	14.0	0.0	6.0	20.0	0.0
Code Compliance Train Sup (MC)	06	1.0	0.0	0.0	1.0	0.0
Dep Dir of Transit Sec & Pass	11	1.0	0.0	0.0	1.0	0.0
Dir of Transit Security & Pass	13	1.0	0.0	0.0	1.0	0.0
Dispatch Sup - Transit Enf	06	2.0	0.0	0.0	2.0	0.0
Mgr of Ops-Transit Sec & Pass	09	1.0	0.0	0.0	1.0	0.0
Operational and Crime Data Ana	07	1.0	0.0	0.0	1.0	0.0
Professional Standards Manager	08	1.0	0.0	0.0	1.0	0.0
Records Manager	08	1.0	0.0	0.0	1.0	0.0
Records Specialist	05	1.0	0.0	0.0	1.0	0.0
Security Systems Administrator	06	1.0	0.0	0.0	1.0	0.0
<b>SECURITY TOTAL</b>		<b>92.0</b>	<b>0.0</b>	<b>47.0</b>	<b>139.0</b>	<b>0.0</b>
<b><u>STORES (ADMIN)</u></b>						
Inventory Planning and Forecas	08	1.0	0.0	0.0	1.0	0.0
Manager of Inventory Ops	10	1.0	0.0	0.0	1.0	0.0
<b>STORES (ADMIN) TOTAL</b>		<b>2.0</b>	<b>0.0</b>	<b>0.0</b>	<b>2.0</b>	<b>0.0</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT)**    Att.A, AI 19, 03/14/24  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

	Salary Grade	Original Budget	Position	Net Positons	Amended	Frozen
		FY 2024	Shifts	Requiring	FY 2024	Positions
		(FTE's)	(FTE's)	Funding Adjs	(FTE's)	(FTE's)
<b><u>STORES (BUS)</u></b>						
Storeroom Clerks - IAD	BU	5.0	0.0	0.0	5.0	0.0
Storeroom Clerks - KMD	BU	6.0	0.0	0.0	6.0	0.0
Supervisor of Warehouse Ops	07	2.0	0.0	0.0	2.0	0.0
<b>STORES (BUS) TOTAL</b>		<b>13.0</b>	<b>0.0</b>	<b>0.0</b>	<b>13.0</b>	<b>0.0</b>
<b><u>STORES (RAIL)</u></b>						
Storekeeper	BU	6.0	0.0	0.0	6.0	0.0
Supervisor of Warehouse Ops	07	1.0	0.0	0.0	1.0	0.0
<b>STORES (RAIL) TOTAL</b>		<b>7.0</b>	<b>0.0</b>	<b>0.0</b>	<b>7.0</b>	<b>0.0</b>
<b><u>TELEPHONE INFORMATION SERVICES</u></b>						
Asst Supvr of Info & Trip Plan	06	1.0	0.0	0.0	1.0	0.0
Info & Trip Planning Supvr	07	1.0	0.0	0.0	1.0	0.0
Info and Trip Planning Clerk	BU	15.0	0.0	0.0	15.0	0.0
<b>TELEPHONE INFORMATION SERVICES TO</b>		<b>17.0</b>	<b>0.0</b>	<b>0.0</b>	<b>17.0</b>	<b>0.0</b>
<b><u>TRANSIT STORES</u></b>						
Transit Store Supervisor	07	1.0	0.0	0.0	1.0	0.0
Asst Transit Store Supervisor	06	1.0	0.0	0.0	1.0	0.0
Senior Transit Store Clerk	BU	1.0	0.0	0.0	1.0	0.0
Transit Store Clerk	BU	5.0	0.0	0.0	5.0	0.0
<b>TRANSIT STORES TOTAL</b>		<b>8.0</b>	<b>0.0</b>	<b>0.0</b>	<b>8.0</b>	<b>0.0</b>
<b>Subtotal MTS Administration</b>		<b>280.5</b>	<b>0.0</b>	<b>60.0</b>	<b>340.5</b>	<b>0.0</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT) Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

	Salary Grade	Original Budget	Position	Net Positons	Amended	Frozen
		FY 2024	Shifts	Requiring	FY 2024	Positions
		(FTE's)	(FTE's)	Funding Adjs	(FTE's)	(FTE's)
<b>Bus Operations</b>						
<b>CONTRACT SERVICES</b>						
Director of Contract Services	12	1.0	0.0	0.0	1.0	0.0
Contract Operations Administra	05	1.0	0.0	0.0	1.0	0.0
Intern - Transit Services	01	0.5	0.0	0.0	0.5	0.0
Mgr of Paratransit & Mini Bus	10	1.0	0.0	0.0	1.0	0.0
Passenger Facilities Coord.	04	2.0	0.0	0.0	2.0	0.0
Sr Contract Operations Adminis	06	1.0	0.0	0.0	1.0	0.0
Supervisor of Para-Transit	06	1.0	0.0	0.0	1.0	0.0
Supvr of Passenger Facilities	07	1.0	0.0	0.0	1.0	0.0
<b>CONTRACT SERVICES TOTAL</b>		<b>8.5</b>	<b>0.0</b>	<b>0.0</b>	<b>8.5</b>	<b>0.0</b>
<b>EXECUTIVE (BUS)</b>						
Chief Op Officer-Transit Servs	15	1.0	0.0	0.0	1.0	0.0
Envi Health & Safety Intern	PT	0.5	0.0	0.0	0.5	0.0
Envi Health & Safety Spec	09	1.0	0.0	0.0	1.0	0.0
Executive Assistant (COO Bus)	06	1.0	0.0	0.0	1.0	0.0
<b>EXECUTIVE (BUS) TOTAL</b>		<b>3.5</b>	<b>0.0</b>	<b>0.0</b>	<b>3.5</b>	<b>0.0</b>
<b>MAINTENANCE</b>						
Admin Asst II - Maintenance	05	1.0	0.0	0.0	1.0	0.0
Administrative Assistant - Mai	04	1.0	0.0	0.0	1.0	0.0
Body Shop Apprentice I - KMD	BU	1.0	0.0	0.0	1.0	0.0
Body Shop Apprentice II - KMD	BU	2.0	0.0	0.0	2.0	0.0
Bus Maintenance Trainer	08	1.0	0.0	0.0	1.0	0.0
Communications Tech - IAD	BU	2.0	0.0	0.0	2.0	0.0
Dir of Fleet & Facility Maint	13	1.0	0.0	0.0	1.0	0.0
Division Manager (Maint) - IAD	10	1.0	0.0	0.0	1.0	0.0
Division Manager (Maint) - KMD	10	1.0	0.0	0.0	1.0	0.0
Foreman - IAD	08	9.0	0.0	0.0	9.0	0.0
Foreman - KMD	08	7.0	0.0	0.0	7.0	0.0
Maintenance Analyst	05	1.0	0.0	0.0	1.0	0.0
Mechanic A - IAD	BU	20.0	0.0	0.0	20.0	0.0
Mechanic A - KMD	BU	26.0	0.0	0.0	26.0	0.0
Mechanic Apprentice I - IAD	BU	8.0	0.0	0.0	8.0	0.0
Mechanic Apprentice I - KMD	BU	11.0	0.0	0.0	11.0	0.0
Mechanic Apprentice II - IAD	BU	3.0	0.0	0.0	3.0	0.0
Mechanic Apprentice II - KMD	BU	2.0	0.0	0.0	2.0	0.0
Mechanic C - IAD	BU	17.0	0.0	0.0	17.0	0.0
Mechanic C - KMD	BU	9.0	0.0	0.0	9.0	0.0
Quality Assurance Inspector	07	1.0	0.0	0.0	1.0	0.0
Quality Assurance Supervisor	09	1.0	0.0	0.0	1.0	0.0
Servicer A - IAD	BU	48.0	0.0	0.0	48.0	0.0
Servicer A - KMD	BU	12.0	0.0	0.0	12.0	0.0
Sign Truck Operator	BU	1.0	0.0	0.0	1.0	0.0
Sup of Maintenance Training	09	1.0	0.0	0.0	1.0	0.0
ZEV and Sustainability Manager	08	1.0	0.0	0.0	1.0	0.0
<b>MAINTENANCE TOTAL</b>		<b>189.0</b>	<b>0.0</b>	<b>0.0</b>	<b>189.0</b>	<b>0.0</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT) Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

	Salary Grade	Original Budget	Position	Net Positons	Amended	Frozen
		FY 2024	Shifts	Requiring	FY 2024	Positions
		(FTE's)	(FTE's)	Funding Adjs	(FTE's)	(FTE's)
<b><u>MAINTENANCE-FACILITY</u></b>						
Bldng Maint Apprentice - IAD	BU	2.0	0.0	0.0	2.0	0.0
Facilities Supervisor - Bus	08	1.0	0.0	0.0	1.0	0.0
Mechanic A - Facilities - IAD	BU	2.0	0.0	0.0	2.0	0.0
<b>MAINTENANCE-FACILITY TOTAL</b>		<b>5.0</b>	<b>0.0</b>	<b>0.0</b>	<b>5.0</b>	<b>0.0</b>
<b><u>PASSENGER SERVICES</u></b>						
Customer Service Supervisor	06	2.0	0.0	0.0	2.0	0.0
Director of Support Services	12	1.0	0.0	0.0	1.0	0.0
Operations Asst - Ride Checker	01	1.0	0.0	0.0	1.0	0.0
Passenger Support Supervisor	06	1.0	0.0	0.0	1.0	0.0
Receptionist	02	1.0	-1.0	0.0	0.0	0.0
Support Services Analyst	04	1.0	0.0	0.0	1.0	0.0
Support Services Coordinator	04	1.0	1.0	0.0	2.0	0.0
<b>PASSENGER SERVICES TOTAL</b>		<b>8.0</b>	<b>0.0</b>	<b>0.0</b>	<b>8.0</b>	<b>0.0</b>
<b><u>REVENUE (BUS)</u></b>						
Asst Rev Technicians - IAD	BU	2.0	0.0	0.0	2.0	0.0
Asst Rev Technicians - KMD	BU	1.0	0.0	0.0	1.0	0.0
Revenue Technicians - IAD	BU	2.0	0.0	0.0	2.0	0.0
Revenue Technicians - KMD	BU	1.0	0.0	0.0	1.0	0.0
<b>REVENUE (BUS) TOTAL</b>		<b>6.0</b>	<b>0.0</b>	<b>0.0</b>	<b>6.0</b>	<b>0.0</b>
<b><u>SAFETY</u></b>						
Manager of Safety (Bus)	09	1.0	0.0	0.0	1.0	0.0
Transit Safety Specialist	08	1.0	0.0	0.0	1.0	0.0
<b>SAFETY TOTAL</b>		<b>2.0</b>	<b>0.0</b>	<b>0.0</b>	<b>2.0</b>	<b>0.0</b>
<b><u>TRAINING</u></b>						
Bus Op Training Instructor	06	5.0	0.0	3.0	8.0	0.0
Manager of Training (Transp)	09	1.0	0.0	0.0	1.0	0.0
Training Administrator	05	1.0	0.0	0.0	1.0	0.0
Training Development Specialis	07	1.0	0.0	0.0	1.0	0.0
<b>TRAINING TOTAL</b>		<b>8.0</b>	<b>0.0</b>	<b>3.0</b>	<b>11.0</b>	<b>0.0</b>
<b><u>TRANSPORTATION (BUS)</u></b>						
Director of Transportation	13	1.0	0.0	0.0	1.0	0.0
Admin Asst II - Operations	05	1.0	0.0	0.0	1.0	0.0
Bus Operators - F/T	BU	565.0	0.0	0.0	565.0	0.0
Bus Operators - P/T	BU	0.5	0.0	-0.5	0.0	0.0
Comm/Ops Supv-Dispatch IAD	08	8.0	0.0	0.0	8.0	0.0
Comm/Ops Supv-Radio	08	8.0	0.0	0.0	8.0	0.0
Dispatch Clerk	BU	4.0	0.0	0.0	4.0	0.0
Dispatch Clerk - KMD	BU	2.0	0.0	0.0	2.0	0.0
Manager of Service Operations	10	1.0	0.0	0.0	1.0	0.0
Manager of Transp Comm & Tech	10	1.0	0.0	0.0	1.0	0.0
Service Operations Supervisor	08	14.0	0.0	0.0	14.0	0.0
Trans Div Manager - IAD	10	1.0	0.0	0.0	1.0	0.0
Trans Div Manager - KMD	10	1.0	0.0	0.0	1.0	0.0
Transp Comm & Technology Supvr	08	1.0	0.0	0.0	1.0	0.0
Transp Service Quality Spec	06	1.0	0.0	0.0	1.0	0.0
<b>TRANSPORTATION (BUS) TOTAL</b>		<b>609.5</b>	<b>0.0</b>	<b>-0.5</b>	<b>609.0</b>	<b>0.0</b>
<b>Subtotal Bus Operations</b>		<b>839.5</b>	<b>-0.5</b>	<b>3.0</b>	<b>842.0</b>	<b>0.0</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT) Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

		Original Budget	Position	Net Positons		
	Salary	FY 2024	Shifts	Requiring	Amended	Frozen
	Grade	(FTE's)	(FTE's)	Funding Adjs	FY 2024	Positions
				(FTE's)	(FTE's)	(FTE's)
<b><u>Rail Operations</u></b>						
<b><u>EXECUTIVE (RAIL)</u></b>						
Chief Operating Officer (Rail)	15	1.0	0.0	0.0	1.0	0.0
Engineering Intern	01	0.5	0.0	0.0	0.5	0.0
Mgr of Service Quality & Speci	10	1.0	0.0	0.0	1.0	0.0
System Safety Manager (Rail)	09	1.0	0.0	0.0	1.0	0.0
System Safety Specialist	08	1.0	0.0	0.0	1.0	0.0
<b>EXECUTIVE (RAIL) TOTAL</b>		<b>4.5</b>	<b>0.0</b>	<b>0.0</b>	<b>4.5</b>	<b>0.0</b>
<b><u>FACILITIES</u></b>						
Admin Asst II - Facilities	05	1.0	0.0	0.0	1.0	0.0
Director of Rail Facilities	13	1.0	0.0	0.0	1.0	0.0
Facilities Supervisor	06	6.0	0.0	0.0	6.0	0.0
Manager of Rail Facilities	07	1.0	0.0	0.0	1.0	0.0
Serviceperson	BU	72.0	0.0	0.0	72.0	0.0
<b>FACILITIES TOTAL</b>		<b>81.0</b>	<b>0.0</b>	<b>0.0</b>	<b>81.0</b>	<b>0.0</b>
<b><u>LIGHT RAIL VEHICLES</u></b>						
Assistant Training Sup - LRV	09	1.0	0.0	0.0	1.0	0.0
Clerk Typist/Data Entry LRV	BU	2.0	0.0	0.0	2.0	0.0
Director of LRV Maintenance	13	1.0	0.0	0.0	1.0	0.0
LRV Asst Lineman	BU	23.0	0.0	0.0	23.0	0.0
LRV Electromechanic	BU	47.0	0.0	0.0	47.0	0.0
LRV Lineman	BU	19.0	0.0	0.0	19.0	0.0
LRV Maint Supervisor	09	10.0	0.0	0.0	10.0	0.0
LRV Project Cordinator/Analyst	09	1.0	0.0	0.0	1.0	0.0
Maintenance Analyst (LRV)	05	1.0	0.0	0.0	1.0	0.0
Manager of LRV Maintenance	10	1.0	0.0	0.0	1.0	0.0
Training Supervisor - LRV	09	1.0	0.0	0.0	1.0	0.0
<b>LIGHT RAIL VEHICLES TOTAL</b>		<b>107.0</b>	<b>0.0</b>	<b>0.0</b>	<b>107.0</b>	<b>0.0</b>
<b><u>MAINTENANCE OF WAYSIDE</u></b>						
Asst Training Supervisor - MOW	09	1.0	0.0	0.0	1.0	0.0
Manager of MOW	10	1.0	0.0	0.0	1.0	0.0
MOW Contracts & Budget Analyst	08	1.0	0.0	0.0	1.0	0.0
Superintendent Wayside Maint	13	1.0	0.0	0.0	1.0	0.0
Training Supervisor - MOW	09	1.0	0.0	0.0	1.0	0.0
Wayside Assistant Lineman	BU	11.0	0.0	0.0	11.0	0.0
Wayside Electromechanic	BU	17.0	0.0	0.0	17.0	0.0
Wayside Lineman	BU	8.0	0.0	0.0	8.0	0.0
Wayside Maintenance Supervisor	09	5.0	0.0	0.0	5.0	0.0
<b>MAINTENANCE OF WAYSIDE TOTAL</b>		<b>46.0</b>	<b>0.0</b>	<b>0.0</b>	<b>46.0</b>	<b>0.0</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT) Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

	Salary Grade	Original Budget	Position	Net Positons	Amended	Frozen
		FY 2024	Shifts	Requiring	FY 2024	Positions
		(FTE's)	(FTE's)	Funding Adjs	(FTE's)	(FTE's)
<b><u>REVENUE (RAIL)</u></b>						
Collector / Processor	BU	8.0	0.0	0.0	8.0	0.0
Lead Passenger Support Rep	PT	2.0	0.0	0.0	2.0	0.0
Lead Revenue Maint Supervisor	09	1.0	0.0	0.0	1.0	0.0
Passenger Support Rep	PT	21.5	0.0	0.0	21.5	0.0
Revenue Analyst (Rail)	05	1.0	0.0	0.0	1.0	0.0
Revenue Maintainer I	BU	4.0	0.0	0.0	4.0	0.0
Revenue Maintainer II	BU	5.0	0.0	0.0	5.0	0.0
Revenue Maintainer III	BU	9.0	0.0	0.0	9.0	0.0
Revenue Maintenance Supervisor	09	1.0	0.0	0.0	1.0	0.0
Revenue Operations Assistant	03	1.0	0.0	0.0	1.0	0.0
Ridership Surveyor	BU	2.0	0.0	0.0	2.0	0.0
Supervisor Revenue Operations	08	1.0	0.0	0.0	1.0	0.0
<b>REVENUE (RAIL) TOTAL</b>		<b>56.5</b>	<b>0.0</b>	<b>0.0</b>	<b>56.5</b>	<b>0.0</b>
<b><u>TRACK</u></b>						
Manager of Track and Structure	09	1.0	0.0	0.0	1.0	0.0
Track Supervisor	09	2.0	0.0	0.0	2.0	0.0
Trackperson	BU	14.0	0.0	0.0	14.0	0.0
Trackperson Equip Op	BU	5.0	0.0	0.0	5.0	0.0
<b>TRACK TOTAL</b>		<b>22.0</b>	<b>0.0</b>	<b>0.0</b>	<b>22.0</b>	<b>0.0</b>
<b><u>TRANSPORTATION (RAIL)</u></b>						
Assignments Supervisor	07	5.0	0.0	0.0	5.0	0.0
Central Control Info Rep	06	1.0	0.0	0.0	1.0	0.0
Central Control Supervisor	09	2.0	0.0	0.0	2.0	0.0
Construction Safety Flagperson	PT	35.0	0.0	7.5	42.5	0.0
Construction Safety Supervisor	06	0.0	0.0	4.0	4.0	0.0
Dir of Rail Transportation	13	1.0	0.0	0.0	1.0	0.0
Lead Transportation Sup	08	1.0	0.0	0.0	1.0	0.0
Manager of Rail Transportation	10	1.0	0.0	0.0	1.0	0.0
Train Operator	BU	120.0	4.3	12.8	137.0	0.0
Train Operator - PT	BU	57.0	-4.3	0.0	52.7	0.0
Training Supervisor - Trans	08	3.0	0.0	0.0	3.0	0.0
Transportation Controller	08	16.0	0.0	0.0	16.0	0.0
Transportation Supervisor	08	16.0	0.0	0.0	16.0	0.0
<b>TRANSPORTATION (RAIL) TOTAL</b>		<b>258.0</b>	<b>0.0</b>	<b>24.3</b>	<b>282.2</b>	<b>0.0</b>
<b>Subtotal Rail Operations</b>		<b>575.0</b>	<b>0.0</b>	<b>24.3</b>	<b>599.2</b>	<b>0.0</b>



**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**  
**POSITION INFORMATION (DETAILED POSITION FORMAT)    Att.A, AI 19, 03/14/24**  
**FISCAL YEAR 2024 AMENDED BUDGET**  
**SECTION 10.04**

	Original Budget	Position	Net Positons	Amended	Frozen	
Salary	FY 2024	Shifts	Requiring	FY 2024	Positions	
Grade	(FTE's)	(FTE's)	Funding Adjs	(FTE's)	(FTE's)	
			(FTE's)			
<b><u>Other MTS Operations</u></b>						
<b><u>FHV ADMINISTRATION</u></b>						
For-Hire Vehicle Administratio	10	1.0	0.0	0.0	1.0	0.0
Regulatory Analyst	06	1.0	0.0	0.0	1.0	0.0
Regulatory Assistant	06	1.0	0.0	0.0	1.0	0.0
Regulatory Inspector	05	3.0	0.0	0.0	3.0	0.0
<b>FHV ADMINISTRATION TOTAL</b>		<b>6.0</b>	<b>0.0</b>	<b>0.0</b>	<b>6.0</b>	<b>0.0</b>
<b>Subtotal Other MTS Operations</b>		<b>6.0</b>	<b>0.0</b>	<b>0.0</b>	<b>6.0</b>	<b>0.0</b>
<b>Grand Total</b>		<b>1,701.0</b>	<b>0.0</b>	<b>86.8</b>	<b>1,787.7</b>	<b>0.0</b>

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Resolution No. 24-01

Resolution Approving Amendments to FY 2024 Budget

WHEREAS, the San Diego Metropolitan Transit System (MTS) Board of Directors adopted Resolution No. 23-4 on May 18, 2023, approving the fiscal year (FY) 2024 budgets for MTS, San Diego Transit Corporation, San Diego Trolley, Inc., MTS Contract Services, and Coronado Ferry;

NOW THEREFORE, BE IT RESOLVED, by the MTS Board of Directors, hereinafter "Board," as follows:

1. That the changes to the FY 2024 Operating Budget, per the proposed attached Budget Amendments are approved.

PASSED AND ADOPTED, by the Board of Directors this 14<sup>th</sup> day of March 2024, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

---

Chairperson  
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

---

Clerk of the Board  
San Diego Metropolitan Transit System

---

General Counsel  
San Diego Metropolitan Transit System

Resolution 24-01

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
FY 2025 BOARD MEETING CALENDAR**

<b>Date</b>	<b>Meeting</b>	<b>Review Points</b>
3/7/2023	Budget Development Committee	FY24 Operating Midyear Amendment, FY25 Capital Improvement Program (CIP)
3/14/2024	Board of Directors	FY24 Operating Midyear Amendment, FY25 CIP
3/27/2024	Budget Development Committee	Initial FY25 Operating Forecast (Revenues, Expenses, Policy Issues, Operational Issues)
4/25/2024	Board of Directors	Initial FY25 Operating Forecast (Revenues, Expenses, Policy Issues, Operational Issues)
5/8/2024	Budget Development Committee	FY25 Draft Operating Budget: Updates to Revenues and Expenses, Budget Closure, Five Year Forecast
5/16/2024	Public Hearing	FY25 Operating Budget Public Hearing and Board Adoption

# FY 2024 Operating Budget Amendment

MTS Board of Directors

# Fiscal Year 2024 Operating Budget Development

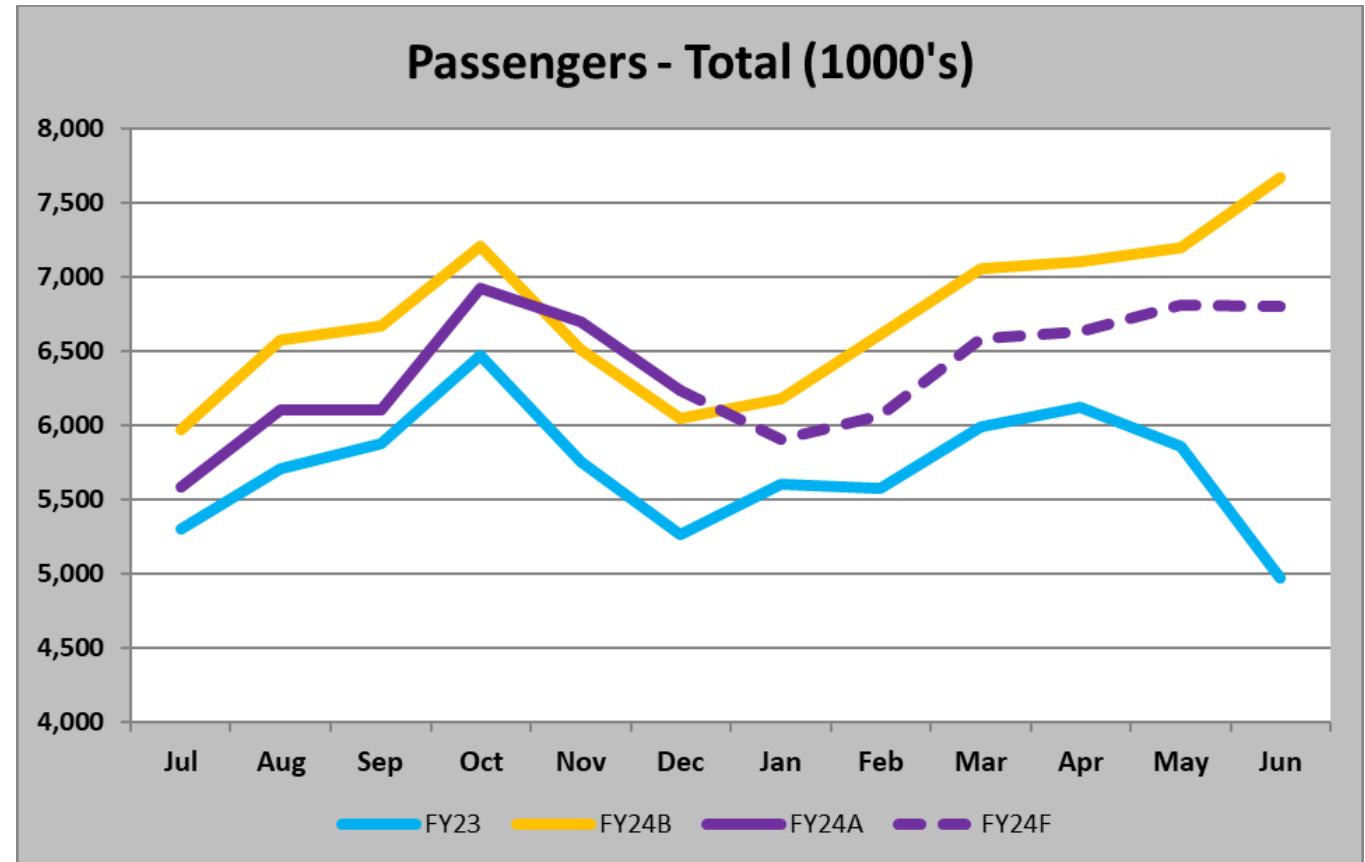
- FY24 Operating Budget
  - Adopted May 18<sup>th</sup>, 2023
  - Monthly financial status updates to Board
    - Year-to-date variances
    - Identify major trends
  - FY24 midyear amendment
    - Met with managers and reviewed all expense and revenue trends (Jan – Feb)
    - Compiled all position change requests (Jan – Feb)
    - Consolidated budget adjustments (February)
    - Presented to BDC on March 7th
  - FY25 Operating Budget Development
    - Currently working on
    - Zero based budgeting process
    - Multiple BDC meetings with adoption planned for May 16<sup>th</sup>, 2024

# Fiscal Year 2024 Operating Budget

## Revenue Assumptions - Passenger Levels

- Ridership update

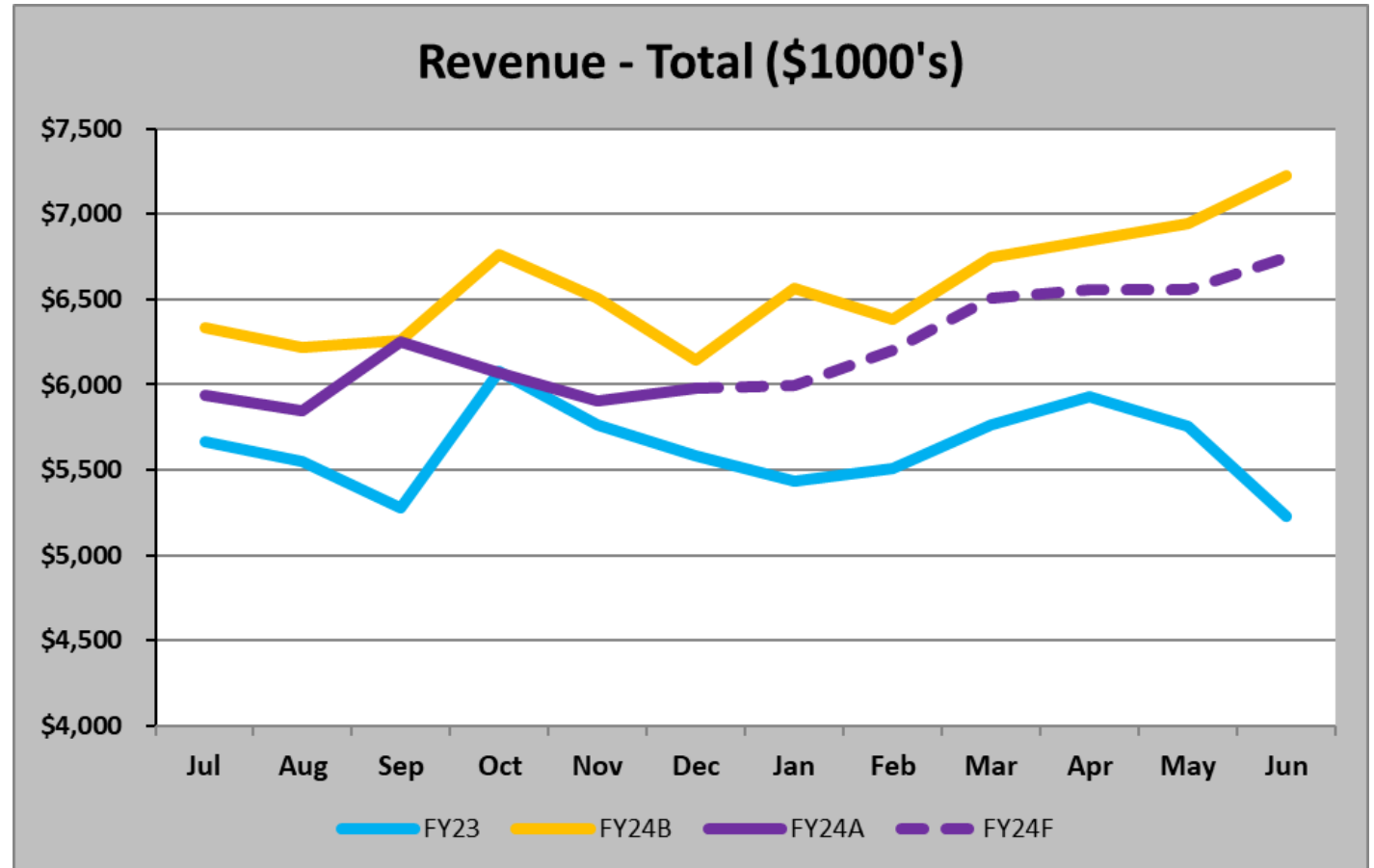
- Budget of 80.7M passengers in FY24
- Budget target 16.0% over FY23 actual ridership
  - Strike in May/June last year
  - 9.5% ridership growth YoY through December
- Now projecting 76.5M passengers
  - -4.3M (-5.4%) reduction in ridership versus budget
  - 9.9% YoY growth



# Fiscal Year 2024 Operating Budget

## Revenue Assumptions - Passenger Revenue

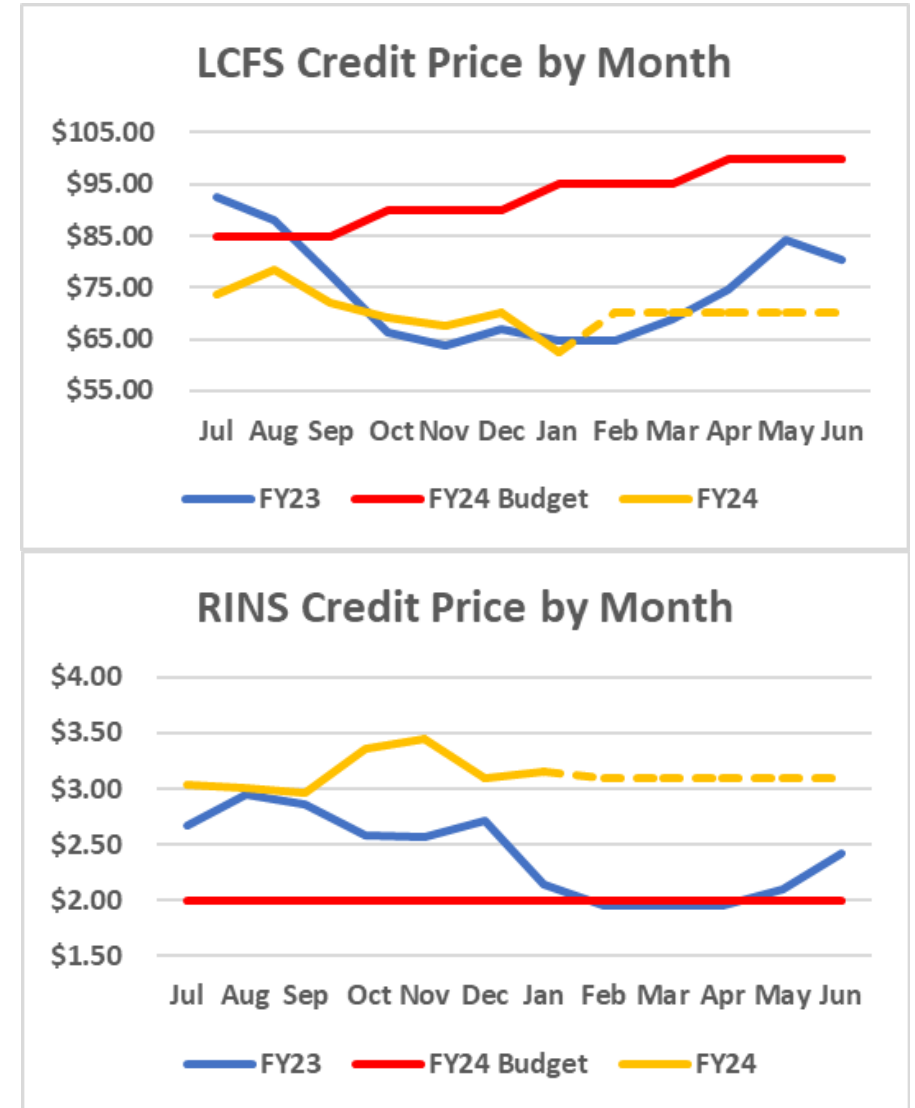
- Passenger Revenue
  - Original budget of \$78.9M
    - 14.5% over FY23 actual revenue
  - \$2.2M (-5.8%) unfavorable to budget through December
    - Average fare -2.3% lower than budget
    - 6.1% growth YoY through December
  - Amended budget: \$74.6M
    - Reduction of \$4.4M (-5.5%) versus original budget
    - 8.1% YoY growth



# Fiscal Year 2024 Operating Budget

## Revenue Assumptions – Other Revenue

- Energy Credits
  - LCFS and RINs programs
  - Generate credits based on consumption of RNG, electricity, and propane
  - Credits sold in market – generate \$8M annual revenue on average
  - LCFS credit price
    - Budget: \$92.50
    - YTD: \$70.54
    - Amended Budget: \$70.00
  - RINs price
    - Budget: \$2.00
    - YTD: \$3.15
    - Amended Budget: \$3.10
- Amended budget: \$417K (4.4%) increase

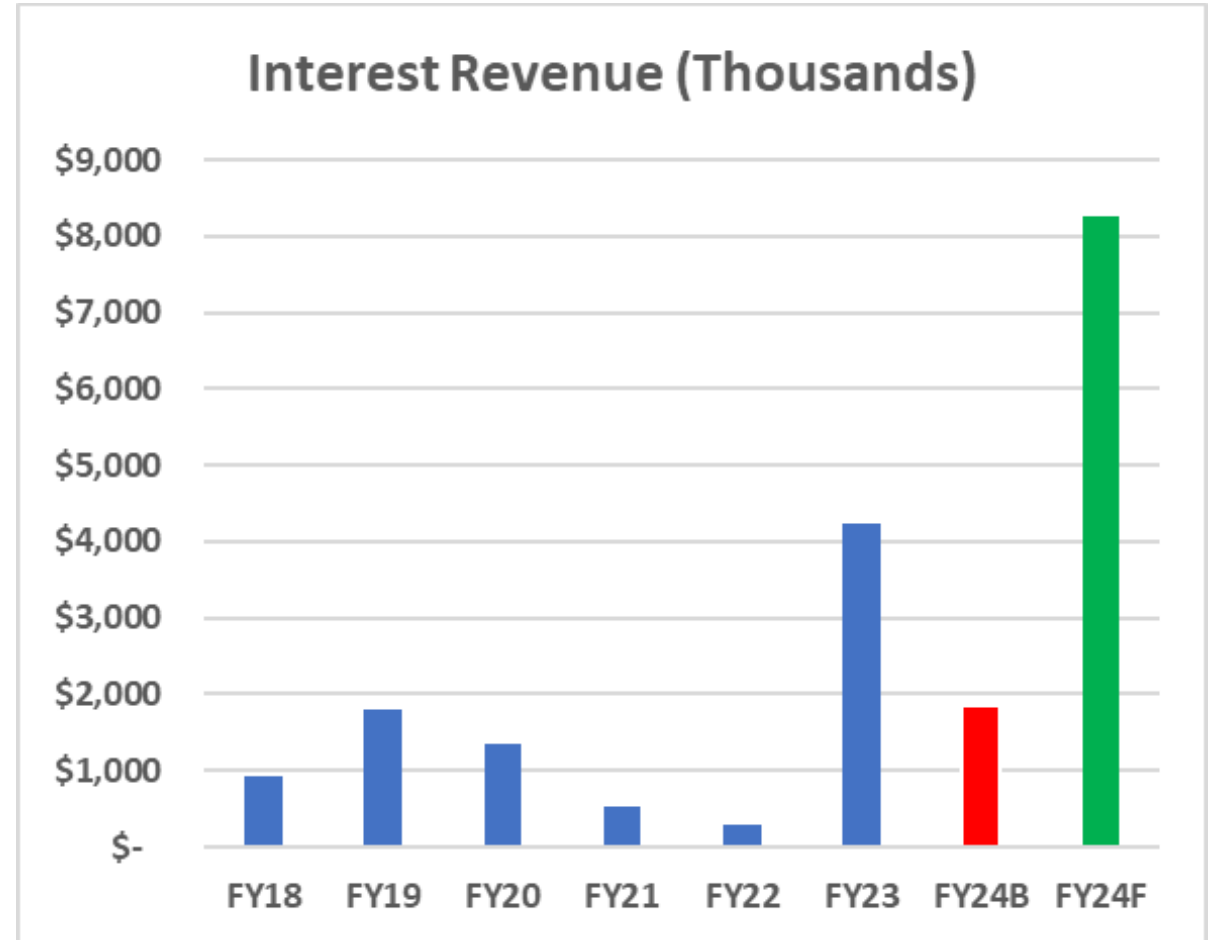




# Fiscal Year 2024 Operating Budget Revenue Assumptions – Other Revenue

- Interest Revenue

- Original budget of \$1.9M
- Average cash balance: \$60-70M
  - FY23: \$144M
  - FY24: \$180M projected
    - Stimulus draws
    - Higher FTA formula funds
- Fed interest rate at 22-year high (5.5%)
- Amended budget of \$8.3M, increase of \$6.4M



# Fiscal Year 2024 Operating Budget Revenue Assumptions – Other Revenue

- Real Estate Related Revenues
  - Grantville station development
    - Increasing \$520K (19.4%)
- Other
  - Decreasing \$500K

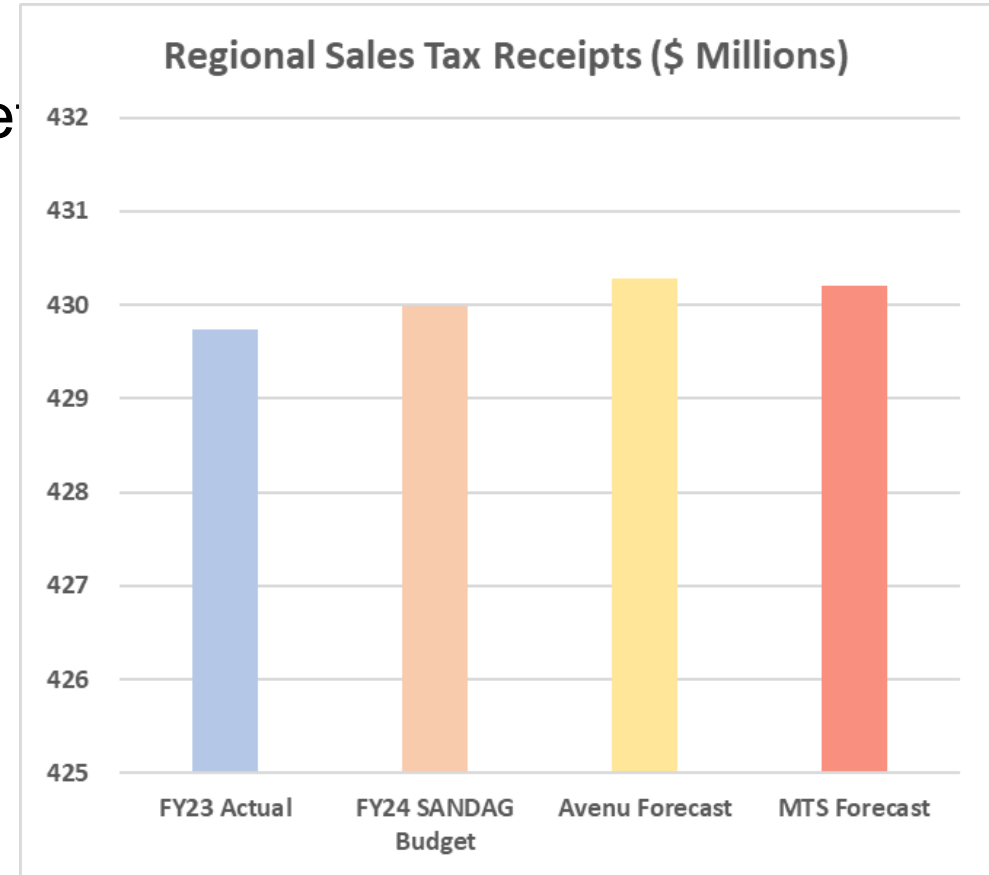
Category (\$ millions)	FY 2024 Adopted	FY 2024 Amended
Energy Credits	\$ 9.5	\$ 9.9
Advertising	5.3	4.9
Real Estate Related Revenues	2.7	3.2
Interest	1.9	8.3
Other	5.4	4.9
<b>Total</b>	<b>\$ 24.7</b>	<b>\$ 31.2</b>

- Other Revenue increasing \$6.5M (26.1%) in amended budget

# Fiscal Year 2024 Operating Budget

## Revenue Assumptions - Sales Tax Revenues

- TransNet formula funding
  - Used SANDAG budget of \$430.0M for budget
    - Represented 1.0% growth over FY23 budget
    - MTS share of \$46.8M
  - Cash receipts down -1.6% YoY through January
    - Trend skewed due to postponed filing deadlines
    - Expecting to come in close to budget overall
  - **Amended budget staying at \$46.8M**
- TransNet Operating Reimbursement
  - TransNet funds net cost of BRT and Mid-Coast
  - **Increase of \$212K (0.7%) in amended budget**



# Fiscal Year 2024 Operating Budget Revenue Assumptions - Sales Tax Revenues

- Transportation Development Act (TDA)
  - Claim process determines MTS revenue
    - MTS submits a claim based on the SANDAG budget
    - County receives the cash, reserve balances over/under amounts from budget to actual
  - FY24 MTS Budget is \$135.5M
    - \$92.9M in operating budget, remainder in capital
    - TDA receipts tracking closely to budget so far
  - **No changes in amended budget**

# Fiscal Year 2024 Operating Budget

## Revenue Assumptions - State Transit Assistance (STA)

- State Transit Assistance (STA)
  - State sales tax on diesel fuel
    - Distributed based on population and agency revenue formulas
    - Two distributions, regular STA and State of Good Repair
  - FY 2024 budget based off State Controllers Office January 2023 projection of MTS apportionment: \$39.4M
    - Funding included in both Capital and Operating Budgets
  - **Updated forecast: \$36.5 million, decrease of \$2.9 million**
    - Based on January 2024 Governor's budget proposal
      - The actual amount will be determined by the State budget May revise
    - Decreasing amount in operating budget by \$2.9M to keep capital budget whole
      - Backfill decrease in STA with stimulus funds

# Fiscal Year 2024 Operating Budget

## Revenue Assumptions – Senate Bill (SB) 125

- Senate Bill (SB) 125 Funding
  - \$4 billion in state funding distributed to transit agencies through TIRCP program
    - Distribution based on population
  - Funds operations or capital, but must meet criteria for increasing service, reducing GHGs, serving disadvantaged communities, etc.
  - \$284 million for MTS over multiple fiscal years per original legislation
  - **Including \$4.5 million in FY24 amended budget**
    - \$3.0M for Iris Rapid operations
    - \$1.5M for Security Enhancements

# Fiscal Year 2024 Operating Budget Revenue Summary (\$000s)

	FY 2024 Budget	FY 2024 Amended	Var.	Var. %
Passenger Revenue	\$ 78,925	\$ 74,558	\$ (4,367)	-5.5%
Other Operating Revenue	24,710	31,158	6,448	26.1%
<b>Total Operating Revenue</b>	<b>\$ 103,635</b>	<b>\$ 105,716</b>	<b>\$ 2,080</b>	<b>2.0%</b>
Federal	\$ 70,771	\$ 70,466	\$ (305)	-0.4%
Federal Stimulus Funds	\$ 85,000	\$ 85,000		
TDA	92,858	92,858	-	0.0%
TransNet Formula	42,027	42,027	-	0.0%
TransNet Operating	30,684	30,896	212	0.7%
STA	11,300	8,400	(2,900)	-25.7%
SB 125 TIRCP	-	4,500	4,500	0.0%
Other	4,603	4,491	(112)	-2.4%
<b>Total Subsidy</b>	<b>\$ 337,243</b>	<b>\$ 338,639</b>	<b>\$ 1,395</b>	<b>0.4%</b>
Reserves	\$ (33,882)	\$ (30,399)	\$ 3,483	-
<b>Total Revenue</b>	<b>\$ 406,997</b>	<b>\$ 413,955</b>	<b>\$ 6,958</b>	<b>1.7%</b>

**Reserves include Operating Deficit Reserve as well as reserves for SD&AE and FHV Administration**

# Fiscal Year 2024 Operating Budget Expense Assumptions - Personnel

## • Wages

### • Admin wages increasing \$2.0M (10.5%)

- 47 new security positions (45 to be hired in FY24)
- 4 new FTEs to support call center
- Increase of 60.0 FTEs in total
  - 59 approved by Board already
  - 1 Staff Attorney position requested

### • Bus Ops wages increasing \$556K (1.2%)

- Primarily student operator (training) wages and maintenance wages
- Adding 3 Bus Operator Training Inspectors
- Net increase of 2.5 FTEs

Administration				
Position	Positions	FTEs	Board Approved?	
Grants Analyst	1	1.0	Y	
Asst Mgr of Field Operations	1	1.0	Y	
Clerk Typist/Data Entry TSS	1	1.0	Y	
Code Compliance Dispatcher	5	5.0	Y	
Code Compliance Inspector	34	34.0	Y	
Code Compliance Supervisor	6	6.0	Y	
Call/Service Center Rep (FT)	3	3.0	Y	
Service Center Specialist (FT)	1	1.0	Y	
Procurement Specialist	2	2.0	Y	
ETL Developer	1	1.0	Y	
Talent Acquisition Specialist	1	1.0	Y	
Project Manager	1	1.0	Y	
Senior Project Manager	1	1.0	Y	
Human Resources Specialist	1	1.0	Y	
Staff Attorney	1	1.0	N	
		<b>60.0</b>		

Bus Operations				
Position	Positions	FTEs	Board Approved?	
Bus Op Training Inspector	3	3.0	Y	
Bus Operators - P/T	-1	(0.5)	N	
		<b>2.5</b>		



# Fiscal Year 2024 Operating Budget Expense Assumptions - Personnel

## • Wages

- Trolley Operations wages increasing \$1.1M (3.1%)
  - Operator wages increasing \$458K (4.0%)
  - Flagging wages increasing \$239K (12.7%)
  - Facilities wages increasing \$336K (11.3%)
  - Net increase of 24.3 FTEs
    - 4.8 FTEs approved by Board already
    - Additional request of 19.5 FTEs for SB-125 funded activities

Trolley Operations			
Position	Positions	FTEs	Board Approved?
Train Operator (FT)	5	5.0	Y
Train Operator (PT)	-5	(4.3)	Y
Construction Safety Supervisor	4	4.0	Y
Construction Safety Flagperson	15	7.5	N
Train Operator (FT)	12	12.0	N
		<b>24.3</b>	

Wages (\$000s)	FY 2024 Adopted	FY 2024 Amended	Var.	Var. %
Administration	\$ 19,185	\$ 21,195	\$ 2,010	10.5%
Trolley Operations	35,449	36,550	\$ 1,102	3.1%
Bus Operations	46,079	46,635	\$ 556	1.2%
Contracted Services	538	532	\$ (6)	-1.1%
Other Activities	355	352	\$ (3)	-0.8%
<b>Total</b>	<b>\$ 101,605</b>	<b>\$ 105,264</b>	<b>\$ 3,659</b>	<b>3.6%</b>

- Wages increasing \$3.7M (3.6%) in total

# Fiscal Year 2024 Operating Budget Expense Assumptions - Personnel

- Fringe

- Pension

- Increasing CalPERS payment for SDTI hourly employees

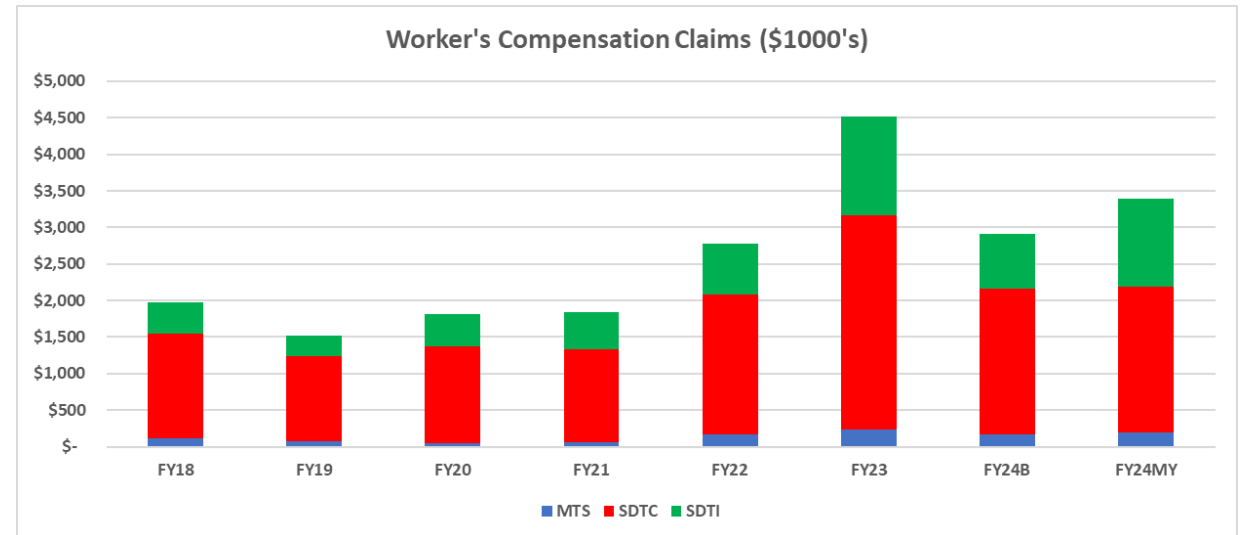
- Healthcare

- Trending unfavorable in SDTC premiums and deductions
    - Premiums increasing 12-13% versus 10% assumed (eff. January 2024)

- Worker's Compensation

- Claim payments within Trolley increasing \$450K (60.0%)

Category (\$000s)	FY 2024 Adopted	FY 2024 Amended	Var.	Var. %
Pension	\$ 30,675	\$ 31,007	\$ 332	1.1%
Healthcare	17,236	18,170	\$ 934	5.4%
Paid Absences	14,267	14,062	\$ (205)	-1.4%
Worker's Compensation	4,174	4,632	\$ 458	11.0%
Other	4,865	4,812	\$ (54)	-1.1%
<b>Total</b>	<b>\$ 71,217</b>	<b>\$ 72,684</b>	<b>\$ 1,466</b>	<b>2.1%</b>



# Fiscal Year 2024 Operating Budget Expense Assumptions - Outside Services

- Purchased Transportation

- Fixed Route

- Bus service was reduced in FY23 due to driver shortages
    - FY24 budget assumed restoration of most cut services in January 2024
    - Reducing service levels by -1.8% overall
      - Transdev: -2.3% reduction
      - First Transit: 3.4% increase

- ADA Paratransit

- Volume and expenses closed to original targets
    - No significant change in amended budget

Category (\$000s)	FY 2024 Adopted	FY 2024 Amended	Var.	Var. %
TransDev	\$ 81,152	\$ 79,589	\$ (1,563)	-1.9%
First - Minibus	5,730	5,689	\$ (40)	-0.7%
First - Paratransit	17,199	17,198	\$ (1)	0.0%
First - SVCC	417	415	\$ (2)	-0.4%
<b>Total</b>	<b>\$ 104,498</b>	<b>\$ 102,892</b>	<b>\$ (1,606)</b>	<b>-1.5%</b>

# Fiscal Year 2024 Operating Budget

## Expense Assumptions - Outside Services

- Outside Services

- Repair & Maintenance

- Orange Line Tie Replacement

- Engines/Transmissions

- Unfavorable experience in first half of year

- Other

- Fare system costs **decreasing** \$498K
- Land Management costs **increasing** \$842K
- Contract Services **decreasing** \$743K – paving project pushed to FY25
- Bus Ops **decreasing** \$382K – facility construction projects
- Trolley **increasing** \$694K – track/facilities construction projects
  - Bridge repairs
  - Building B office rehab

Category (\$000s)	FY 2024 Adopted	FY 2024 Amended	Var.	Var. %
Security	\$ 14,170	\$ 14,163	\$ (8)	-0.1%
Repair & Maint.	10,968	12,894	\$ 1,926	17.6%
Engines/Trans.	716	888	\$ 171	23.9%
Other Services	21,612	21,696	\$ 84	0.4%
<b>Total</b>	<b>\$ 47,466</b>	<b>\$ 49,640</b>	<b>\$ 2,174</b>	<b>4.6%</b>

# Fiscal Year 2024 Operating Budget Expense Assumptions – Other

- Other

- Materials & Supplies

- Increases primarily in revenue vehicle parts

- Risk Management

- Favorable claim related legal expenses and claim recoveries

- General & Administrative

- Lower credit card processing fees
    - Lower advertising costs within Marketing

- Other

- Leases and Debt Service

Category (\$000s)	FY 2024 Adopted	FY 2024 Amended	Var.	Var. %
Materials & Supplies	\$ 16,215	\$ 18,637	\$ 2,422	14.9%
Risk Management	9,059	8,502	\$ (557)	-6.1%
General & Administration	6,838	6,209	\$ (629)	-9.2%
Other	1,706	1,747	\$ 42	2.4%
<b>Total</b>	<b>\$ 33,818</b>	<b>\$ 35,096</b>	<b>\$ 1,277</b>	<b>3.8%</b>

# Fiscal Year 2024 Operating Budget Expenses Summary (\$000s)

	FY 2024 Budget	FY 2024 Amended	Var.	Var. %
Personnel Expenses	\$ 172,823	\$ 177,948	\$ 5,125	3.0%
Purchased Transportation	104,821	103,215	(1,606)	-1.5%
Outside Services	47,466	49,640	2,174	4.6%
Materials and Supplies	16,215	18,637	2,422	14.9%
Energy	48,068	48,056	(12)	0.0%
Risk Management	9,059	8,502	(557)	-6.1%
Other	8,544	7,956	(588)	-6.9%
<b>Total Expenses</b>	<b>\$ 406,997</b>	<b>\$ 413,955</b>	<b>\$ 6,958</b>	<b>1.7%</b>

# Fiscal Year 2024 Operating Budget

## Consolidated Revenues less Expenses (\$000s)

	FY 2024 Budget	FY 2024 Amended	Var.	Var. %
Operating Revenues	\$ 103,635	\$ 105,716	\$ 2,080	2.0%
Recurring Subsidy	252,243	249,139	(3,105)	-1.2%
<b>Total Recurring Revenues</b>	<b>\$ 355,879</b>	<b>\$ 354,854</b>	<b>\$ (1,024)</b>	<b>-0.3%</b>
<b>Total Expenses</b>	<b>406,997</b>	<b>413,955</b>	<b>\$ 6,958</b>	<b>1.7%</b>
<b>Structural Deficit</b>	<b>\$ (51,118)</b>	<b>\$ (59,101)</b>	<b>\$ (7,983)</b>	<b>-15.6%</b>
Reserves	(33,882)	(30,399)	3,483	10.3%
Federal Stimulus	85,000	85,000	-	0.0%
SB-125 Funding	-	4,500	4,500	
<b>Revenues Less Expenses</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	

- \$360M in total Stimulus (CARES and ARP) funding
  - \$260.3M drawn to date, \$99.7M remaining (\$57.0M in reserve)
- Between Stimulus and SB125, structural deficit balanced through FY28

# Fiscal Year 2024 Operating Budget Budget Development Calendar

Date	Meeting	Review Points
3/7/2023	Budget Development Committee	FY24 Operating Midyear Amendment, FY25 Capital Improvement Program (CIP)
3/14/2024	Board of Directors	FY24 Operating Midyear Amendment, FY25 CIP
3/27/2024	Budget Development Committee	Initial FY25 Operating Forecast (Revenues, Expenses, Policy Issues, Operational Issues)
4/25/2024	Board of Directors	Initial FY25 Operating Forecast (Revenues, Expenses, Policy Issues, Operational Issues)
5/8/2024	Budget Development Committee	FY25 Draft Operating Budget: Updates to Revenues and Expenses, Budget Closure, Five Year Forecast
5/16/2024	Public Hearing	FY25 Operating Budget Public Hearing and Board Adoption



# Fiscal Year 2024 Operating Budget Staff Recommendation

Item 19, 03/14/2024

That the MTS Board of Directors enact Resolution No. 24-01 (Attachment B) amending the FY 2024 operating budget for the San Diego Metropolitan Transit System (MTS), San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), MTS Contract Services, and the Coronado Ferry



**Metropolitan  
Transit  
System**

## **Agenda Item No. 20**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Fiscal Year (FY) 2025 Capital Improvement Program (CIP) (Mike Thompson)

**RECOMMENDATION:**

That the San Diego Metropolitan Transit System (MTS) MTS Board of Directors:

- 1) Approve the FY 2025 CIP with the estimated federal and non-federal funding levels (Attachments A and B). As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels;
- 2) Recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of Federal Section 5307, 5337, and 5339 applications for the MTS FY 2025 CIP (shown in Attachment A); and
- 3) Recommend that the SANDAG Board of Directors approve amendment number 12 of the 2023 Regional Transportation Improvement Program (RTIP) in accordance with the FY 2025 CIP recommendations.

**Budget Impact**

The total estimated funding for FY 2025 is \$312.7 million (Attachment A). After the utilization of \$63.0 million in preventative maintenance, \$6.1 million for Americans with Disabilities Act (ADA) Operations (funding the FY 2024 operating budget), and funding for SANDAG planning studies totaling \$0.2 million, \$243.3 million is available for capital projects.

**Budget Development Committee Recommendation**

At its March 7, 2024 meeting, the Budget Development Committee voted 3 to 0 with Board Members: Whitburn, Moreno and Goble in favor to recommend that the Board of Directors approve the staff recommendation and Board Members: Montgomery Steppe and McCann absent.



## DISCUSSION:

The creation of the annual CIP and operating budgets involves a multifaceted decision-making process that impacts the agency's assets and the ability to keep these assets in a State of Good Repair (SGR). This requires a delicate balance between funding capital and operations to effectively, and safely provide transit services for the region. In accordance with Board Policy 65 - Transit Asset Management (TAM) Policy, MTS maintains both a TAM plan and a 20-year CIP forecast to facilitate these decision-making processes. On a yearly basis, the CIP is constructed under this framework, subject to the funding that is available in the current year.

### Development of the MTS FY 2025 CIP

The CIP process began in September 2023 with the "call for projects". The recommended CIP assumes funding of \$63.0 million for preventative maintenance, \$6.1 million for ADA Operations, and \$0.2 million in SANDAG planning studies. The remaining submitted projects compete for the balance of available funding. For FY 2025, there is \$243.3 million in available federal, state, and local funding sources, which are detailed below.

### Federal Funding

On November 15, 2021, President Biden signed the Bipartisan Infrastructure Law, reauthorizing surface transportation programs through Federal FY (FFY) 2026. The legislation establishes the legal authority to commence and continue Federal Transit Administration (FTA) programs. Each reauthorization amends the Federal Transit Laws codified in 49 USC Chapter 53.

The reauthorization provides for the following funding streams MTS commonly receives:

- 5307 Urban Area Formula Grants for capital improvements and preventative maintenance
- 5311 Formula Grants for Rural Areas for capital improvements and to supplement operating costs
- 5337 SGR Funding for capital improvements and preventative maintenance
- 5339 Bus and Bus Facilities Funding for capital improvements

The FY 2025 MTS CIP (Attachments A and B) will serve as the basis for the federal formula grant applications. The FTA requires the submission of grant applications to obligate annual appropriations under Sections 5307, 5337, and 5339. The funding levels for each section (as indicated in Attachment A) this year are based on the actual apportionments published for the region.

As the region's Metropolitan Planning Organization (MPO), SANDAG apportions the 5307, 5337, and 5339 formula funds between MTS and the North County Transit District (NCTD) based on service area populations. Prior to the apportionments, SANDAG deducts funds from Section 5307 for funding the region's vanpool program. MTS receives approximately 70 percent while NCTD receives approximately 30 percent of these federal formula funds.

Section 5307 Urbanized Area Formula Program is a block grant program in which each urbanized area with over 50,000 in population receives financial assistance to provide public transit. The formula for determining each metropolitan area's share of funds is based on an urbanized area's population, population density, levels of existing fixed-guideway service, and

levels of existing bus service and ridership. The Section 5307 program is designed to meet routine capital needs and may not be used for operating assistance. However, the Transportation Equity Act for the 21st Century (TEA-21) expanded the definition of capital to include preventative maintenance, thereby, in effect, mitigating the relative lack of federal assistance for operations. In addition to the expanded definition of capital, the Section 5307 Urbanized Area Formula Program also allows for a maximum of 10 percent maximum of the allocation to support operations of ADA complementary paratransit service.

For FFY 2024, the estimated allocation for the MTS Section 5307 program is \$61.3 million, which will be matched with local funds of \$15.3 million. This program would provide an estimated \$76.6 million to fund MTS's FY 2025 CIP.

Section 5337 is a formula-based SGR program dedicated to repairing and upgrading the nation's rail transit systems along with high-intensity motor bus systems that use high-occupancy vehicle lanes, including bus rapid transit (BRT). Section 5337 includes funding previously provided through section 5309 Fixed Guideway Rail Modernization Formula Program. Projects are limited to replacement and rehabilitation, or capital projects required to maintain public transportation systems in a state of good repair.

Section 5337 SGR funds are allocated on a formula basis to rail systems that have been in operation for at least eight years. For FFY 2024, the Section 5337 funds MTS allocation estimate is \$44.1 million and will be matched with local funds of \$11.0 million. The program will provide an estimated \$55.1 million to fund MTS's FY 2025 CIP.

Section 5339 funding provides capital funding to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities. For FFY 2024, the Section 5339 funds MTS allocation estimate is \$4.3 million and will be matched with local funds of \$1.1 million. The program will provide an estimated \$5.4 million to fund MTS's FY 2025 CIP.

In September 2019, SANDAG's Board of Directors approved a total of \$72 million in federal Regional Surface Transportation Program (RSTP) funding from FY 2020 to FY 2025 for the replacement of MTS's SD100 LRV fleet to support additional/more frequent Trolley service. In September 2023, SANDAG proposed to swap \$30 million in RSTP funding for TransNet funding, which \$15.0 million is budgeted in MTS's FY 2024 CIP, and the remaining \$15.0 million is budgeted In MTS's FY 2025 CIP.

The FTA funding is structured on a reimbursement basis (after expenses are incurred). Local funding (Transportation Development Act (TDA)/ State Transit Assistance (STA) /TransNet) is scheduled at the beginning of each fiscal year and received on a monthly or quarterly basis. In many situations, local funds are received before expenses are incurred.

#### Local Match

The local match for CIP projects will come from the pooled transit finances for the MTS region. While it is likely that the actual funds used would be TDA funds, final decisions on the matching source would be made during the FY 2025 CIP implementation process to maximize the availability and flexibility of funding.

## STA

MTS receives STA funding from the Public Transportation Act, which derives its revenue from the state sales tax on diesel fuels. This funding was augmented by the Road Repair and Accountability Act of 2017, or Senate Bill 1 (SB1), which was signed by the Governor on April 28, 2017. For FY 2025, the estimated STA funding is \$39.0 million, of which \$27.7 million is planned in CIP with the remaining \$11.3 million planned for the operating budget.

MTS also receives a separate STA allocation for SGR program funding from SB1, which is funded from a portion of a new transportation improvement fee on vehicle registration. Receipts for FY 2024 will provide \$5.3 million to MTS's FY 2025 CIP.

## California Cap-and-Trade Revenue

Since 2014, the State of California Budget has provided \$11.0 billion to the Greenhouse Gas Reduction Fund (GHGRF) from Cap-and-Trade auction proceeds to support existing and pilot programs that will reduce Greenhouse Gas (GHG) emissions and benefit disadvantaged communities. Transit operators are eligible recipients for several of the programs that will be funded by the GHGRF, most of which are competitive.

Senate Bill (SB) 125 amended the Budget Act of 2023 to appropriate \$4 billion of General Funds to the Transit and Intercity Rail Capital Program (TIRCP) over the next two fiscal years. SB125 also establishes a \$1.1 billion Zero-Emission Transit Capital Program (ZETCP) over the next four fiscal years. MTS is estimated to receive approximately \$284 million over the next four fiscal years. In FY 2025 CIP, \$43.3 million is budgeted, comprised of \$26.0 million of TIRCP and \$17.3 million of ZETCP.

TIRCP also has competitive grant awards every other year. Over the last few years, MTS has received several of these competitive grant awards. In FY 2022, MTS was awarded a total of \$33.5 million for Orange Line Rail Signals, Orange Line Variable Message Sign, Imperial Ave Transit Center, and Kearny Mesa Division Battery Electric Bus Charging Infrastructure project. In FY 2025 CIP, \$35.5 million is budgeted.

The Low Carbon Transit Operations Program (LCTOP) has \$192 million in total funding that will be distributed by the same formula as STA funding. MTS's allocation for FY 2022-23 is \$8.1 million. Based on the current zero-emission bus (ZEB) rollout plan, the entire amount will be budgeted in MTS's FY 2025 CIP.

## Other Revenue

Alternative fuel credits are issued by the IRS to MTS for utilizing compressed natural gas to power its vehicles. This rebate program has expired and then reauthorized multiple times over the years, most recently being extended through the calendar year 2021. MTS has included \$3.9 million in revenues for the calendar year 2022 in the FY 2025 CIP.

\$18.5 million of other one-time funding has also been included in the FY 2025 CIP. This balance includes transfers from older closed capital projects and proceeds from land sales.

Project Selection

A meeting of the Capital Projects Review Committee (CPRC) was held to review the project list and to develop a CIP recommendation for FY 2025. In accordance with the Capital Projects Selection Process, the CPRC is comprised of representatives from MTS Bus, MTS Rail, MTS Administration, and SANDAG. Each CPRC member was responsible for submitting the capital requests for its division or agency. The CPRC reviewed and approved the prioritization of those capital requests.

The capital project list (Attachment B) represents the five-year, unconstrained need for the MTS operators, 108 projects with total requests of \$1.3 billion. Each MTS agency submitted its capital project requests in priority order, and the lists were consolidated for review by the CPRC. The CPRC reviewed the projects in the context of their impact on operations and determined the most critical projects to fund this year. The remaining projects were deferred; however, it is recognized that the continued deferral of some projects could have negative impacts on system infrastructure in future years. The list of projects is also subject to an analysis based on social equity principles (Attachment E). This process assures that the benefits and burdens of transit investment are shared equitably throughout the MTS service area. A series of maps are used to detail the results of this analysis.

FY 2025 CIP Funded Projects

Of the \$243.3 million available after preventative maintenance and SANDAG planning studies, \$79.3 million (or 33 percent) has been dedicated to Revenue Vehicle replacement for the ongoing upkeep of the MTS fleet of service vehicles; \$21.3 million (or 9 percent) has been dedicated to Facility & Construction projects; \$69.5 million (or 28 percent) has been dedicated to Rail Infrastructure projects; \$20.1 million (or 8 percent) has been dedicated to Other Equipment & Installations; and another \$53.2 million (or 22 percent) dedicated to Major Initiatives projects.

The table below is a summary of the CPRC recommendations, the major categories that are proposed to be funded, and the percentage of total available funding.

<b>Capital Project Categories</b>	<b>Funding (\$000s)</b>	<b>% of Total</b>
Bus Revenue Vehicles	\$ 58,312	24%
Rail Revenue Vehicles	21,000	9%
Facility & Construction Projects	21,288	9%
Rail Infrastructure	69,472	28%
Other Equipment & Installation	20,085	8%
Other Initiatives	53,172	22%
<b>Grand Total</b>	<b>\$ 243,329</b>	

A full listing of projects with respective funding levels is available in Attachment B, and brief descriptions are included in Attachment C. A couple of projects of note:

- SD100 Light Rail Vehicle (LRV) Replacement – Funding of \$21.0 million will be added to the \$189.8 million previously funded for the replacement of the SD100

fleet. There will be 47 LRVs that will need to be replaced by 2025, with a total estimated cost of over \$216 million.

- Bus Procurement – Funding of \$58.3 million for the replacement of twenty-eight 40' compressed natural gas (CNG) buses, ten 40" battery electric buses (BEB), in accordance with the MTS Transit Fleet Plan.
- Zero Emission Bus Overhead Charging Infrastructure – A total of \$38.8 million in funding is being allocated across all five of the MTS Operating divisions to facilitate the transition to battery electric buses. This includes funding of \$20.6 million for the construction of the Kearny Mesa Division Zero Emission Bus Overhead Charging Infrastructure project.

#### Five-Year Capital Program Projections

Attachment D summarizes a high-level look at the five-year capital program. The federal 5307 and 5337 funding levels are projected by SANDAG to increase by 2-3% through FY 2029 results in increased recurring revenue projections year by year. Added to that is \$221.5 million in already identified non-recurring revenues, resulting in a total revenue projection for CIP of \$842.4 million. Total project needs over the five-year term are projected to be \$1.3 billion, which exceeds the projected revenue available for CIP. Projected deficits from FY 2025 to FY 2029 total \$478.6 million. The ratio of total funding to total capital needs over the five-year term is projected at 63.8%.

Therefore, staff recommends that the MTS Board of Directors:

- 1) Approve the FY 2025 CIP with the estimated federal and non-federal funding levels (Attachments A and B). As the federal appropriation figures are finalized and/or other project funding sources become available, allow the CEO to identify and adjust projects for the adjusted funding levels;
- 2) Recommend that the SANDAG Board of Directors approve the submittal of Federal Section 5307, 5337, and 5339 applications for the MTS FY 2025 CIP (shown in Attachment A); and
- 3) Recommend that the SANDAG Board of Directors approve amendment number 12 of the 2023 RTIP in accordance with the FY 2025 CIP recommendations.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. FY 2025 Funding Sources  
B. FY 2025 CIP List  
C. FY 2025 Funded Project Descriptions  
D. Funding Compared to Capital Needs for FY 2025 – 2029  
E. FY 2025 Capital Improvement Program Title VI/Environmental Justice Analysis

**San Diego Metropolitan Transit System  
Funding Compared to Capital Needs (\$000s)  
Fiscal Years 2025-2029**

	Proposed FY25	Projected FY26	Projected FY27	Projected FY28	Projected FY29	Total FY25 to FY29
<b>Total Revenues</b>						
Recurring Dedicated CIP Revenues	\$ 196,575	\$ 192,348	\$ 194,545	\$ 200,793	\$ 205,094	\$ 989,356
Other Non Recurring Revenues	116,172	67,000	18,685	14,685	5,000	221,543
<b>Total Capital Revenues</b>	<b>\$ 312,747</b>	<b>\$ 259,349</b>	<b>\$ 213,230</b>	<b>\$ 215,479</b>	<b>\$ 210,094</b>	<b>\$ 1,210,899</b>
<b>Less: "Off the Top" Expenses</b>						
SANDAG Planning Studies	\$ (284)	\$ (290)	\$ (296)	\$ (303)	\$ (309)	\$ (1,483)
ADA Operations	(6,134)	(6,262)	(6,393)	(6,526)	(6,663)	(31,977)
Preventative Maintenance	(63,000)	(65,000)	(67,000)	(69,000)	(71,000)	(335,000)
<b>Total "Off The Top" Expenses</b>	<b>\$ (69,418)</b>	<b>\$ (71,552)</b>	<b>\$ (73,689)</b>	<b>\$ (75,829)</b>	<b>\$ (77,972)</b>	<b>\$ (368,460)</b>
<b>Adjusted Available CIP Revenues</b>	<b>\$ 243,329</b>	<b>\$ 187,797</b>	<b>\$ 139,541</b>	<b>\$ 139,650</b>	<b>\$ 132,122</b>	<b>\$ 842,439</b>
<b>Project Needs</b>						
State of Good Repair	\$ 199,307	\$ 212,035	\$ 191,309	\$ 169,526	\$ 160,909	\$ 933,086
Other Initiatives	113,172	101,978	85,095	86,220	1,500	387,965
<b>Total Project Needs</b>	<b>\$ 312,479</b>	<b>\$ 314,013</b>	<b>\$ 276,404</b>	<b>\$ 255,746</b>	<b>\$ 162,409</b>	<b>\$ 1,321,051</b>
<b>Total Deficit</b>	<b>\$ (69,150)</b>	<b>\$ (126,216)</b>	<b>\$ (136,863)</b>	<b>\$ (116,096)</b>	<b>\$ (30,287)</b>	<b>\$ (478,612)</b>
<b>% of Funding / Needs</b>	77.9%	59.8%	50.5%	54.6%	81.4%	63.8%
<b>Accumulated Deficit</b>	\$ (69,150)	\$ (195,366)	\$ (332,229)	\$ (448,325)	\$ (478,612)	



**San Diego Metropolitan Transit System**  
**Capital Improvement Program – Project List by Category (\$000s)**  
**Fiscal Year 2025 – 2029**

### State of Good Repair Projects

#### Bus Revenue Vehicles

Annual vehicle replacement for fleet of 40-Foot, 60-Foot Articulated, ADA Minibus, Fixed Route Minibus, and Commuter Express buses. The fleet replacement plan also incorporates the Zero Emission Bus Transition plan approved by the MTS Board of Directors in September 2020.

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Bus Ops - Bus Procurement - FY25	\$ 58,312	\$ -	\$ 60,000	\$ 60,000	\$ 83,000	\$ 87,000	\$ 348,312
<b>Subtotal</b>	<b>\$ 58,312</b>	<b>\$ -</b>	<b>\$ 60,000</b>	<b>\$ 60,000</b>	<b>\$ 83,000</b>	<b>\$ 87,000</b>	<b>\$ 348,312</b>

#### Rail Revenue Vehicles

Annual vehicle replacement for fleet of light rail vehicles.

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Rail Ops - SD100 Light Rail Vehicle Procurement	\$ 21,000	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ 26,000
Rail Ops - SD7 Light Rail Vehicle Procurement	-	-	10,566	10,566	10,566	10,566	42,264
<b>Subtotal</b>	<b>\$ 21,000</b>	<b>\$ -</b>	<b>\$ 15,566</b>	<b>\$ 10,566</b>	<b>\$ 10,566</b>	<b>\$ 10,566</b>	<b>\$ 68,264</b>

## Facility & Construction Projects

Facilities refer to the structures that enclose or support maintenance, operations, and administrative functions at the Rail division in downtown San Diego and the five bus maintenance facilities throughout San Diego County. Facilities also house specialized equipment that supports the operations and maintenance of the vehicles (for example, fueling and wash facilities).

Facilities also refer to the structures that enclose or support spaces for passengers. Passenger facilities are usually focused around spaces for pedestrian movement or waiting areas. Stations provide shelter for employees and customers, and facilities provide shelter for employees, revenue vehicles, and power systems.

## Bus Operations

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Bus Ops - IAD-KMD-Building B High Pile	\$ 1,611	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,611
Bus Ops - Copley Park Division Modular Building Replacement	289	-	-	-	-	-	289
Bus Ops - Copley Park Division Upgrades	-	-	2,535	2,665	910	3,500	9,610
Bus Ops - East County Division Upgrades	-	-	-	100	-	-	100
Bus Ops - Imperial Avenue Division Non-Revenue Vehicle Charging	840	-	-	-	-	-	840
Bus Ops - Imperial Avenue Division Roof Replacement	1,137	-	-	-	-	-	1,137
Bus Ops - Imperial Avenue Division Server Room HVAC Replacement	261	-	-	-	-	-	261
Bus Ops - Imperial Avenue Division Upgrades	-	-	500	1,125	4,250	1,650	7,525
Bus Ops - Kearny Mesa Division Bus Wash Replacement	4,108	-	-	-	-	-	4,108
Bus Ops - Kearny Mesa Division HVAC Replacement	681	-	-	-	-	-	681
Bus Ops - Kearny Mesa Division Upgrades	-	-	1,685	400	625	-	2,710
Bus Ops - Southbay Division Upgrades	-	-	150	-	300	-	450
<b>Subtotal</b>	<b>\$ 8,927</b>	<b>\$ -</b>	<b>\$ 4,870</b>	<b>\$ 4,290</b>	<b>\$ 6,085</b>	<b>\$ 5,150</b>	<b>\$ 29,322</b>

## Rail Operations

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Rail Ops - Building A & C and Yard Tower Roof Replacement	\$ -	\$ -	\$ -	\$ 2,400	\$ 2,000	\$ -	\$ 4,400
Rail Ops - Building A Roll Up Door Replacement	-	-	350	350	-	-	700
Rail Ops - Building C and Paint Booth Door Replacement	-	650	-	-	-	-	650
Rail Ops - Building C Crane & Expansion	-	500	5,000	-	-	-	5,500
Rail Ops - HVAC Replacement	700	-	110	-	100	-	910
Rail Ops - Lemon Grove Depot Rehab	451	-	-	-	-	-	451
Rail Ops - Old Town Storage Room Replacement	255	-	-	-	-	-	255
Rail Ops - Paint Booth Modernization	1,000	-	-	-	-	-	1,000
Rail Ops - Paint Booth Roof Replacement	-	350	-	-	-	-	350
Rail Ops - Transit Enforcement Office Expansion	-	-	200	2,000	2,000	2,000	6,200
Rail Ops - Yard Tower Roof and Interior Upgrades	-	-	-	400	-	-	400
<b>Subtotal</b>	<b>\$ 2,406</b>	<b>\$ 1,500</b>	<b>\$ 5,660</b>	<b>\$ 5,150</b>	<b>\$ 4,100</b>	<b>\$ 2,000</b>	<b>\$ 20,816</b>

## Passenger Facilities

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Admin - Beyer Blvd Pathway Beautification	\$ 1,604	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,604
Admin - Bus Stop Shelters	-	-	1,300	1,365	1,440	1,505	5,610
Admin - System Sign Upgrade/Replacement	-	-	250	250	400	-	900
Rail Ops - Fashion Valley Replacement Elevator	-	-	350	2,500	-	-	2,850
Rail Ops - Orange & Green Line Elevator Modernization	1,500	-	-	1,500	-	-	3,000
Rail Ops - Rio Vista Platform Construction	5,000	-	2,500	-	-	-	7,500
Rail Ops - SDSU Underground Station	-	-	-	-	1,700	-	1,700
Rail Ops - Southbay Transit Beautification	1,001	-	-	-	-	-	1,001
Rail Ops - Stadium Station 2nd Elevator	350	-	2,500	-	-	-	2,850
Rail Ops - Stadium Station Platform	250	-	2,500	-	-	-	2,750
Rail Ops - Washington Station Pedestrian Enhancements	250	-	1,250	-	-	-	1,500
<b>Subtotal</b>	<b>\$ 9,955</b>	<b>\$ -</b>	<b>\$ 10,650</b>	<b>\$ 5,615</b>	<b>\$ 3,540</b>	<b>\$ 1,505</b>	<b>\$ 31,265</b>

## Rail Infrastructure

This category refers to the structural elements that allow for the movement of MTS's LRVs. These assets are broadly categorized into track elements, guideway elements comprising the track right-of-way, grade crossings, and the electrical infrastructure.

## Track

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Rail Ops - Beyer Track and Slope	\$ 750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750
Rail Ops - Drainage Improvements	-	-	500	3,750	5,350	4,500	14,100
Rail Ops - Grade Crossing Replacement	3,525	1,850	5,600	6,908	3,785	1,238	22,906
Rail Ops - Orange Line Improvement Phase 1	42,347	-	6,694	-	-	-	49,041
Rail Ops - Orange Line Improvement Phase 2	3,000	-	42,000	42,000	-	-	87,000
Rail Ops - Rail Replacement	-	-	300	-	-	250	550
Rail Ops - S85 Retaining Wall	900	-	-	-	-	-	900
Rail Ops - Special Trackwork Replacement	5,550	-	6,050	1,250	1,200	800	14,850
Rail Ops - Station Trackway Replacement	-	350	2,500	-	100	1,200	4,150
Rail Ops - Street Trackage Pavement Replacement	-	3,000	6,000	6,000	6,000	3,000	24,000
Rail Ops - Street Trackage Pavement Replacement - Park to Island	500	-	-	-	-	-	500
<b>Subtotal</b>	<b>\$ 56,572</b>	<b>\$ 5,200</b>	<b>\$ 69,644</b>	<b>\$ 59,908</b>	<b>\$ 16,435</b>	<b>\$ 10,988</b>	<b>\$ 218,747</b>

## Maintenance of Wayside (MOW)

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Rail Ops - AC Switchgear Replacement	\$ 150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150
Rail Ops - A-yard Catenary Replacement	1,000	-	1,000	1,000	2,000	-	5,000
Rail Ops - Downtown Parallel Feeder Cable	-	-	5,000	5,000	5,000	5,000	20,000
Rail Ops - Grade Crossing Warning System	-	-	-	-	-	300	300
Rail Ops - INT E26 Signal Upgrade	650	-	-	-	-	-	650
Rail Ops - Orange Line Contact Wire	-	-	750	5,000	5,000	5,000	15,750
Rail Ops - Sicas S7 System Wide Replacement	500	-	1,500	8,000	8,000	8,000	26,000
Rail Ops - Siemens 1st Generation Upgrade	-	1,500	5,000	-	-	-	6,500
Rail Ops - Signal Replacement - Broadway Wye/India St	2,000	-	2,000	2,000	-	-	6,000
Rail Ops - Substation Replacement	8,100	-	20,000	12,500	16,000	16,000	72,600
Rail Ops - WABTEC (ARINC) Integration	500	-	-	-	-	-	500
Rail Ops - Yard Switch Automation	-	500	-	-	-	-	500
<b>Subtotal</b>	<b>\$ 12,900</b>	<b>\$ 2,000</b>	<b>\$ 35,250</b>	<b>\$ 33,500</b>	<b>\$ 36,000</b>	<b>\$ 34,300</b>	<b>\$ 153,950</b>

### Other Equipment & Installations

This category includes any equipment replacement, including things such as service vehicles for Bus and Rail Operations, maintenance equipment, cleaning equipment, major rehabilitation components for light rail vehicles.

This category also includes a diverse set of systems that support core operational functions and have software and hardware that need to be refreshed on a periodic basis. All of these systems are critical to transit operations, providing financial information, communications, network connectivity, revenue collection, security, customer service, and safety controls.

### Operations

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Admin - Variable Message System Modernization Project	\$ 4,571	\$ -	\$ 1,890	\$ 1,350	\$ 670	\$ -	\$ 8,481
Bus Ops - Imperial Avenue Division CNG Dryer Replacement	625	-	-	-	-	-	625
Bus Ops - Kearny Mesa Division Chassis Wash Hoist Replacement	718	-	-	-	-	-	718
Bus Ops - RTMS & HASTUS Upgrades	-	-	-	750	2,100	-	2,850
Bus Ops - Service Fluid Distribution System Replacement	683	-	-	-	-	-	683
Bus Ops - Service Trucks Replacement	-	-	665	-	-	-	665
Bus Ops - Southbay Division Mobile Column Lift Replacement	593	-	-	-	-	-	593
Bus Ops - Vacuum Replacement	-	250	-	-	-	-	250
Rail Ops - Blue Line Fence Improvements	600	-	350	350	350	350	2,000
Rail Ops - On-Track Equipment Replacement	750	-	-	650	550	-	1,950
Rail Ops - Paint Booth Blowers	-	-	-	-	-	175	175
Rail Ops - Rerail Truck Replacement	-	-	-	200	-	-	200
Rail Ops - Shop Hoists Control Replacement	300	-	-	-	-	-	300
Rail Ops - Station Cleaning Equipment	175	-	100	100	100	100	575
Rail Ops - System Wide UPS and Batteries Replacement	-	-	-	-	-	200	200
Rail Ops - Wheel Truing Machine Replacement	1,200	-	-	-	-	-	1,200
<b>Subtotal</b>	<b>\$ 10,215</b>	<b>\$ 250</b>	<b>\$ 3,005</b>	<b>\$ 3,400</b>	<b>\$ 3,770</b>	<b>\$ 825</b>	<b>\$ 21,465</b>

### Administration

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Admin - BRT Stations Network Replacement-Southbay	\$ 265	\$ -	\$ -	\$ 300	\$ -	\$ -	\$ 565
Admin - Central Control BARCO Wall &Technology Refresh	-	-	-	-	-	750	750
Admin - Communication Cabinet and UPS and Batteries	-	-	-	-	-	100	100
Admin - CTC Technology Refresh (AIM)	-	-	-	-	300	1,500	1,800
Admin - Dava System Enhancements	-	-	-	600	-	600	1,200
Admin - Enterprise Resource Planning System Upgrade	2,000	-	3,000	-	-	-	5,000
Admin - Miscellaneous Capital	2,000	-	-	2,000	-	2,000	6,000
Admin - MTS Data Storage Replacement	-	-	-	540	170	155	865
Admin - MTS Server Refresh	1,000	-	940	890	860	620	4,310
Admin - Network Communication Equipment Replacement	700	-	750	800	850	900	4,000
Admin - PRONTO Mobile App Enhancements	2,145	-	1,100	-	-	-	3,245
Admin - Rail Yard Management System	360	-	-	-	-	-	360
Admin - Systemwide CCTV Upgrade	650	-	500	550	600	650	2,950
Admin - Trolley Onboard Monitors	-	-	-	2,000	2,000	-	4,000
Admin - Trolley Station Network Communication Equipment	750	-	800	850	900	950	4,250
Admin - Wireless Network Communication Equipment - Copley	-	200	300	350	350	350	1,550
<b>Subtotal</b>	<b>\$ 9,870</b>	<b>\$ 200</b>	<b>\$ 7,390</b>	<b>\$ 8,880</b>	<b>\$ 6,030</b>	<b>\$ 8,575</b>	<b>\$ 40,945</b>

## Other Initiatives

### Innovative Clean Transit

This category includes the necessary infrastructure to enable the fueling of the future Zero Emission Bus (ZEB) fleet. It includes things like overhead charging infrastructure at all existing divisions, backup generators, batteries for storage, and solar panels on the overhead gantry. It also includes the cost of a new division to help facilitate the conversion to ZEBs.

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Bus Ops - Clean Transit Advancement Campus	\$ -	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ -	\$ 240,000
Bus Ops - Copley Park Division ZEB Master Plan	342	-	-	-	-	-	342
Bus Ops - East County Division ZEB Overhead Charging	1,705	-	21,858	-	-	-	23,563
Bus Ops - Hydrogen Infrastructure	-	-	1,120	5,095	5,220	-	11,435
Bus Ops - Imperial Avenue Division Construction Site Preparation	2,200	-	-	-	-	-	2,200
Bus Ops - Imperial Avenue Division ZEB Overhead Charging	11,130	-	-	-	-	1,500	12,630
Bus Ops - Kearny Mesa Division ZEB Overhead Charging	20,599	-	-	-	-	-	20,599
Bus Ops - Southbay Division ZEB Overhead Charging	1,354	-	-	-	-	-	1,354
Bus Ops - Southbay Division ZEB Overhead Charging Phase II	1,457	-	18,000	-	-	-	19,457
<b>Subtotal</b>	<b>\$ 38,787</b>	<b>\$ 60,000</b>	<b>\$ 100,978</b>	<b>\$ 65,095</b>	<b>\$ 65,220</b>	<b>\$ 1,500</b>	<b>\$ 331,580</b>

### Other Initiatives

This category includes a variety of projects that do not relate to state of good repair needs of the existing system. It includes projects necessary to expand or enhance the services that MTS provided to the region.

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Admin - 12th & Imperial Enabling Project	\$ 220	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 220
Admin - Imperial Ave Transit Center - Construction	12,315	-	-	-	-	-	12,315
Admin - San Ysidro Transit Center Planning & Design	-	-	-	15,000	15,000	-	30,000
Admin - Southwestern Rapid	-	-	1,000	5,000	6,000	-	12,000
Rail Ops - El Cajon Transit Center Third Track	850	-	-	-	-	-	850
Rail Ops - Green Line Imperial Ave Double Track	1,000	-	-	-	-	-	1,000
<b>Subtotal</b>	<b>\$ 14,385</b>	<b>\$ -</b>	<b>\$ 1,000</b>	<b>\$ 20,000</b>	<b>\$ 21,000</b>	<b>\$ -</b>	<b>\$ 56,385</b>

## Five-year summary

State of Good Repair Categories	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Bus Revenue Vehicles	\$ 58,312	\$ -	\$ 60,000	\$ 60,000	\$ 83,000	\$ 87,000	\$ 348,312
Rail Revenue Vehicles	21,000	-	15,566	10,566	10,566	10,566	68,264
Facility & Construction Projects - Bus	8,927	-	4,870	4,290	6,085	5,150	29,322
Facility & Construction Projects - Rail	2,406	1,500	5,660	5,150	4,100	2,000	20,816
Facility & Construction Projects - Pass.	9,955	-	10,650	5,615	3,540	1,505	31,265
Rail Infrastructure - Track	56,572	5,200	69,644	59,908	16,435	10,988	218,747
Rail Infrastructure - MOW	12,900	2,000	35,250	33,500	36,000	34,300	153,950
Other Equipment & Installation - Ops	10,215	250	3,005	3,400	3,770	825	21,465
Other Equipment & Installation - Admin	9,870	200	7,390	8,880	6,030	8,575	40,945
<b>Subtotal</b>	<b>\$ 190,157</b>	<b>\$ 9,150</b>	<b>\$ 212,035</b>	<b>\$ 191,309</b>	<b>\$ 169,526</b>	<b>\$ 160,909</b>	<b>\$ 933,086</b>
<b>Other Initiatives</b>							
Innovative Clean Transit	38,787	60,000	100,978	65,095	65,220	1,500	331,580
Other Initiatives	14,385	-	1,000	20,000	21,000	-	56,385
<b>Subtotal</b>	<b>\$ 53,172</b>	<b>\$ 60,000</b>	<b>\$ 101,978</b>	<b>\$ 85,095</b>	<b>\$ 86,220</b>	<b>\$ 1,500</b>	<b>\$ 387,965</b>
<b>Grand Total</b>	<b>243,329</b>	<b>69,150</b>	<b>314,013</b>	<b>276,404</b>	<b>255,746</b>	<b>162,409</b>	<b>1,321,051</b>

## Glossary of Acronyms:

Acronym	Description	Acronym	Description
ABS	Automatic Block Signaling	LRV	Light Rail Vehicle or trolley
AHSC	Affordable Housing and Sustainable Communities	OH	Overhead
ARINC	Aeronautical Radio INC	OL	Orange Line
BEB	Battery Electric Bus	RAM	Revenue and Maintenance Building at IAD
CCTV	Closed Circuit Television	RTMS	Regional Transportation Management System
CNG	Compressed Natural Gas	SAP	Enterprise resource planning system used by MTS
CPC	Centralized Protection and Control	SBMF	South Bay Maintenance Facility (Chula Vista)
CPD	Copley Park Division (Kearny Mesa)	SD100	Light Rail Vehicles (2000 Series)
ECD	East County Division (El Cajon)	SD7	Light Rail Vehicles (3000 Series)
HVAC	Heating, Ventilation, and Air Conditioning	SD8	Light Rail Vehicles (4000 Series)
IAD	Imperial Avenue Division (Downtown)	SDIV	San Diego & Imperial Valley (old rail line)
IMT	Imperial Ave Transit Center	SDTI	San Diego Trolley
IVR	Interactive Voice Response	UPS	Uninterruptible Power Supply
KMD	Kearny Mesa Division	VMS	Variable Message Sign
LIDAR	Light Detection and Ranging	ZEB	Zero Emission Bus

**San Diego Metropolitan Transit System  
Capital Improvement Program - Funding Sources (\$000s)  
Fiscal Year 2025**

<b>Funding Description</b>	<b>Total</b>
Federal FFY24 - 5307 Funding Estimate	\$ 61,336
Federal FFY24 - 5337 Funding Estimate	44,063
Federal FFY24 - 5339 Funding Estimate	4,323
California Transportation Development Act (TDA)	45,781
California State Transit Assistance (STA)	27,700
California State of Good Repair (SGR)	5,272
California Cap and Trade (TIRCP)	35,504
California Cap and Trade (LCTOP)	8,101
California SB125 Formula (ZETCP)	17,265
California SB125 Formula (TIRCP)	26,000
TransNet	15,000
Other Funds	22,403
<b>Total Available Funding</b>	<b>\$ 312,747</b>
Preventive Maintenance - Federal 5307	\$ (32,000)
Preventive Maintenance - Federal 5337	(31,000)
ADA Operation - Federal 5307	(6,134)
SANDAG Planning Study - Local Match	(284)
<b>Total Preventative Maintenance/SANDAG Planning</b>	<b>\$ (69,418)</b>
<b>Available Funding for Capital Program</b>	<b>\$ 243,329</b>

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
CAPITAL BUDGET - INDIVIDUAL PROJECT DESCRIPTION FOR FISCAL YEAR 2025 (in 000's)  
ATTACHMENT C**

The Capital Improvement Program includes improvements and replacement projects related to MTS, SDTC, and SDTI Capital Assets. The projects below are funded with Federal funds where indicated and are matched with the required amount of local funds. The projects listed are implemented by the project manager of the coinciding agency and monitored by MTS administration.

Form ID	Title	FY25 Budget	Federal	State/Local	Other
2149	<u>Bus Ops - Bus Procurement - FY25</u> Bus Procurement - Fiscal Year 2025	58,312	27,525	15,784	15,002
2150	<u>Bus Ops - Kearny Mesa Division ZEB Overhead Charging</u> Kearny Mesa Division ZEB Overhead Charging	20,599	-	3,033	17,566
2090	<u>Bus Ops - Imperial Avenue Division ZEB Overhead Charging</u> Imperial Avenue Division ZEB Overhead Charging	11,130	-	1,004	10,126
2086	<u>Bus Ops - Kearny Mesa Division Bus Wash Replacement</u> Kearny Mesa Division Bus Wash Replacement	4,108	-	4,108	-
2013	<u>Bus Ops - Imperial Avenue Division Construction Site Preparation</u> Imperial Avenue Division Construction Site Preparation	2,200	-	2,200	-
2094	<u>Bus Ops - East County Division ZEB Overhead Charging</u> East County Division ZEB Overhead Charging	1,705	-	-	1,705
2092	<u>Bus Ops - Southbay Division ZEB Overhead Charging Phase II</u> Southbay Division ZEB Overhead Charging Phase II	1,457	-	1,457	-
2095	<u>Bus Ops - Southbay Division ZEB Overhead Charging</u> Southbay Division ZEB Overhead Charging	1,354	-	1,354	-
2078	<u>Bus Ops - Imperial Avenue Division Roof Replacement</u> Imperial Avenue Division Roof Replacement	1,137	-	1,137	-
2091	<u>Bus Ops - Imperial Avenue Division Non-Revenue Vehicle Charging</u> Imperial Avenue Division Non-Revenue Vehicle Charging	840	-	840	-
2047	<u>Bus Ops - Kearny Mesa Division Chassis Wash Hoist Replacement</u> Kearny Mesa Division Chassis Wash Hoist Replacement	718	-	718	-
2077	<u>Bus Ops - Service Fluid Distribution System Replacement</u> Service Fluid Distribution System Replacement	683	-	683	-
2089	<u>Bus Ops - Kearny Mesa Division HVAC Replacement</u> Kearny Mesa Division HVAC Replacement	681	-	681	-
2088	<u>Bus Ops - Imperial Avenue Division CNG Dryer Replacement</u> Imperial Avenue Division CNG Dryer Replacement	625	-	625	-
2081	<u>Bus Ops - Southbay Division Mobile Column Lift Replacement</u> Southbay Division Mobile Column Lift Replacement	593	-	593	-
2105	<u>Bus Ops - Copley Park Division ZEB Master Plan</u> Copley Park Division ZEB Master Plan	342	-	342	-
2106	<u>Bus Ops - Copley Park Division Modular Building Replacement</u> Copley Park Division Modular Building Replacement	289	-	289	-
2102	<u>Bus Ops - Imperial Avenue Division Server Room HVAC Replacement</u> Imperial Avenue Division Server Room HVAC Replacement	261	-	261	-
2033	<u>Rail Ops - Orange Line Improvement Phase 1</u> Orange Line Improvement Phase 1	42,347	-	4,027	38,320
1001	<u>Rail Ops - SD100 Light Rail Vehicle Procurement</u> SD100 Light Rail Vehicle Procurement	21,000	-	15,728	5,272
2031	<u>Rail Ops - Substation Replacement</u> Substation Replacement	8,100	6,000	2,100	-
2026	<u>Rail Ops - Special Trackwork Replacement</u> Special Trackwork Replacement	5,550	1,643	3,907	-
2123	<u>Rail Ops - Rio Vista Platform Construction</u> Rio Vista Platform Construction	5,000	-	5,000	-
2024	<u>Rail Ops - Grade Crossing Replacement</u> Grade Crossing Replacement	3,525	2,820	705	-
2034	<u>Rail Ops - Orange Line Improvement Phase 2</u> Orange Line Improvement Phase 2	3,000	-	3,000	-
2035	<u>Rail Ops - Signal Replacement - Broadway Wye/India St</u> Signal Replacement - Broadway Wye/India St	2,000	-	2,000	-
2051	<u>Rail Ops - Orange &amp; Green Line Elevator Modernization</u> Orange & Green Line Elevator Modernization	1,500	1,200	300	-
2113	<u>Rail Ops - Wheel Truing Machine Replacement</u> Wheel Truing Machine Replacement	1,200	-	1,200	-
2133	<u>Rail Ops - Southbay Transit Beautification</u> Southbay Transit Beautification	1,001	-	-	1,001
2093	<u>Rail Ops - Green Line Imperial Ave Double Track</u> Green Line Imperial Ave Double Track	1,000	-	1,000	-
2036	<u>Rail Ops - A-yard Catenary Replacement</u> A-yard Catenary Replacement	1,000	-	1,000	-
2111	<u>Rail Ops - Paint Booth Modernization</u> Paint Booth Modernization	1,000	800	200	-
2122	<u>Rail Ops - S85 Retaining Wall</u> S85 Retaining Wall	900	-	400	500
2125	<u>Rail Ops - El Cajon Transit Center Third Track</u> El Cajon Transit Center Third Track	850	-	850	-
2022	<u>Rail Ops - Beyer Track and Slope</u> Beyer Track and Slope	750	-	750	-
2028	<u>Rail Ops - On-Track Equipment Replacement</u> On-Track Equipment Replacement	750	600	150	-
2063	<u>Rail Ops - HVAC Replacement</u> HVAC Replacement	700	-	700	-
2124	<u>Rail Ops - INT E26 Signal Upgrade</u> INT E26 Signal Upgrade	650	-	650	-
2053	<u>Rail Ops - Blue Line Fence Improvements</u> Blue Line Fence Improvements	600	-	600	-
2108	<u>Rail Ops - WABTEC (ARINC) Integration</u> WABTEC (ARINC) Integration	500	-	500	-
2027	<u>Rail Ops - Street Trackage Pavement Replacement - Park to Island</u> Street Trackage Pavement Replacement - Park to Island	500	-	500	-
2037	<u>Rail Ops - Sicas S7 System Wide Replacement</u> Sicas S7 System Wide Replacement	500	-	500	-



**SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
CAPITAL BUDGET - INDIVIDUAL PROJECT DESCRIPTION FOR FISCAL YEAR 2025 (in 000's)  
ATTACHMENT C**

The Capital Improvement Program includes improvements and replacement projects related to MTS, SDTC, and SDTI Capital Assets. The projects below are funded with Federal funds where indicated and are matched with the required amount of local funds. The projects listed are implemented by the project manager of the coinciding agency and monitored by MTS administration.

Form ID	Title	FY25			
		Budget	Federal	State/Local	Other
2050	<u>Sicas S7 System Wide Replacement</u> <u>Rail Ops - Stadium Station 2nd Elevator</u> Stadium Station 2nd Elevator	350	-	350	-
2112	<u>Rail Ops - Shop Hoists Control Replacement</u> Shop Hoists Control Replacement	300	-	300	-
2049	<u>Rail Ops - Old Town Storage Room Replacement</u> Old Town Storage Room Replacement	255	-	255	-
2126	<u>Rail Ops - Washington Station Pedestrian Enhancements</u> Washington Station Pedestrian Enhancements	250	-	250	-
2048	<u>Rail Ops - Stadium Station Platform</u> Stadium Station Platform	250	-	250	-
2052	<u>Rail Ops - Station Cleaning Equipment</u> Station Cleaning Equipment	175	-	175	-
2109	<u>Rail Ops - AC Switchgear Replacement</u> AC Switchgear Replacement	150	-	150	-
2134	<u>Admin - Imperial Ave Transit Center - Construction</u> Imperial Ave Transit Center - Construction	12,315	-	2,463	9,852
2107	<u>Admin - Variable Message System Modernization Project</u> Variable Message System Modernization Project	4,571	-	3,371	1,200
2082	<u>Admin - PRONTO Mobile App Enhancements</u> PRONTO Mobile App Enhancements	2,145	-	2,145	-
2141	<u>Admin - Enterprise Resource Planning System Upgrade</u> Enterprise Resource Planning System Upgrade	2,000	-	2,000	-
2154	<u>Admin - Miscellaneous Capital</u> Miscellaneous Capital	2,000	-	2,000	-
2138	<u>Admin - IAD-KMD-Building B High Pile</u> IAD-KMD-Building B Storage Rack Replacement	1,611	-	1,611	-
2132	<u>Admin - Beyer Blvd Pathway Beautification</u> Beyer Blvd Pathway Beautification	1,604	-	-	1,604
2115	<u>Admin - MTS Server Refresh</u> MTS Server Refresh	1,000	-	1,000	-
2083	<u>Admin - Trolley Station Network Communication Equipment</u> Trolley Station Network Communication Equipment Replacement	750	-	750	-
2084	<u>Admin - Network Communication Equipment Replacement</u> Network Communication Equipment Replacement	700	-	700	-
2110	<u>Admin - Systemwide CCTV Upgrade</u> Systemwide CCTV Upgrade	650	-	650	-
2070	<u>Admin - Lemon Grove Depot Rehab</u> Lemon Grove Depot Rehab	451	-	451	-
2072	<u>Admin - Rail Yard Management System</u> Rail Yard Management System	360	-	360	-
2076	<u>Admin - BRT Stations Network Replacement-Southbay</u> BRT Stations Network Replacement-Southbay	265	-	265	-
2071	<u>Admin - 12th &amp; Imperial Enabling Project</u> 12th & Imperial Enabling Project	220	-	220	-
<b>Totals</b>		<b>243,329</b>	<b>\$ 40,588</b>	<b>\$ 100,592</b>	<b>\$ 102,149</b>



## MEMORANDUM

DATE: March 1, 2024

TO: Eric Cheng, Transit Asset Management (TAM) Program Manager

FROM: Denis Desmond, Director of Planning & Scheduling

SUBJECT: FY 2025 CAPITAL IMPROVEMENT PROGRAM TITLE VI/EJ ANALYSIS

FTA guidance on compliance with Title VI and Environmental Justice requirements was issued in 2012. Given the requirement to analyze projects and proposals for burdens, benefits, and disproportionate impacts for low-income and minority communities, the analysis detailed below was made of the projects proposed for funding in MTS' FY 2025 Capital Improvement Program (CIP). Please keep this information for your files.

### ANALYSIS METHODOLOGY

MTS' Title VI analysis for an annual CIP is conducted as a whole to determine if the capital investment strategy introduces a disparate impact or disproportionate burden throughout the MTS service area relative to the average population value for the MTS service area, consistent with the methodology approved by the MTS Board of Directors for service change analyses. Population statistics are drawn from the most recent broad-based federal population survey with relevant data available, in this instance the 2021 American Community Survey (ACS) five-year sample.

A disparate impact is found when there is a difference in adverse effects between minority and non-minority populations such that: the adversely affected population is 10 percent or greater minority by percentage of total population than the total MTS service area average; or, the benefitting population is 10 percent or more non-minority (by percentage of total MTS service area population) than the total MTS service area average. For example, if the total MTS service area average is 55% minority, then a proposed capital improvement program that adversely affects a population that is 65% minority or greater would be defined as a disparate impact. If MTS chooses to implement a capital improvement program despite a finding of a disparate impact, MTS may only do so if there is a substantial justification for the program in its current form, and there are no alternatives that would have a less disparate impact and still accomplish the goals of the program.

A disproportionate burden is found when there is a difference in adverse effects between low-income and non-low-income populations such that: the adversely affected population is 10 percent or more "low-income" (by percentage of total MTS service area population) than the total MTS service area average; or, the benefitting population is 10 percent or greater "non-low-income" by percentage of total population than the total MTS service area average. (For the purpose of Title VI equity analyses, MTS considers a person low-income if they live in a household with income under 200% of the federal



poverty rate.) For example, if the total MTS service area average is 20% “low-income,” then a proposed capital improvement program that benefits a population that is 90% or greater “non-low-income” would be defined as a disproportionate burden. If MTS chooses to implement a capital investment program despite a finding of disproportionate burden, MTS may only do so if steps are taken to avoid or minimize impacts where practicable, and MTS provides a description of alternatives available to affected low-income populations.

**REGIONAL BENEFIT/BURDEN PROJECTS**

Of all of the projects proposed for funding, those in Table 1 were determined to have a regional impact that would not be specific to any one or few locations in our jurisdiction. These are primarily vehicle replacements or rehabilitation, vehicle equipment, system-wide amenities, fare system, and information technology projects. Since the vehicles are distributed throughout MTS’ service area, and the technology projects are deployed system-wide, there was no further analysis of these projects for the purpose of this Title VI/EJ evaluation.

*Table 1. Regional Benefit/Burden Projects*

	<b>Form ID</b>	<b>Division</b>	<b>Project Name</b>	<b>Location</b>	<b>FY 2025 Funded</b>
1	2028	SDTI	On-Track Equipment Replacement		\$750,000
2	2052	SDTI	Station Cleaning Equipment		\$175,000
3	2082	MTS Admin	PRONTO Mobile App Enhancements		\$2,145,000
4	2084	MTS Admin	Network Communication Equipment Replacement		\$700,000
5	2108	SDTI	WABTEC (ARINC) Integration		\$500,000
6	2115	MTS Admin	MTS Server Refresh		\$1,000,000
7	2141	MTS Admin	Enterprise Resource Planning System Upgrade		\$2,000,000
8	2149	SDTC	Bus Procurement - FY25		\$62,438,431
9	N/A	SDTI	SD100 Light Rail Vehicle Procurement		\$21,000,000

Additionally, MTS maintains a Miscellaneous Capital budget for emergency and unforeseen needs that may arise during the year. As details for any projects funded by Miscellaneous Capital are identified, MTS will conduct any required equity analyses, including carrying out appropriate inclusive public engagement to ensure the voices of populations protected by Title VI and associated regulations are heard.

*Table 1A. Future Projects with No Specific Site Identified*

	<b>Form ID</b>	<b>Division</b>	<b>Project Name</b>	<b>Location</b>	<b>FY 2025 Funded</b>
1	2154	Admin	Miscellaneous Capital		\$2,000,000

## **REPAIR/REPLACE PROJECTS AT EXISTING MTS FACILITIES**

The remaining projects are mostly maintenance projects and equipment for MTS facilities, infrastructure, or right-of-way. They repair or replace capital inventory that has reached the end of its useful life. The projects in Table 2 would occur at existing MTS bus or rail operating divisions or facilities, in areas inaccessible to the general public. Therefore, no benefits or burdens for the community or riders were identified.

*Table 2. Repair/Replace Projects at Existing MTS Facilities*

	<b>Form ID</b>	<b>Division</b>	<b>Project Name</b>	<b>Location</b>	<b>FY 2025 Funded</b>
1	2013	SDTC	IAD Construction Site Preparation	IAD	\$2,500,000
2	2036	SDTI	A-yard Catenary Replacement	SDTI	\$1,000,000
3	2047	SDTC	KMD Chassis Wash Hoist Replacement	KMD	\$718,000
4	2063	SDTI	HVAC Replacement	SDTI	\$700,000
5	2072	MTS Admin	Rail Yard Management System	SDTI	\$360,000
6	2077	SDTC	Service Fluid Distribution System Replacement	IAD/KMD	\$683,000
7	2078	SDTC	IAD Roof Replacement	IAD	\$1,137,000
8	2081	SDTC	SBD Mobile Column Lift Replacement	SBD	\$593,000
9	2086	SDTC	KMD Bus Wash Replacement	KMD	\$4,108,000
10	2088	SDTC	IAD CNG Dryer Replacement	IAD	\$625,000
11	2089	SDTC	KMD HVAC Replacement	KMD	\$681,000
12	2090	SDTC	IAD ZEB Overhead Charging	IAD	\$10,126,000
13	2091	SDTC	IAD Non-Revenue Vehicle Charging	IAD	\$840,000
14	2092	SDTC	SBD ZEB Overhead Charging Phase II	SBD	\$1,457,000
15	2094	SDTC	ECD ZEB Overhead Charging	ECD	\$1,705,263
16	2095	SDTC	SBD ZEB Overhead Charging	SBD	\$1,354,000
17	2102	SDTC	IAD Server Room HVAC Replacement	IAD	\$261,000
18	2105	SDTC	CPD ZEB Master Plan	CPD	\$342,000
19	2106	SDTC	CPD Modular Building Replacement	CPD	\$289,000
20	2111	SDTI	Paint Booth Modernization	SDTI	\$1,000,000
21	2112	SDTI	Shop Hoists Control Replacement	SDTI	\$300,000
22	2113	SDTI	Wheel Truing Machine Replacement	SDTI	\$1,200,000
23	2138	MTS Admin	IAD-KMD-Building B High Pile	IAD/KMD	\$1,611,000
24	2150	SDTC	KMD ZEB Overhead Charging	KMD	\$20,599,000

*IAD=Imperial Avenue Division; KMD=Kearny Mesa Division; SBD=South Bay Division; ECD=East County Division; CPD=Copley Park Division; SDTI=San Diego Trolley Facilities*

## **EXTERNAL REPAIR/REPLACE PROJECTS WITH NEGLIGIBLE IMPACTS**

The projects in Table 3 are repairs or replacements of existing infrastructure or right-of-way, but occur throughout the community beyond our operating division facilities. The completion of these projects will enhance reliability and extend the life of the capital assets, but the projects themselves will have little or no direct impact on the community or riders, other than minor, temporary construction work. These are primarily maintenance-of-way/state-of-good repair projects and information technology upgrades. Therefore, they have also been identified as having no specific and substantive burden or benefit.

Table 3. External Repair/Replace Projects with Negligible Impacts

	Form ID	Division	Project Name	Location	FY 2025 Funded
1	2026	SDTI	Special Trackwork Replacement	Santa Fe Depot, Broadway Wye	\$5,550,000
2	2031	SDTI	Substation Replacement	<ul style="list-style-type: none"> <li>• SDTI (Yard 1 &amp; 2)</li> <li>• Dairy Mart Rd. (San Ysidro)</li> <li>• Sweetwater</li> <li>• Fletcher Pwky. (El Cajon)</li> <li>• 33<sup>rd</sup> St. (Logan Heights)</li> <li>• 43<sup>rd</sup> St. (Mt. Hope)</li> <li>• Front St./Harbor Dr. (Downtown)</li> <li>• Merlin Dr. (Encanto)</li> <li>• San Altos Pl./Avalon Way (Lemon Grove)</li> </ul>	\$8,000,000
3	2035	SDTI	Signal Replacement - Broadway Wye/India St.	<ul style="list-style-type: none"> <li>• Broadway/Kettner Blvd.</li> <li>• C St./India St.</li> </ul>	\$2,000,000
4	2037	SDTI	Sicas S7 System Wide Replacement	Blue Line (America Plaza – San Ysidro)	\$500,000
5	2049	SDTI	Old Town Storage Room Replacement	Old Town Transit Center	\$255,000
6	2083	MTS Admin	Trolley Station Network Communication Equipment	All Trolley stations systemwide	\$750,000
7	2110	MTS Admin	Systemwide CCTV Upgrade	<ul style="list-style-type: none"> <li>• E Street</li> <li>• Iris Ave.</li> <li>• Beyer Blvd.</li> <li>• Spring St.</li> <li>• County Center/Little Italy</li> <li>• Santee Town Center</li> <li>• SDTI Yard</li> </ul>	\$650,000
8	2124	SDTI	INT E26 Signal Upgrade	El Cajon Transit Center	\$650,000

### **EXTERNAL REPAIR/REPLACE PROJECTS WITH NET BENEFIT**

The proposed FY 2025 CIP projects in Table 4 are determined to be a **net benefit** to the communities in which they are located, as they improve the accessibility, condition, security, and/or aesthetics of facilities or areas commonly used by or accessible to the public. A map of these projects is shown in Attachment A.

### **RESULTS**

An analysis of the projects with a perceived net benefit listed in Table 4 below was conducted using Geographic Information Systems (GIS) and census block group data. All projects were mapped to determine how the percentages and populations of low-income and minority communities affected by the proposed CIP projects compared to percentages and populations of low-income and minority communities in the entire MTS jurisdiction.

Data for the census block groups in which the proposed CIP projects are located was compared to data for the entire MTS jurisdiction. Comparisons were made for both the number of census block groups and the population of those census block groups. The low-income and minority percentages for the affected census block groups were compared to the percentages for the entire MTS jurisdiction. The maps and datasheets for the analyses are attached.

In all four cases (for both low-income and minority, by both number of census block groups and by population), the results showed a benefit for a larger percentage of minority and low-income populations than for the overall MTS jurisdiction. Since all projects were determined to either have no substantive locational impact or to have a net positive impact, there was no burdens found for low-income or minority populations, nor any disproportionate benefit for non-minority or non-low-income populations.

Please let me know if you have any questions.

Table 4. External Repair/Replace Projects with a Net Benefit

	Form ID	Division	Project Name	Location	FY 2025 Funded
1	2022	SDTI	Beyer Track and Slope	East Beyer Blvd.	\$750,000
2	2024	SDTI	Grade Crossing Replacement	<ul style="list-style-type: none"> <li>• Bradley St. (El Cajon)</li> <li>• 25<sup>th</sup> St./Commercial St. (Logan Hts.)</li> <li>• Severin Dr. (La Mesa)</li> <li>• 7<sup>th</sup> Ave./C St. (Downtown)</li> </ul>	\$3,525,000
3	2027	SDTI	Street Trackage Pavement Replacement - Park to Island	Park Blvd., 12 <sup>th</sup> Ave. – Island Ave.; Commercial St., 20 <sup>th</sup> St – 25 <sup>th</sup> St.	\$500,000
4	2033	SDTI	Orange Line Improvement Phase 1	32nd/Commercial Sta. – Lemon Grove Depot	\$42,347,000
5	2034	SDTI	Orange Line Improvement Phase 2	32nd/Commercial Sta. – Lemon Grove Depot	\$3,000,000
6	2048	SDTI	Stadium Station Platform	Stadium Station (Green Line)	\$250,000
7	2050	SDTI	Stadium Station 2nd Elevator	Stadium Station (Green Line)	\$350,000
8	2051	SDTI	Orange & Green Line Elevator Modernization	<ul style="list-style-type: none"> <li>• Grantville</li> <li>• Fashion Valley</li> <li>• Grossmont Center</li> </ul>	\$1,500,000
9	2053	SDTI	Blue Line Fence Improvements	<ul style="list-style-type: none"> <li>• Palomar St. – L St.</li> <li>• East Beyer Blvd. Overpass – SDIV Crossing</li> </ul>	\$600,000
10	2070	MTS Admin	Lemon Grove Depot Rehab	Lemon Grove Depot	\$451,000
11	2071	MTS Admin	12th & Imperial Enabling Project	12 <sup>th</sup> & Imperial Transit Center	\$220,000
12	2076	MTS Admin	BRT Stations Network Replacement-South Bay	<ul style="list-style-type: none"> <li>• Palomar/805</li> <li>• Heritage</li> <li>• Lomas Verdes</li> <li>• Santa Venetia</li> <li>• Otay Ranch</li> <li>• Millenia</li> <li>• Otay Mesa Transit Ctr.</li> </ul>	\$265,000
13	2093	SDTI	Green Line Imperial Ave Double Track	12 <sup>th</sup> & Imperial Transit Center	\$1,000,000
14	2107	MTS Admin	Variable Message System Modernization Project	Orange Line (every station, Courthouse – Arnele)	\$4,571,000
15	2109	SDTI	AC Switchgear Replacement	43 <sup>rd</sup> St. & K St.	\$150,000
16	2122	SDTI	S85 Retaining Wall	North of Iris T.C.	\$900,000
17	2123	SDTI	Rio Vista Platform Construction	Rio Vista Station (Green Line)	\$5,000,000
18	2125	SDTI	El Cajon Transit Center Third Track	El Cajon Transit Center	\$850,000
19	2126	SDTI	Washington Station Pedestrian Enhancements	Washington St. Crossing (at Pacific Highway)	\$250,000
20	2132	MTS Admin	Beyer Blvd. Pathway Beautification	Blue Line (San Ysidro: Seaward Av. – Park Av.)	\$1,604,000
21	2133	SDTI	South Bay Transit Beautification	Blue Line stations south of E St.	\$1,001,000
22	2134	MTS Admin	Imperial Ave Transit Center - Construction	12 <sup>th</sup> & Imperial Transit Center	\$12,315,000

**Attachments: Analysis of Proposed CIP External Repair/Replace Projects with a Net Benefit**

Attachment A: Map of Projects

Attachment B: Map of Projects Overlaid with Minority Census Tracts

Attachment C: Map of Projects Overlaid with Low-Income Census Tracts

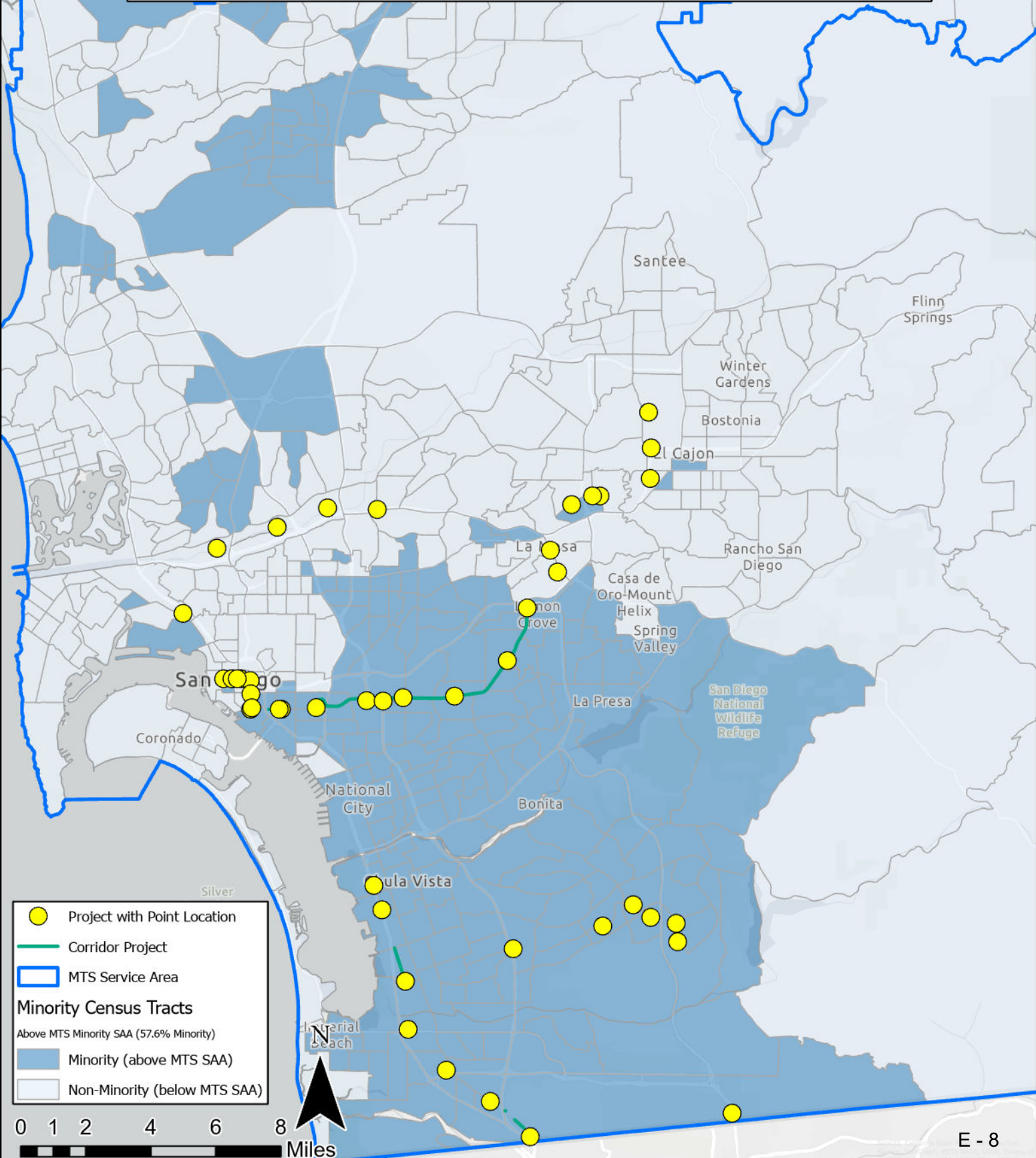
Attachment D: Statistical Analysis for Projects

C: Sharon Cooney, Mike Thompson

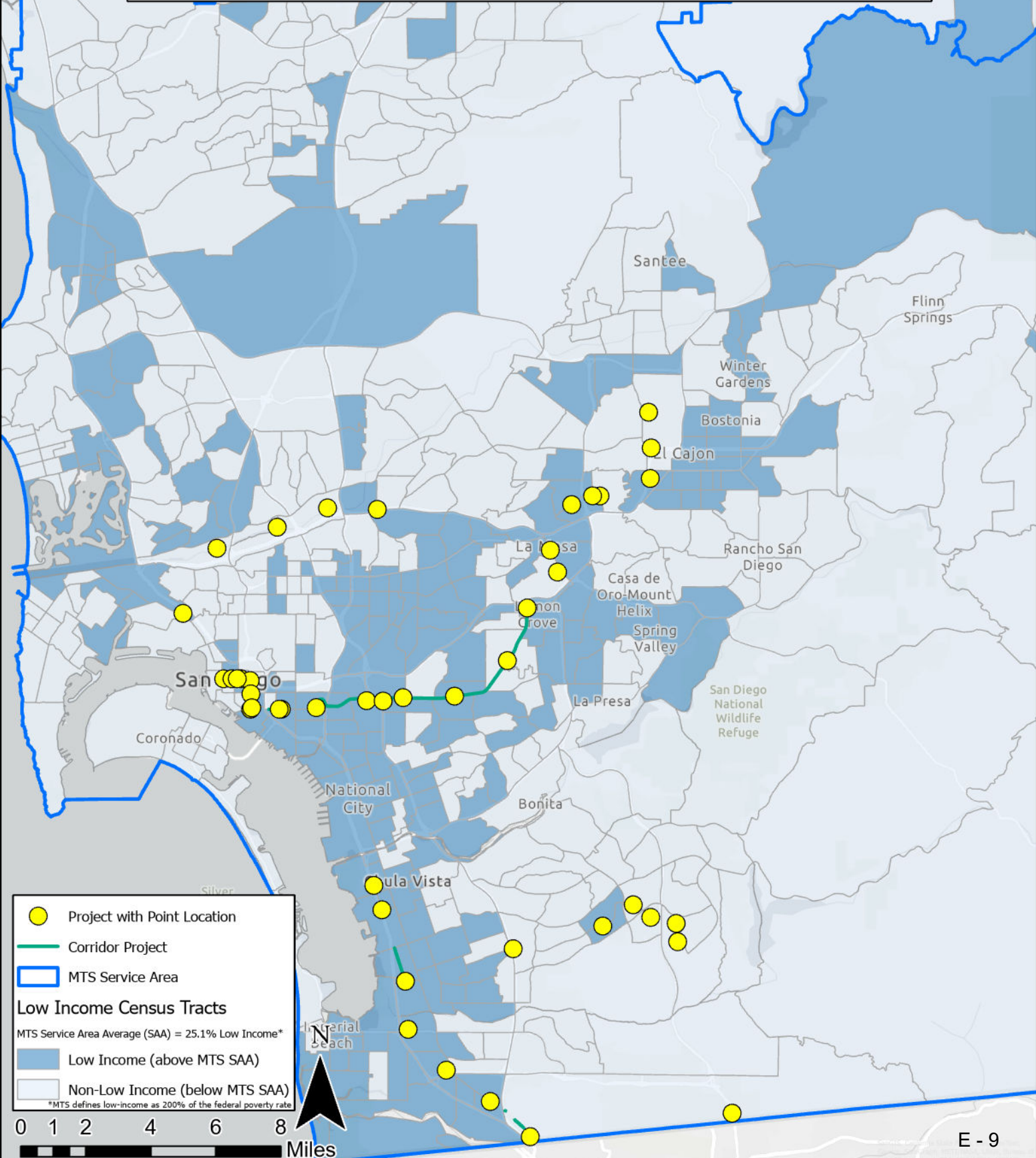




# MTS FY25 Capital Improvement Program Attachment B Proposed CIP Projects with Net Benefit



# MTS FY25 Capital Improvement Program Attachment C Proposed CIP Projects with Net Benefit





Attachment D: Proposed CIP Projects with a Net Benefit

MTS FY25 Capital Improvement Program

Project ID	Project Description	Total Census Tracts	Tract Population - Income Surveys	Low-Income Population	% Low Income	# of Tracts with Higher Percentage of Low-Income Than SAA	% of Tracts with Higher Percentage of Low-Income Than SAA	Tract Population - Race & Ethnicity Surveys	Minority Population	% Minority	# of Tracts with Higher Percentage of Minority Than SAA	% of Tracts with Higher Percentage of Minority Than SAA
-	<b>MTS Service Area Average (SAA)</b>	<b>557</b>	<b>2,370,598</b>	<b>594,013</b>	<b>25.1%</b>	<b>217</b>	<b>39.0%</b>	<b>2,431,024</b>	<b>1,399,454</b>	<b>57.6%</b>	<b>341</b>	<b>61.2%</b>
2022	Beyer Track and Slope	1	3,917	630	16.1%	0	0.0%	4,233	3,948	93.3%	1	100.0%
2024	Grade Crossing Replacement	4	15,923	4,900	30.8%	2	50.0%	15,955	9,098	57.0%	3	75.0%
2027	Street Trackage Pavement Replacement	3	9,824	2,216	22.6%	0	0.0%	10,523	7,187	68.3%	3	100.0%
2033	Orange Line Improvement Phase 1	15	67,355	25,753	38.2%	12	80.0%	68,085	59,986	88.1%	15	100.0%
2034	Orange Line Improvement Phase 2	15	67,355	25,753	38.2%	12	80.0%	68,085	59,986	88.1%	15	100.0%
2048	Stadium Station Platform	1	4,190	789	18.8%	0	0.0%	4,190	2,142	51.1%	1	100.0%
2050	Stadium Station 2nd Elevator	1	4,190	789	18.8%	0	0.0%	4,190	2,142	51.1%	1	100.0%
2051	Orange & Green Line Elevator Modernization	3	9,123	1,978	21.7%	1	33.3%	9,202	4,563	49.6%	2	66.7%
2053	Blue Line Fence Improvements	2	6,383	1,578	24.7%	1	50.0%	6,700	6,155	91.9%	2	100.0%
2070	Lemon Grove Depot Rehab	1	4,328	1,969	45.5%	1	100.0%	4,379	3,577	81.7%	1	100.0%
2071	12th & Imperial Enabling Project	1	2,719	1,999	73.5%	1	100.0%	2,732	1,730	63.3%	1	100.0%
2076	BRT Stations Network Replacement - South Bay	6	39,885	6,089	15.3%	1	16.7%	40,276	34,745	86.3%	6	100.0%
2093	Green Line Imperial Ave Double Track	1	2,719	1,999	73.5%	1	100.0%	2,732	1,730	63.3%	1	100.0%
2107	Variable Message System Modernization Project	17	72,083	26,960	37.4%	13	76.5%	70,069	48,066	68.6%	17	100.0%
2109	AC Switchgear Replacement	1	3,592	1,662	46.3%	1	100.0%	3,631	3,428	94.4%	1	100.0%
2122	S85 Retaining Wall	1	4,896	2,258	46.1%	1	100.0%	4,896	4,376	89.4%	1	100.0%
2123	Rio Vista Platform Construction	1	4,545	809	17.8%	0	0.0%	4,545	2,191	48.2%	1	100.0%
2125	El Cajon Transit Center Third Track	1	2,357	634	26.9%	1	100.0%	2,374	1,019	42.9%	1	100.0%
2126	Washington Station Pedestrian Enhancements	1	3,577	1,476	41.3%	1	100.0%	3,588	1,784	49.7%	1	100.0%
2132	Beyer Blvd. Pathway Beautification	1	5,342	2,899	54.3%	1	100.0%	5,372	5,293	98.5%	1	100.0%
2133	South Bay Transit Beautification	7	31,177	13,012	41.7%	6	85.7%	31,588	28,858	91.4%	7	100.0%
2134	Imperial Ave Transit Center - Construction	1	2,719	1,999	73.5%	1	100.0%	2,732	1,730	63.3%	1	100.0%
	<b>FY25 Program Total - Projects with Net Benefit</b>	<b>49</b>	<b>217,488</b>	<b>70,707</b>	<b>32.5%</b>	<b>30</b>	<b>61.2%</b>	<b>221,075</b>	<b>170,363</b>	<b>77.1%</b>	<b>36</b>	<b>73.5%</b>

# **FY 2025 Capital Improvement Program (CIP)**

**MTS Board of Directors**

# Capital Funding Levels Proposed FY 2025 (\$000s)

- Recurring revenues
  - Revenues shared between capital and operations
  - Federal formula revenues
  - Transportation Development Act (TDA)
  - State Transit Assistance (STA)
  - Low Carbon Transit Operations Program (LCTOP)
- Nonrecurring revenues
  - Revenues that are one-time in nature, including competitive grant programs
  - Transit Intercity Rail Capital Program (TIRCP)
  - Senate Bill 125 (SB 125)
    - TIRCP formula funding over two years potentially
    - Zero Emission Transit Capital Program (ZETCP) over four year potentially
  - Other one-time funding, prior year carryovers, and transfers from closed projects

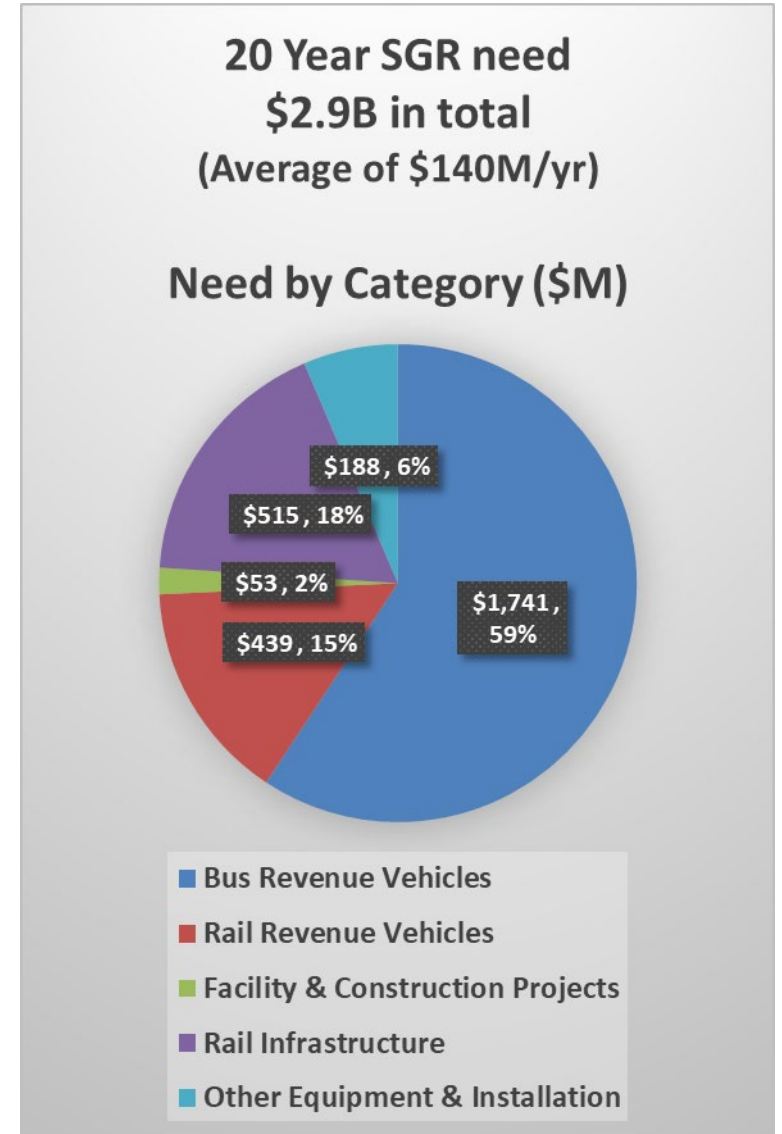
# Capital Funding Levels Proposed FY 2025 (\$000s)

Funding Description	Amount
Gross Federal Funding (Sections 5307, 5337, 5339)	\$ 109,722
Preventive Maintenance in Operating Budget	<u>(69,134)</u>
Net Federal Funding in CIP	\$ 40,588
Transportation Development Act (TDA)	45,781
California State Transit Assistance (STA)	27,700
California STA State of Good Repair	5,272
California Cap and Trade Formula (LCTOP)	8,101
* California Cap and Trade Discretionary (TIRCP)	35,504
* SB 125 TIRCP/ZETCP	43,265
* Other	<b>37,118</b>
<b>Available Funding for Capital Program</b>	<b>\$ 243,329</b>
* Non-recurring funding totals:	\$ 115,888

Other funding includes IRS CNG credits, transfers from closed projects, carryovers, and other discretionary grant programs

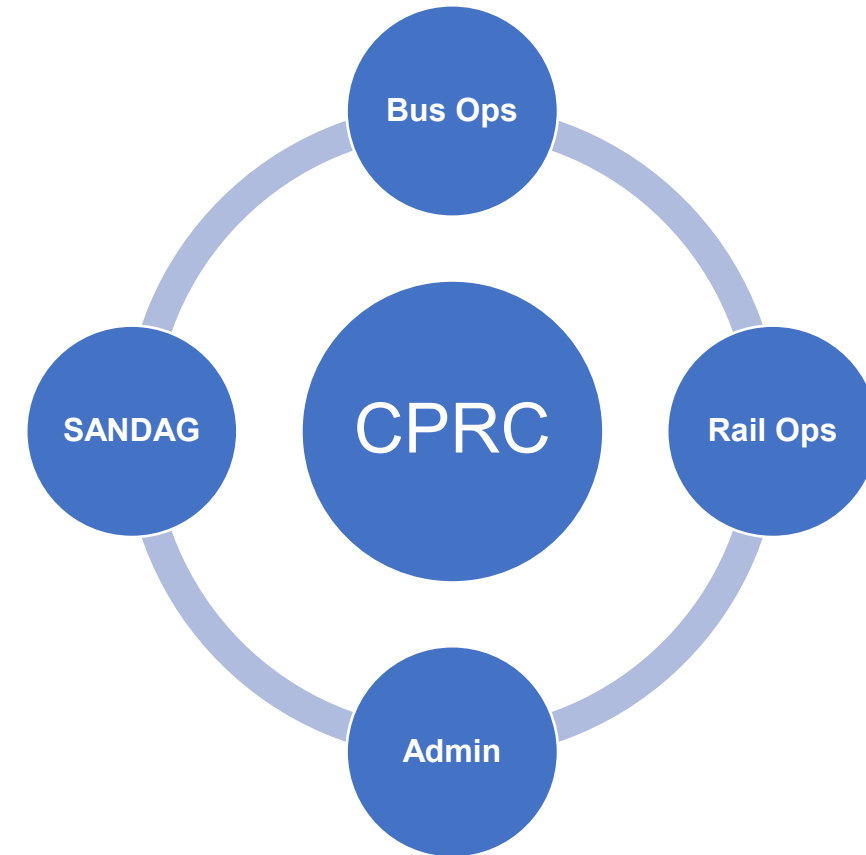
# Development of the FY 2025 CIP: Guiding Principles

- Board Policy 65 - Transit Asset Management
  - MTS is committed to effectively manage its transit assets and maintain its system in a State of Good Repair (SGR) to support safe, efficient, and reliable transit services across the organization
  - MTS required to comply with applicable maintenance regulations of the Federal Transit Administration, Federal Railroad Administration, and the California Public Utilities Commission
  - Base capital project prioritization and other asset management decisions on asset criticality, condition, performance, available funding, safety considerations, and on the evaluation of alternatives that consider full lifecycle benefits, costs, and risks



# Development of the FY 2025 CIP

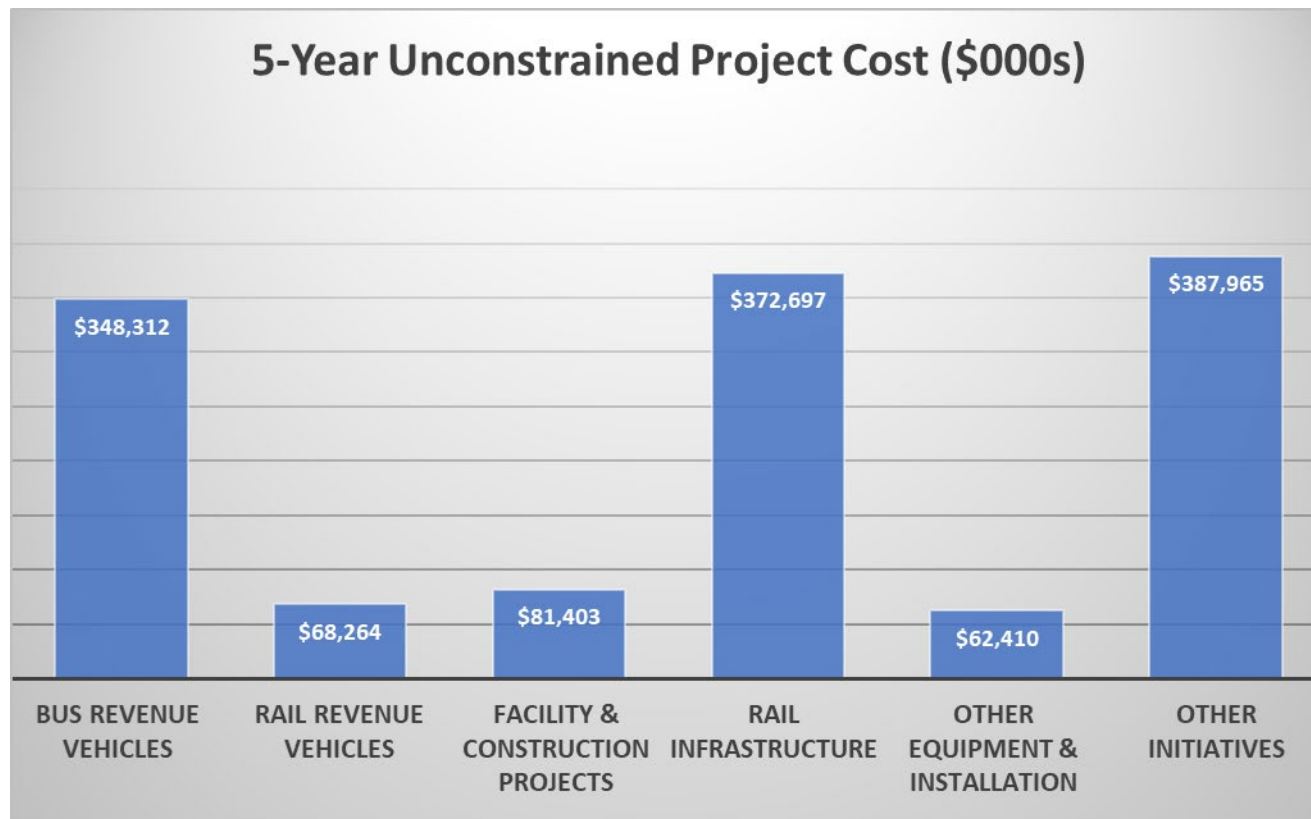
- Process began in September 2023 with request for projects
  - Each department submits:
    - Update to their departmental **20 year CIP forecast**
    - Project requests for the next 5 fiscal years
    - Departmental prioritization
  - Consolidated project list is prepared
- Capital Projects Review Committee (CPRC) meeting was held to discuss the priority project list
  - Each Committee member responsible for discussing their prioritized capital requests for the group it serves
  - Projects with safety and/or operational needs are priority 1
  - The Committee reviewed and the CEO approved the prioritization of the capital requests
    - All priority 1 projects were funded
  - The project list is also subject to an analysis based on social equity principles and there was no disproportionate impact on Low Income/Minority populations (Title VI)





# FY 2025-29 CIP – Unconstrained Project List (\$000s)

- 5-year unconstrained project list
  - Totals need of \$1.3B
    - Summary by category in the table ->
  - Ongoing state of good repair requirements
    - Makes up \$933M (71%) of overall need
    - \$417M alone for Revenue Vehicles
      - Including the transition plan to ZEBs
  - Other initiatives of \$388M include:
    - ZEB charging infrastructure at all five bus facilities
    - Clean Transit Advancement Campus - new bus maintenance facility
    - Imperial Ave Transit Center Expansion
    - Future Southwestern Rapid



# Capital Project Summary

## Proposed Fiscal Year 2025 (\$000s)

- \$312.5M in total requests
  - 74 total projects
- \$243.3M in available funding
  - Able to fund 78% of requests
- Projects funded
  - 78% of funding towards State of Good Repair
    - \$79M or 33% of funding for Revenue Vehicles
  - 64 projects funded
    - Listed in Attachment B
    - Short project descriptions also included in Attachment C

Capital Project Categories	Funding (\$000s)
Bus Revenue Vehicles	\$ 58,312
Rail Revenue Vehicles	21,000
Facility & Construction Projects	21,288
Rail Infrastructure	69,472
Other Equipment & Installation	20,085
Other Initiatives	53,172
<b>Grand Total</b>	<b>\$ 243,329</b>

# FY 2025 CIP Project Highlights – Bus Revenue Vehicles

- Bus Fleet Replacement

- Fleet Plan for scheduled replacement
  - Importance of fleet replacement to keep operations efficient and cost effective
  - Annual goal = Buses in Fleet by type divided by the useful life
- Vehicles in fleet:

	Buses in Fleet	Useful Life (Years)	Cost per Bus (\$000s)
40 ft.	451	12	\$ 758
40 ft. BEB	13	12	\$ 1,103
60 ft. Artics	113	12	\$ 1,248
60 ft. Artics BEB	12	12	\$ 1,795
Commuter Express	24	12	\$ 1,043
Minibuses	34	7	\$ 326
ADA Minibuses	121	5	\$ 192
<b>Total</b>	<b>768</b>		



# FY 2025 CIP Project Highlights – Bus Revenue Vehicles

- Fleet Replacement Funding

- \$58.3M funded for FY25

- Goal is to fund similar amount each year to smooth out years with larger purchases

- Plan to purchase:

- 38 40 ft buses

- 10 of which will be battery electric buses

- Funding by year (\$000s):

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Bus Ops - Bus Procurement - FY25	\$ 58,312	\$ -	\$ 60,000	\$ 60,000	\$ 83,000	\$ 87,000	\$ 348,312
<b>Subtotal</b>	<b>\$ 58,312</b>	<b>\$ -</b>	<b>\$ 60,000</b>	<b>\$ 60,000</b>	<b>\$ 83,000</b>	<b>\$ 87,000</b>	<b>\$ 348,312</b>



# FY 2025 CIP Project Highlights – Rail Revenue Vehicles

- Light Rail Vehicle (LRV) Fleet Replacement
  - 168 vehicles in fleet
  - 25-30 year useful life
  - Currently replacing the 52 SD100 LRVs

Light Rail Vehicles by Series				
Series	#s	Count	In Service	Replacement
SD7	3000s	11	2004	2029-2034
SD8	4000s	65	2011-2013	2036-2038
SD9	5001-5045	45	2019-2020	2044-2045
SD10	5046-5092	47	2021-2025	2046-2050



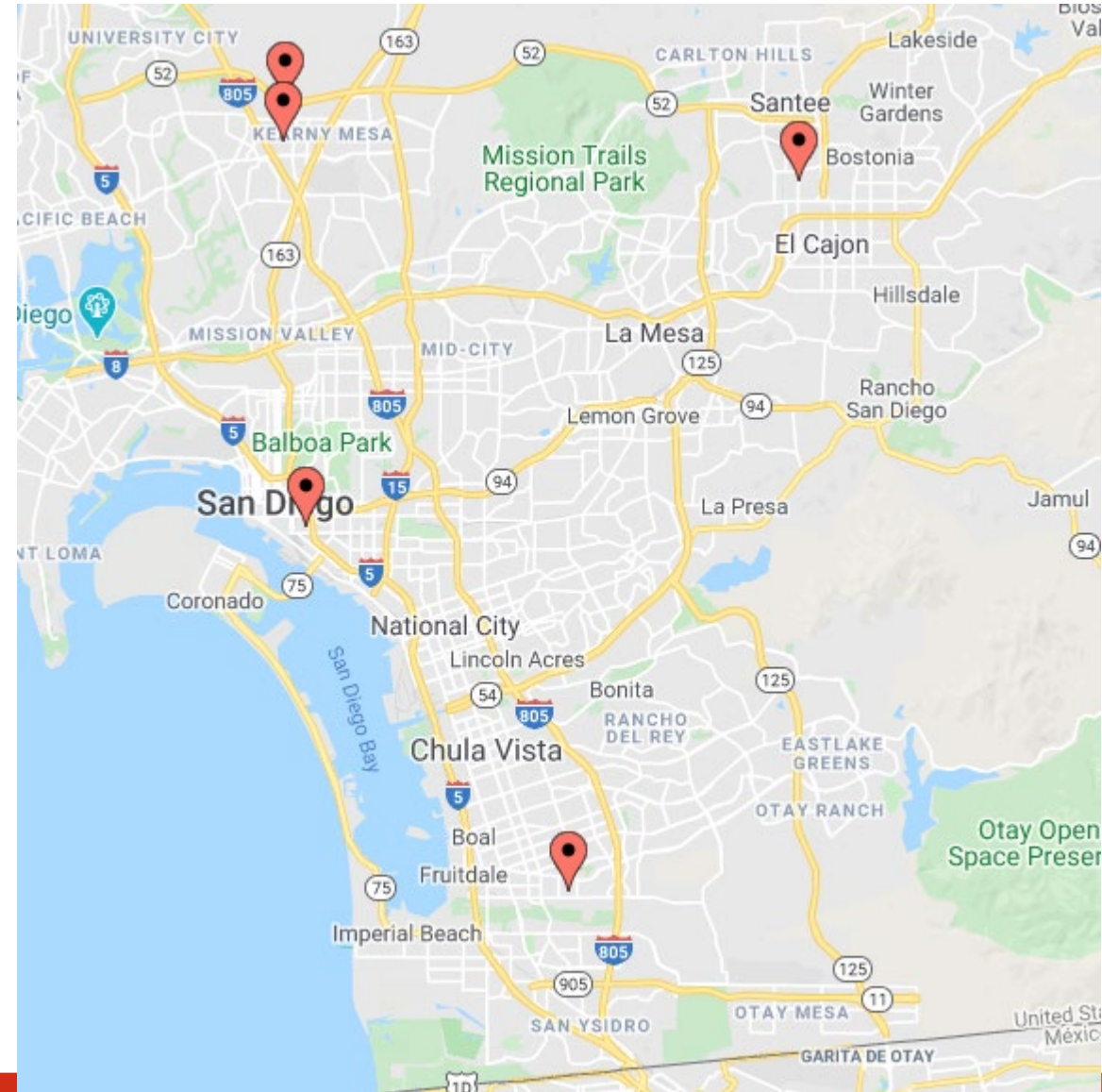
# FY 2025 CIP Project Highlights – Rail Revenue Vehicles

- Fleet Replacement Funding
  - SD100 Replacement
    - First order of 25 placed in 2019 / Option for 22 exercised in 2021
    - First 25 vehicles have been delivered and are in service
    - Remaining 22 will be delivered in 2024 and 2025
    - \$216M in total
  - Begin saving for SD7 replacements in FY 2026
  
- LRV funding by year (\$000s):

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Rail Ops - SD100 Light Rail Vehicle Procurement	\$ 21,000	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ 26,000
Rail Ops - SD7 Light Rail Vehicle Procurement	-	-	10,566	10,566	10,566	10,566	42,264
<b>Subtotal</b>	<b>\$ 21,000</b>	<b>\$ -</b>	<b>\$ 15,566</b>	<b>\$ 10,566</b>	<b>\$ 10,566</b>	<b>\$ 10,566</b>	<b>\$ 68,264</b>

# FY 2025 CIP - Facility & Construction Projects

- Operating Facilities
  - Each facility includes maintenance building, admin building(s), fueling facilities, yard, etc.
    - Trolley yard & Buildings A, B & C
    - Imperial Avenue Division
    - Kearny Mesa Division
    - South Bay Bus Maintenance Facility
    - East County Bus Maintenance Facility
    - Copley Park Division
  - Passenger Facilities
    - 68 major passenger facilities
    - Each Transit Center/Station may include amenities such as shelters, benches, parking lots and elevators





# FY 2025 CIP - Facility & Construction Projects

- 21 projects submitted for FY 2025
  - 18 projects funded, 3 not funded
  - \$21.3M funding allocated in total
    - Example pictured: Rio Vista Platform Construction
- Full project lists in attachment B



- Funding by year (\$000s):

State of Good Repair Categories	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Facility & Construction Projects - Bus	\$ 8,927	\$ -	\$ 4,870	\$ 4,290	\$ 6,085	\$ 5,150	\$ 29,322
Facility & Construction Projects - Rail	2,406	1,500	5,660	5,150	4,100	2,000	20,816
Facility & Construction Projects - Pass.	9,955	-	10,650	5,615	3,540	1,505	31,265
<b>Subtotal</b>	<b>\$ 21,288</b>	<b>\$ 1,500</b>	<b>\$ 21,180</b>	<b>\$ 15,055</b>	<b>\$ 13,725</b>	<b>\$ 8,655</b>	<b>\$ 81,403</b>



# FY 2025 CIP - Rail Infrastructure Projects

- Large capital investment in rail infrastructure
  - Nearly \$5B in total system assets
  - Requires significant upkeep
- Rail Infrastructure projects
  - Track - directly related to the physical rail
    - Rail and Ties
    - Special track work (crossovers, diamonds, frogs, etc.)
    - Grade Crossings (Pictures of before and after)
  - Maintenance of Wayside (MOW)
    - Bridges / Elevated track
    - Drainage
    - Electrification - Catenary and Substations
    - Signaling



# FY 2025 CIP - Rail Infrastructure Projects

- 18 projects submitted for FY 2025
  - 14 projects funded, 4 not funded
  - \$69.5M total
    - Includes Orange Line Improvements funded by TIRCP and SB 125
    - Example pictured: Substation replacement
  - Full project lists in attachment B
  
- Funding by year (\$000s):



State of Good Repair Categories	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Rail Infrastructure - Track	\$ 56,572	\$ 5,200	\$ 69,644	\$ 59,908	\$ 16,435	\$ 10,988	\$ 218,747
Rail Infrastructure - MOW	12,900	2,000	35,250	33,500	36,000	34,300	153,950
<b>Subtotal</b>	<b>\$ 69,472</b>	<b>\$ 7,200</b>	<b>\$ 104,894</b>	<b>\$ 93,408</b>	<b>\$ 52,435</b>	<b>\$ 45,288</b>	<b>\$ 372,697</b>



# FY 2025 CIP - Other Equipment & Installation Projects

- 21 projects submitted for FY 2025
  - Ops equipment replacement
    - Service vehicles for Bus and Rail
    - Maintenance/cleaning equipment
  - Admin needs
    - IT systems
    - IT infrastructure/network
      - Example pictured: MTS Data Center requires on going refresh of servers, network and data storage equipment
  - 19 funded, 2 not funded
  - Full project lists in attachment B
- Totals by year (\$000s):



State of Good Repair Categories	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Other Equipment & Installation - Ops	\$ 10,215	\$ 250	\$ 3,005	\$ 3,400	\$ 3,770	\$ 825	\$ 21,465
Other Equipment & Installation - Admin	9,870	200	7,390	8,880	6,030	8,575	40,945
<b>Subtotal</b>	<b>\$ 20,085</b>	<b>\$ 450</b>	<b>\$ 10,395</b>	<b>\$ 12,280</b>	<b>\$ 9,800</b>	<b>\$ 9,400</b>	<b>\$ 62,410</b>

# FY 2025 CIP – Five Year Forecast - SGR (\$000s)

State of Good Repair Categories	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Bus Revenue Vehicles	\$ 58,312	\$ -	\$ 60,000	\$ 60,000	\$ 83,000	\$ 87,000	\$ 348,312
Rail Revenue Vehicles	21,000	-	15,566	10,566	10,566	10,566	68,264
Facility & Construction Projects - Bus	8,927	-	4,870	4,290	6,085	5,150	29,322
Facility & Construction Projects - Rail	2,406	1,500	5,660	5,150	4,100	2,000	20,816
Facility & Construction Projects - Pass.	9,955	-	10,650	5,615	3,540	1,505	31,265
Rail Infrastructure - Track	56,572	5,200	69,644	59,908	16,435	10,988	218,747
Rail Infrastructure - MOW	12,900	2,000	35,250	33,500	36,000	34,300	153,950
Other Equipment & Installation - Ops	10,215	250	3,005	3,400	3,770	825	21,465
Other Equipment & Installation - Admin	9,870	200	7,390	8,880	6,030	8,575	40,945
<b>Subtotal</b>	<b>\$ 190,157</b>	<b>\$ 9,150</b>	<b>\$ 212,035</b>	<b>\$ 191,309</b>	<b>\$ 169,526</b>	<b>\$ 160,909</b>	<b>\$ 933,086</b>

- **FY 2025 Funding of \$190.2M for State of Good Repair projects**
  - SGR alone averages over \$187M per year over this five year period
  - \$613M in recurring revenue streams forecasted for the next five years

# FY 2025 CIP – Other Initiatives

- Innovative Clean Transit Infrastructure
  - Ongoing compliance with current CA regulations
    - Includes the proposed Clean Transit Advancement Campus (Division 6)
    - Overhead charging infrastructure at each existing division with incremental phases
  - Totals by year (\$000s):



Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Bus Ops - Clean Transit Advancement Campus	\$ -	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ -	\$ 240,000
Bus Ops - Kearny Mesa Division ZEB Overhead Charging	20,599	-	-	-	-	-	20,599
Bus Ops - Imperial Avenue Division ZEB Overhead Charging	11,130	-	-	-	-	1,500	12,630
Bus Ops - Imperial Avenue Division Construction Site Preparation	2,200	-	-	-	-	-	2,200
Bus Ops - East County Division ZEB Overhead Charging	1,705	-	21,858	-	-	-	23,563
Bus Ops - Southbay Division ZEB Overhead Charging Phase II	1,457	-	18,000	-	-	-	19,457
Bus Ops - Southbay Division ZEB Overhead Charging	1,354	-	-	-	-	-	1,354
Bus Ops - Copley Park Division ZEB Master Plan	342	-	-	-	-	-	342
Bus Ops - Hydrogen Infrastructure	-	-	1,120	5,095	5,220	-	11,435
<b>Subtotal</b>	<b>\$ 38,787</b>	<b>\$ 60,000</b>	<b>\$ 100,978</b>	<b>\$ 65,095</b>	<b>\$ 65,220</b>	<b>\$ 1,500</b>	<b>\$ 331,580</b>

# FY 2025 CIP – Other Initiatives

- 6 projects submitted for FY 2025
  - 3 projects funded
    - 12<sup>th</sup> & Imperial Transit Center
    - Green Line Double Tracks at Imperial (Picture of new second track)
    - El Cajon Transit Center Third Track



- Totals by year (\$000s):

Project Name	FY 2025 Funded	FY 2025 Unfunded	FY 2026	FY 2027	FY 2028	FY 2029	5 Year Total
Admin - Imperial Ave Transit Center - Construction	\$ 12,315	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,315
Admin - 12th & Imperial Enabling Project	220	-	-	-	-	-	220
Rail Ops - Green Line Imperial Ave Double Track	1,000	-	-	-	-	-	1,000
Rail Ops - El Cajon Transit Center Third Track	850	-	-	-	-	-	850
Admin - San Ysidro Transit Center Planning & Design	-	-	-	15,000	15,000	-	30,000
Admin - Southwestern Rapid	-	-	1,000	5,000	6,000	-	12,000
<b>Subtotal</b>	<b>\$ 14,385</b>	<b>\$ -</b>	<b>\$ 1,000</b>	<b>\$ 20,000</b>	<b>\$ 21,000</b>	<b>\$ -</b>	<b>\$ 56,385</b>



# FY 2025 CIP – Five Year Summary (\$000s)

	Proposed FY25	Projected FY26	Projected FY27	Projected FY28	Projected FY29	Total FY25 to FY29
<b>State of Good Repair</b>	\$ 199,307	\$ 212,035	\$ 191,309	\$ 169,526	\$ 160,909	\$ 933,086
<b>Other Initiatives</b>	113,172	101,978	85,095	86,220	1,500	387,965
<b>Total Project Needs</b>	<b>\$ 312,479</b>	<b>\$ 314,013</b>	<b>\$ 276,404</b>	<b>\$ 255,746</b>	<b>\$ 162,409</b>	<b>\$ 1,321,051</b>
<b>Available CIP Revenues</b>	<b>\$ 243,329</b>	<b>\$ 187,797</b>	<b>\$ 139,541</b>	<b>\$ 139,650</b>	<b>\$ 132,122</b>	<b>\$ 842,439</b>
<b>Total Deficit</b>	<b>\$ (69,150)</b>	<b>\$ (126,216)</b>	<b>\$ (136,863)</b>	<b>\$ (116,096)</b>	<b>\$ (30,287)</b>	<b>\$ (478,612)</b>
<b>% of Funding / Needs</b>	77.9%	59.8%	50.5%	54.6%	81.4%	<b>63.8%</b>
<b>Accumulated Deficit</b>	<b>\$ (69,150)</b>	<b>\$ (195,366)</b>	<b>\$ (332,229)</b>	<b>\$ (448,325)</b>	<b>\$ (478,612)</b>	

# FY 2025 CIP - Takeaways

- Challenges ahead in meeting unconstrained list of projects
  - Significant shortfall in funding levels relative to needs
- Agency Objectives
  - State of Good Repair as first priority – keeping system safe, reliable, etc.
  - Climate resiliency
  - ZEB Infrastructure at existing bus facilities
  - Clean Transit Advancement Campus (CTAC)
  - ZEB Acceleration (dependent on CTAC)
    - Also potential increase in vehicle requirements in excess of existing levels due to range
  - Service expansion (dependent on CTAC)
- Funding to achieve SGR / new objectives
  - Continue to be aggressive with grant and earmark opportunities



## That the MTS Board of Directors:

1. Approve the fiscal year 2025 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels (Attachments A and B). As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels;
2. Recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of Federal Section 5307, 5337 and 5339 applications for the MTS fiscal year 2025 CIP (shown in Attachment A);
3. Recommend that the SANDAG Board of Directors approve amendment number 12 of the 2023 Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2025 CIP recommendations.



**Metropolitan  
Transit  
System**

**REVISED**

## **Agenda Item No. 21**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Hearing to consider adoption of a Resolution of Necessity and authorization of condemnation proceedings to acquire property interests for the 12th & Imperial Transit Center Rehabilitation Project (Project). (*2/3 Vote Required by Code Civil Procedure section 1245.360*)

**RECOMMENDATION:**

Staff recommends adoption of the attached Resolution of Necessity, authorizing the commencement of eminent domain proceedings to acquire the private property interests necessary for the Project.

Staff recommends the Board of Directors:

- 1) Open hearing and receive public testimony;
- 2) Determine that offers to acquire the necessary real property were made to the owners of the subject properties pursuant to Section 7267.2 of the Government Code;
- 3) Adopt Resolution of Necessity No. 24-03 (Attachment 1) pertaining to the acquisition of private real property interests in the subject public street right-of-way property parcels in support of the 12th & Imperial Transit Center Rehabilitation Project, and find that:
  - a) the public interest and necessity require the project;
  - b) the project is planned or located in a manner that will be the most compatible with the greatest public good and least private injury; and
  - c) the interests in the property sought to be acquired is necessary for the project;
  - d) MTS has complied with the requirements of Government Code § 7267.2 to the extent applicable to the subject property, made the required offers to acquire the property together with the accompanying statement of and summary of the basis for the amount established as just compensation to the owner or owners of record, which offers and accompanying statement/summary were in a form and contained all of the factual disclosures required by law, and complied with all conditions and statutory requirements necessary to exercise of the power of eminent domain to acquire the property; and



- 4) Authorize the General Counsel and staff, through outside counsel, to proceed with condemnation proceedings necessary to acquire the private property interests in the subject public street right of way property parcels.

#### Budget Impact

The appraised value of the heirs' collective, residual fee interest in the street rights of way is \$5,000 (\$2,500 for the Clark heirs and \$2,500 for the Murdock heirs).

If MTS and the Clark and Murdock heirs cannot reach agreement on a purchase price, the Eminent Domain Law would permit a jury to ascertain "just compensation" for the necessary property interests. To complete the acquisition, MTS would have to pay that price. In addition, if MTS adopts this resolution and proceeds to acquire the necessary property through exercise of the power of eminent domain, MTS will incur attorney fees and possibly additional appraisal expenses, among other litigation costs.

The 12<sup>th</sup> & Imperial Transit Center Rehabilitation Project is being funded by a California Transit and Intercity Rail Capital Program (TIRCP) grant (\$10,920,000 grant plus \$2,730,000 local share, for a total of \$13,650,000). The real property acquisitions are funded by a separate project, the 12<sup>th</sup> & Imperial Enabling Project (WBSE # 1009108301).

## DISCUSSION

### **Property Interests and Rights to be Acquired**

The type of property interest to be acquired in the proposed Board action is known as a "reversionary fee interest" in a public street. The fact that this reversionary fee interest may be owned by the heirs of an original landowner from 1905 is a product of the way that downtown San Diego has developed over the years.

In general, as downtown San Diego was subdivided and developed, a street grid was created on maps filed with the City of San Diego. Blocks were created in between the streets, and individual property lots on the blocks were then sold and developed. Under this typical process, a property owner of the lot (a "parcel") is presumed to own the fee interest in the adjacent street up to the center line. Then, if a city or county ever decides to stop using the street (the process is called a "street vacation"), the adjacent property owner gets to own the former street area as part of their parcel. This general rule also prevents separate and distinct reversionary fee interests from being owned separate from the adjacent properties.

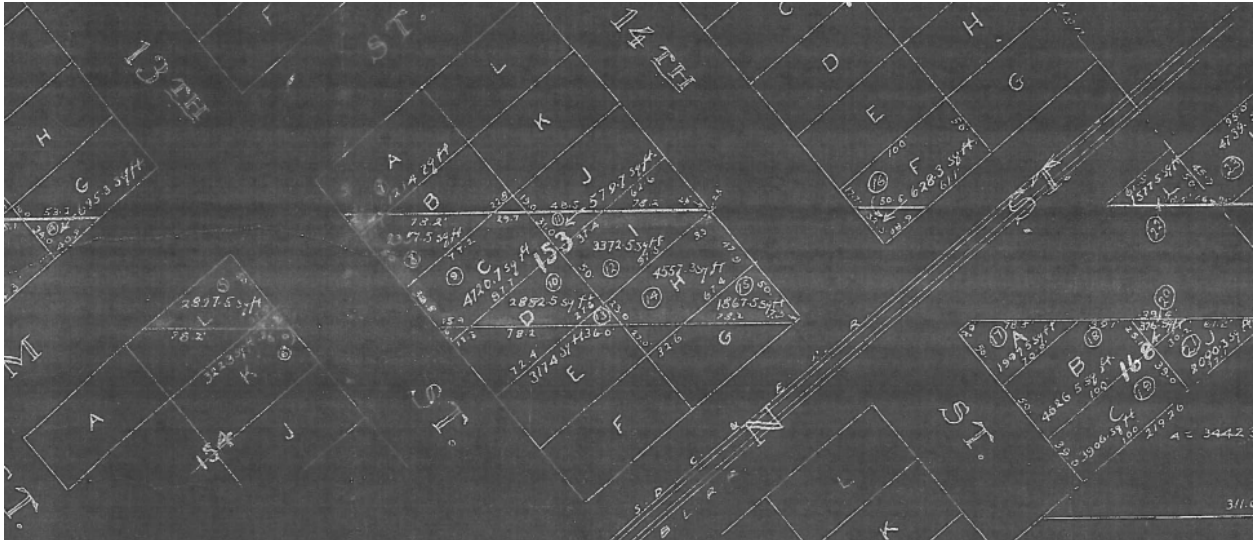
In this case, National Avenue between 13<sup>th</sup> Street and 14<sup>th</sup> Street is a diagonal street that runs through two original blocks -- Blocks 153 and 154 in the subdivision known as "Horton's Addition". Horton's Addition, including Blocks 153 and 154, was created in 1871. National Avenue was created in or about 1905 when the Clark family (Charles N. Clark and Frances B. Clark)<sup>1</sup> and the Murdock family (Elizabeth S. Murdock)<sup>2</sup> sold the property to the City of San Diego for \$375 and \$1800, respectively, for the creation of a public street (National Avenue).

---

<sup>1</sup> See deed to the City of San Diego recorded in Book 361, Page 294 of Deeds, recorded March 22, 1905 in the Office of the County Recorder of said County of San Diego.

<sup>2</sup> See deed to the City of San Diego recorded in Book 361, Page 296 of Deeds, recorded March 22, 1905 in the Office of the County Recorder of said County of San Diego.

The property deeds included metes and bounds descriptions carving the street area out of the two blocks, which is depicted in this map from the City’s archives:



*Note: N Street is now known as Commercial Street and M Street is now known as Imperial Avenue.*

In this case, as the current owner of the remaining lots in Blocks 153 and 154 of Horton’s Addition (the property previously owned by the Clark and Murdock families), MTS is the adjacent property owner for the National Avenue street sections under consideration today. However, a legal question exists as to whether MTS, the City of San Diego, or the heirs of Clark and Murdock own the reversionary fee interest in this street.<sup>3</sup>

Because the Project will incorporate and vacate public street right-of-way conveyed in the deeds, MTS must resolve the title issue by acquiring any property interests potentially not conveyed with the deeds recorded in 1905.

**Required Findings for Resolution of Necessity**

Public Interest, Necessity, and Greatest Public Good/Least Private Injury Findings

In order to adopt Resolution No. 24-\_\_\_, the first two findings that the Board must make are:

- a) the public interest and necessity require the Project;
- b) the Project is planned or located in a manner that will be the most compatible with the greatest public good and least private injury;

---

<sup>3</sup> As the owner of the adjacent parcels, MTS could argue that it is the owner of the reversionary fee interest in National Avenue. However, a title report obtained by MTS originally reported that the City of San Diego owned the reversionary fee interest since they purchased the property from the original grantors. The City, however, contends that it only holds public street interests as an easement, and therefore did not acquire the fee interest in this case. The title company then issued a revised report that identified the heirs of the original grantors (the Clarks and Elizabeth Murdock) as the owner of the reversionary fee interest. This was based on a belief that property disposed of using a metes and bounds description, rather than conveyance of a simple “lot” or “block”, acted as a severance of the reversionary fee interest from the adjacent property.

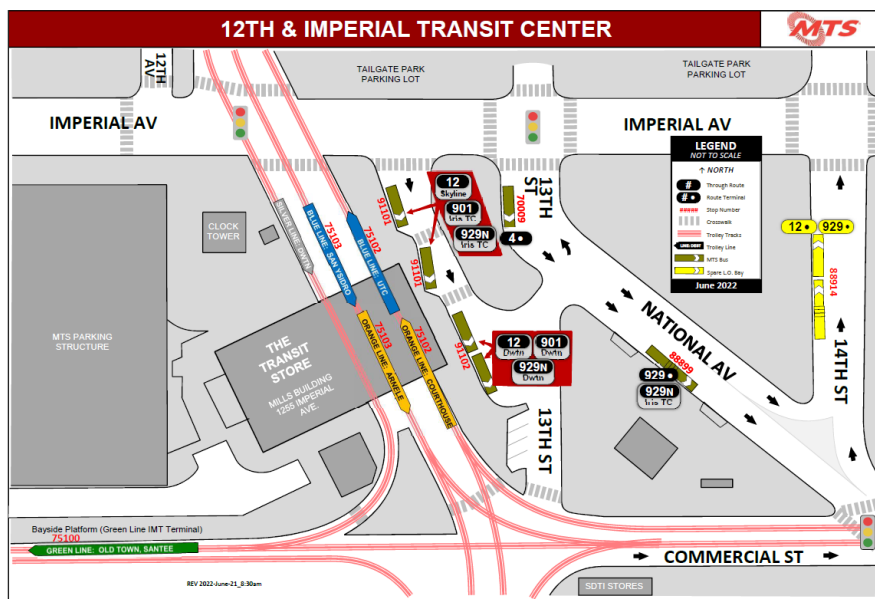
The facts and circumstances supporting these findings are summarized below.

The Project will expand the bus passenger facilities at the 12th & Imperial Transit Center to include property owned by MTS east of the existing transit center.

The Project is needed because the 12<sup>th</sup> & Imperial Transit Center is too small and inefficient due to growth in MTS ridership and service over the past 30 years. Over that time, the 12th & Imperial Transit Center has grown to become the busiest in the MTS system. All three light rail lines (San Diego Trolley) and four major bus routes (Routes 4, 12, 901, and 929) converge at this transit center. There are 4,700 trip ends (ons and offs) for bus riders at this facility on an average weekday, in addition to over 31,000 daily Trolley trip ends here.

The 12th & Imperial Transit Center is located mid-route for two of the four bus routes currently serving this location; these routes (12 and 901) utilize the four bus bays within the transit center. The other two routes (4 and 929) have a terminal here, but must use off-site, on-street curb space due to the capacity constraints inside the bus facility. The expansion project will resolve that limited capacity by expanding the number of bus bays and the passenger waiting areas.

*Current configuration:*



The limited bus bay capacity and outdated layout of the 12th & Imperial Transit Center results in inefficient operations due to circuitous routing required to enter and exit the center, in-service buses waiting on the street (with passengers on board) for a bay to open up, and buses staging a block or more away due to lack of space in the transit center. The project will extend the capacity from four bus bays to 10-13 bays (depending on final design), allowing for not only the existing services but also future anticipated service expansion.

This impact of the undersized facility is felt especially by vulnerable populations at this location. The four bus routes that use this transit center all directly serve the region's most disadvantaged communities (as defined by California EnviroScreen), including Barrio Logan, Southcrest, and National City. Transit riders from major low-income and predominantly minority communities in the southeastern and South Bay areas use these four bus routes to connect into the greater

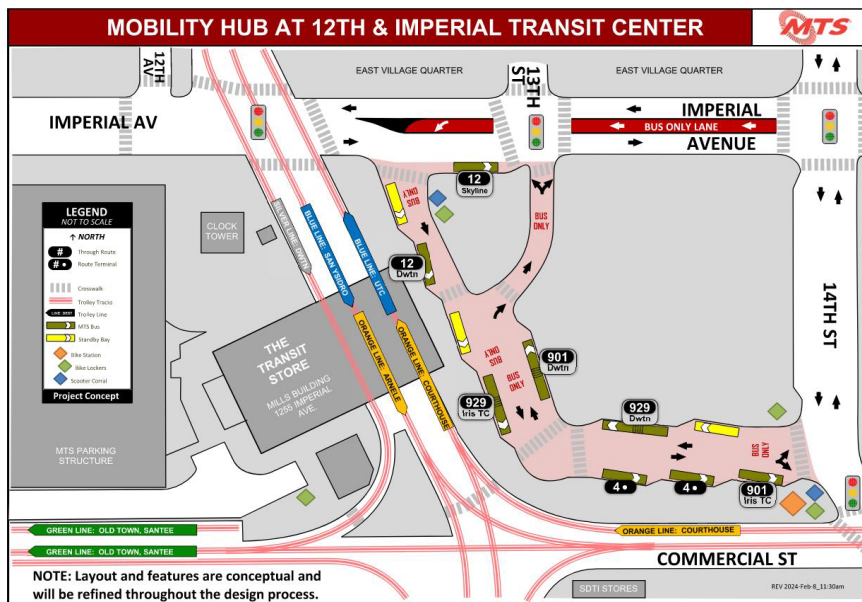


regional transit network. The improvements in this project will allow greater schedule frequencies and more reliable service, improving access and connections, and making them shorter, safer, and more secure.

*12<sup>th</sup> & Imperial Transit Center Rehabilitation Project:*



The expansion project will consolidate the two triangle lots owned by MTS between Commercial Street, Thirteenth Street, Fourteenth Street, and Imperial Avenue into one lot, and redesign the existing 12th & Imperial Transit Center to expand and reconfigure the bus portion onto the consolidated lots.



*Re-Aligned 13th & National Avenue*

The expansion project will require realignment of National Avenue and a portion of Thirteenth Street to be a bus and emergency vehicle only road, with 11 bus bays aligned on the curbs.

This project is planned in a way to cause the least private injury and greatest public good because it is entirely sited upon existing public street or property owned by MTS. MTS currently

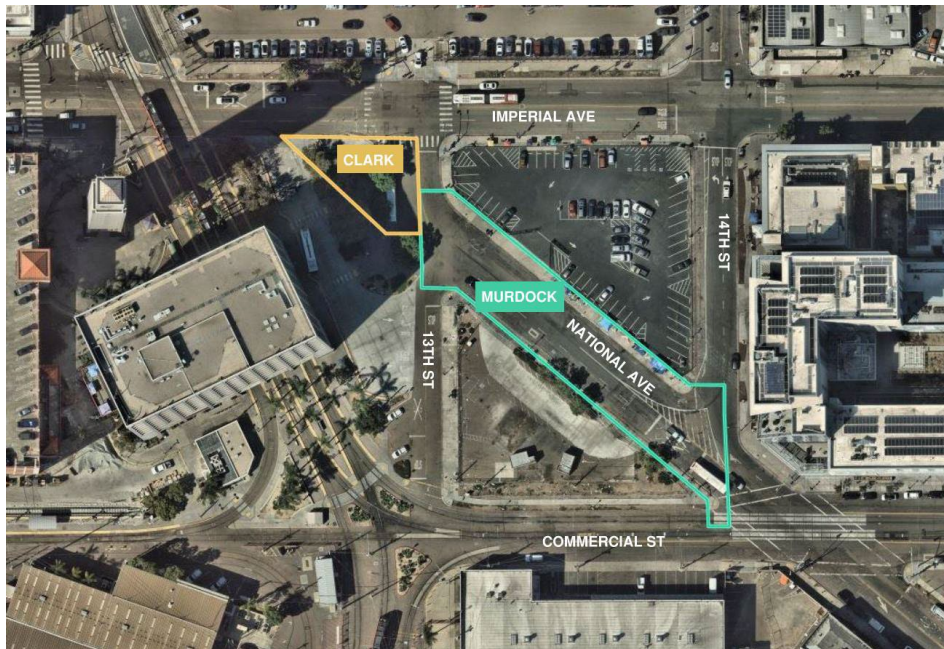
has a statutory right to use public streets (Public Utilities Code section 120244). If MTS cannot acquire the reversionary fee interest in National Avenue, then the Project would have to be redesigned in a way that results in inefficient and potentially dangerous vehicle interactions on the existing National Avenue and the redesigned transit center bays on the MTS owned property. It would not cause any private injury because there is no current use, nor has there been for over 119 years, of the National Avenue right of way by the reversionary fee interest owners.

The Reversionary Fee Interest Described in the Resolution of Necessity is Necessary for the Project.

The third finding that the Board is required to make is that:

- c) the interests in the property sought to be acquired is necessary for the Project.

As discussed above, MTS needs to use and vacate the National Avenue right of way portions included in the Resolution of Necessity to construct the Project as planned and designed.<sup>4</sup> The streets need to be vacated to accommodate the Project as Project improvements and transit amenities are planned in the proposed street vacation area. Additionally, the street vacation



and Project will create a more efficient flow of bus and vehicle traffic.

*Approximate visualization of acquisition area.*

MTS needs to obtain clear title to the street right of way so that it can move forward with constructing the Project free of any concerns that it has “inversely condemned” or otherwise taken property rights that do not belong to MTS as the adjacent owner.

As discussed below, MTS has made reasonable and diligent efforts to identify all known heirs of

---

<sup>4</sup> A legal description of the Clark and Murdock heirs’ property subject to the reversionary fee interest is attached as an exhibit to the proposed Resolution.

the original grantors, Elizabeth S. Murdock as to the property formerly part of Block 153, and Charles N. Clark and Frances B. Clark as to the property formerly part of Block 154. Negotiations with those heirs to acquire or disclaim any claim to the reversionary fee interest are in various stages of completion. However, even if MTS is able to negotiate the acquisition of any interests from the heirs our research identified, an eminent domain action is necessary to acquire the rights of any unknown heirs and obtain clear title.

Offer Letters to Heirs of Clark and Murdock:

The final finding that the Board is required to make to adopt the Resolution of Necessity is that:

- d) MTS has complied with the requirements of Government Code § 7267.2 to the extent applicable to the subject property, made the required offers to acquire the property together with the accompanying statement of and summary of the basis for the amount established as just compensation to the owner or owners of record, which offers and accompanying statement/summary were in a form and contained all of the factual disclosures required by law, and complied with all conditions and statutory requirements necessary to exercise of the power of eminent domain to acquire the property.

This legal requirement generally requires that a public agency first make attempts to establish the “just compensation” or dollar value of the private property right being acquired for a public project, and that this amount be offered to the property owner before an action in eminent domain is filed. The property owner is entitled to receive information on how the just compensation valuation was reached and their other rights under the law.

MTS obtained independent appraisals of the subject property interests. The appraisals, prepared by ~~James A. Brabant~~ Bill Anderson, MAI, concluded that the reversionary fee interests in these streets were of nominal value, or \$2,500 each.<sup>5</sup>

In this unique case, since the street property was purchased by the City of San Diego over 119 years ago, the original grantors were reasonably assumed to be deceased. Instead, MTS had to take reasonable steps to identify who the legal heirs of original grantors are, and then attempt to contact them to engage in the statutory negotiation process.

To do this, MTS hired an investigator specializing in genealogy and descendant tracing to identify and locate the last known addresses of the heirs or devisees of Charles N. Clark and Frances B. Clark, and of Elizabeth S. Murdock. Once those individuals were identified, MTS prepared offer letters with related attachments for each individual the investigation identified as a potential heir or devisee of Charles N. Clark and Frances B. Clark, or of Elizabeth S. Murdock, respectively, who may have reversionary fee rights or other interests in the public street right-of-way described above as the property to be acquired. The written offers, dated February 2, 2024, were prepared in compliance with Government Code Section 7267.2. On February 2, 2024, written offers with summary statements of appraisal data were sent by certified mail. (See attached Exhibits 2 (Clark) and 3 (Murdock), with enclosure attachments.)

Additionally, a “Frequently Asked Questions” (FAQ) document was included with offer letters. (See attached Exhibit 4.) The FAQ document was provided as a supplement to the offer to

---

<sup>5</sup> The primary value for the fee property interests was paid directly to Clark (\$375) and Murdock (\$1800) when they sold the property in 1905.



purchase letter and attachments. The FAQ summary answers common questions the recipients may have, describes MTS' separate offer of a total of \$500 to each identified heir or devisee to resolve acquisition of the required property interests, and explains the acquisition process and estimated timing. The offer letters and FAQ documents also enclosed a disclaimer of interest and quitclaim deed prepared for each heir to sign and return if they agreed to accept MTS' separate \$500 offer to each recipient.

The investigator could not locate the addresses for two (2) heirs of Clark. The MTS offer letter service list identified those people, but indicated the addresses were unknown. After sending the offer letters out, one of the identified Clark heirs contacted MTS' counsel and provided the full current address of one of the heirs, and an identical offer letter and related documents was then sent to that person on February 6, 2024, along with the notice of hearing on the resolution of necessity.

Subsequent communications with some of the known heirs of Clark and Murdock stated they were aware of other direct descendants who were not identified on the list of heirs receiving the offer letters and related documents. When additional people were identified that appeared to be descendants of Clark or Murdock, they were also sent the same offer letters and related documents.

Additional information provided by Clark and Murdock descendants identified certain living heirs the investigator reports erroneously listed as deceased and therefore were omitted from the original February 2, 2024 offer letters and notices of the Resolution of Necessity hearing. The updated information on living heirs of earlier generations affected which Clark and Murdock descendants are currently eligible to receive the offers, notice letter and related information. Further correspondence on February 22, 2024 provided the previously omitted living heirs with a copy of the February 2, 2024 MTS offers, FAQ document, and notice of the Resolution of Necessity hearing, and also withdrew the offers to all other ineligible descendants who received the original offers.<sup>6</sup>

#### Notice of Hearing on Resolution of Necessity

To ensure legal ownership of all necessary property rights before the Project begins, it is currently necessary to adopt a Resolution of Necessity (Attachment 1).

Starting February 2, 2024 through February 22, 2024, letters providing notice of the hearing on consideration of adoption of the Resolution of Necessity, and the right to be heard at the hearing, were provided to the affected eligible heirs of Clark and Murdock property owners by certified mail. MTS' counsel's February 2, 2024 letter providing notice of the resolution hearing is attached as Exhibit 5 and incorporated by reference.

Negotiations with several of the heirs are ongoing, with many of them having accepted MTS's offer of compensation and submitted the required documentation, and others still in the process.

---

<sup>6</sup> For example, if an offer was sent to the children of a direct descendant, but MTS later learned the parent was alive, then the parent is the eligible living heir from that line of the family tree. The children would only have an interest if the parent is deceased.

Staff and outside counsel will continue working with the known heirs of Clark and Murdock to obtain the necessary property rights where negotiations have not successfully concluded.

Therefore, staff recommends the MTS Board of Directors adopt the Resolution of Necessity for the 12th and Imperial Transit Center Rehabilitation Project.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachments: A. Resolution of Necessity 24-03

Exhibit A to Resolution – Property Legal Description and Map – heirs of Clark

Exhibit B to Resolution – Property Legal Description and Map – heirs of Murdock

B. Offer Letter to Heirs of Clark, dated/mailed February 2, 2024

C. Offer Letter to Heirs of Murdock, dated/mailed February 2, 2024

D. “Frequently Asked Questions” (FAQ) document included with offer letters

E. Notice of Hearing on Resolution of Necessity, dated/mailed February 2, 2024

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Resolution No. 24-03

A Resolution of the Board of Directors of The San Diego  
Metropolitan Transit System Declaring the Public Interest and  
Necessity to Acquire Property by Eminent Domain for the 12th &  
Imperial Transit Center Rehabilitation Project

WHEREAS, the San Diego Metropolitan Transit System (MTS) is a public transportation agency, organized and existing under California law to operate public bus and light rail (trolley) transit services in San Diego County, California (Cal. Public Utilities Code §120000, et seq.); and

WHEREAS, pursuant to its statutory authority, MTS intends to implement the project known as the 12th & Imperial Transit Center Rehabilitation Project, including incidental, appurtenant, and related works or facilities pursuant to Code of Civ. Proc. § 1240.120 (the Project).

WHEREAS, a Notice of Exemption under the California Environmental Quality Act was filed October 28, 2022 regarding the Project; and

WHEREAS, implementation of the Project requires acquisition of the property described and depicted in Exhibits A and B to this Resolution (the Property). The Property is more specifically identified in the offers and descriptions of interests to be acquired. The Property will be used for construction of improvements to expand and reconfigure the bus portion of the existing transit center to enhance and expand transit vehicle and passenger facility access; and

WHEREAS, MTS is authorized to acquire the Property by eminent domain pursuant to the California Constitution, the California Eminent Domain Law and Public Utilities Code sections 120240 and 120242; and

WHEREAS, between February 2, 2024 and February 22, 2024, a notice of the meeting and hearing of the Board of Directors to consider this resolution was given in accordance with applicable law by mail to all persons identified as the known heirs of Charles N. Clark and Frances B. Clark (Clark), and of Elizabeth S. Murdock (Murdock), or whose names appear on the last equalized County Assessment Roll, as having an interest in the Property, and advised said persons of their right to be heard on the matters referred to therein; and

WHEREAS, MTS has established the just compensation for the Property, has provided the owners of the Property interests to be acquired a written statement and summary of the basis for the amount established as just compensation, and has made an offer to acquire the Property for the full amount established by MTS as just compensation; and

WHEREAS, the hearing set out in the notice of hearing was held on March 14, 2024 at the time and place stated therein, and all interested parties who timely filed a request to be heard were given an opportunity to be heard, and the hearing was then closed; and

WHEREAS, funds have been budgeted and appropriated sufficient for payment of just compensation for the Property and implementation of the Project.

NOW, THEREFORE, based on the evidence presented, the Board of Directors of the San Diego Metropolitan Transit System, by vote of two-thirds or more of its members, finds, determines, declares and resolves the following:

1. The above recitations are true.
2. The public interest and necessity require the Project.
3. The Project has been planned and located in a manner most compatible with the greatest public good and the least private injury.
4. The Property is necessary for the Project.
5. MTS has complied with the requirements of Government Code § 7267.2 to the extent applicable to the Property, made the required offers to acquire the Property together with the accompanying statement of and summary of the basis for the amount established as just compensation to the owner or owners of record, which offers and accompanying statement/summary were in a form and contained all of the factual disclosures required by law, and complied with all conditions and statutory requirements necessary to exercise of the power of eminent domain to acquire the Property.
6. The General Counsel, directly or through special counsel retained by the General Counsel, is authorized and directed, on behalf of MTS, to acquire the Property by eminent domain, in fee simple absolute unless a lesser estate is described for the Property in an Exhibit to this resolution, and to commence and prosecute an eminent domain action or actions for that purpose, to retain attorneys and experts, and to take such other actions as the General Counsel determines necessary for acquisition of the Property.
7. The General Counsel is authorized and directed to deposit from MTS funds the amount of probable compensation for the Property pursuant to applicable law, and to take all other actions required for acquisition of the Property.
8. The General Counsel is authorized to correct any errors and make non-material changes to the description of the Property to be acquired, or to reduce or modify the amount or interest in the Property to be acquired as needed to reduce the amount of just compensation to be paid, so long as the reduction or modification will not materially impair the implementation of the Project.

This section was intentionally left blank

PASSED AND ADOPTED, by the Board of Directors this 14<sup>th</sup> day of March 2024, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

---

Chairperson  
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

---

Clerk of the Board  
San Diego Metropolitan Transit System

---

General Counsel  
San Diego Metropolitan Transit System

I, Dalia Gonzalez, Clerk of the Board of the San Diego Metropolitan Transit System, certify that the vote shown above is correct and this Resolution No. 2024-03 was duly adopted by the requisite two-thirds vote at the meeting of the Board of Directors on the date stated above.

---

Dalia Gonzalez  
Clerk of the Board

ATTACHMENTS:

Exhibit A to Resolution – Property Legal Description and Map – heirs of Clark

Exhibit B to Resolution – Property Legal Description and Map – heirs of Murdock

**Exhibit A to Resolution – Property Legal Description and Map – heirs of Clark**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

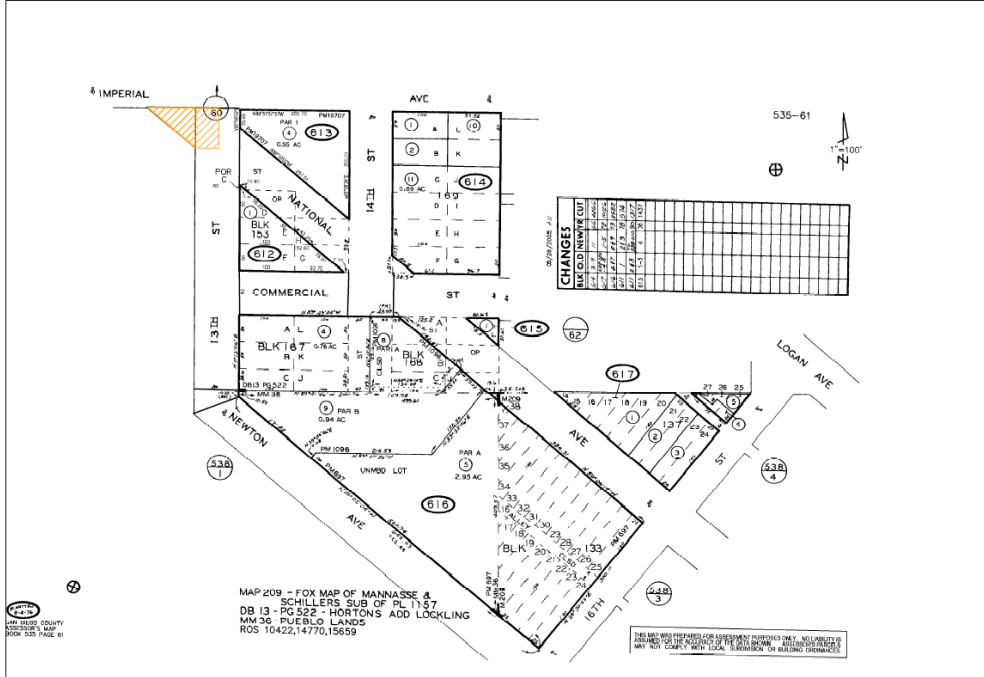
THE LAND GRANTED TO THE CITY OF SAN DIEGO FOR PUBLIC STREET PURPOSES IN DEED RECORDED MARCH 22, 1905 IN [BOOK 361, PAGE 294](#) OF DEEDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SITUATED IN HORTONS ADDITION ACCORDING TO MAP MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH-EAST CORNER OF LOT "L" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-FOUR OF HORTON'S ADDITION IN THE CITY OF SAN DIEGO, CALIFORNIA, ACCORDING TO THE OFFICIAL MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF SAN DIEGO; THENCE RUNNING IN A WESTERLY DIRECTION FOLLOWING THE SOUTH LINE OF "M" STREET EIGHTY-EIGHT FEET; THENCE RUNNING IN A SOUTHEASTERLY DIRECTION SEVENTY-EIGHT AND TWO-TENTH FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "K" AND "L" IN SAID BLOCK, DISTANT IN A WESTERLY DIRECTION TWENTY-SEVEN AND NINE-TENTHS FEET FROM THE SOUTHEAST CORNER OF SAID LOT "L"; THENCE RUNNING IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN SAID LOTS "K" AND "L" TWENTY-SEVEN AND NINE- TENTHS FEET TO THE WEST LINE OF THIRTEENTH STREET IN SAID CITY; THENCE RUNNING IN A NORTHERLY DIRECTION FOLLOWING THE SAID WEST LINE OF THIRTEENTH STREET FIFTY FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTHEAST CORNER OF LOT "K" IN SAID BLOCK NUMBER ONE HUNDRED AND FIFTY-FOUR; THENCE RUNNING IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "K" AND "L" IN SAID BLOCK, TWENTY-SEVEN AND NINE-TENTHS FEET; THENCE RUNNING IN A SOUTH EASTERLY DIRECTION THIRTY-SIX FEET TO A POINT ON THE WEST LINE OF THIRTEENTH STREET DISTANT IN A SOUTHERLY DIRECTION TWENTY-THREE FEET FROM THE NORTHEAST CORNER OF SAID LOT "K"; THENCE RUNNING IN A NORTHERLY DIRECTION FOLLOWING THE SAID WEST LINE OF THIRTEENTH STREET TWENTY-THREE FEET THE PLACE OF BEGINNING.

TOGETHER WITH THE WEST HALF OF THIRTEENTH STREET LYING ADJACENT TO THE EAST LINE OF SAID LAND.

**EXHIBIT A to Resolution (continued) – Property Map – heirs of Clark**



This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any loss occurring by reason of reliance thereon.

*Map for illustrative purposes only. Markup of acquisition area not to scale or from formal survey. Defer to Property Legal Description for final acquisition area.*

**Exhibit B to Resolution – Property Legal Description and Map – heirs of Murdock**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE LAND GRANTED TO THE CITY OF SAN DIEGO FOR PUBLIC STREET PURPOSES IN DEED RECORDED MARCH 22, 1905 IN [BOOK 361, PAGE 296](#) OF DEEDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SITUATED IN HORTONS ADDITION ACCORDING TO MAP MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH-WEST CORNER OF LOT "A" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "A" AND "B" SEVENTEEN AND ONE-TENTH FEET; THENCE IN A NORTH-WESTERLY DIRECTION, TWENTY-THREE AND ONE-TENTH FEET, TO A POINT ON THE EAST LINE OF THIRTEENTH STREET, DISTANT IN A NORTHERLY DIRECTION, FOURTEEN AND EIGHT-TENTHS FEET, FROM THE SOUTHWEST CORNER OF LOT "A"; THENCE IN A SOUTHERLY DIRECTION, FOLLOWING THE EAST LINE OF THIRTEENTH STREET, FOURTEEN AND EIGHT-TENTHS FEET, TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-WEST CORNER OF LOT "B" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE EAST LINE OF THIRTEENTH STREET FIFTY FEET; THENCE IN A EASTERLY DIRECTION, FOLLOWING THE DIVISION LINE BETWEEN LOTS "B" AND "C", SEVENTY-SEVEN AND TWO-TENTHS FEET; THENCE IN A NORTH-WESTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTH FEET, TO A POINT ON THE DIVISION LINE BETWEEN LOTS "A" AND "B", DISTANT IN AN EASTERLY DIRECTION SEVENTEEN AND ONE-TENTH FEET FROM THE NORTH-WEST CORNER OF SAID LOT "B"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "A" AND "B" SEVENTEEN AND ONE-TENTH FEET TO THE PLACE OF BEGINNING.



**EXHIBIT B (Continued)**

ALSO COMMENCING AT THE NORTH-WEST CORNER OF LOT "C" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE EAST LINE OF THIRTEENTH STREET, THIRTY-NINE AND EIGHT-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, FIFTEEN AND NINE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "C" AND "D", DISTANT IN AN EASTERLY DIRECTION, TWELVE AND THREE-TENTHS FEET FROM THE SOUTHWEST CORNER OF LOT "C"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "C" AND "D", EIGHTY-SEVEN AND SEVEN-TENTHS FEET TO THE SOUTH-EAST CORNER OF SAID LOT "C"; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "J", THIRTY-ONE FEET; THENCE IN A NORTH WESTERLY DIRECTION, TWENTY-NINE AND SEVEN-TENTHS FEET, TO A POINT ON THE DIVISION LINE BETWEEN LOTS "B" AND "C", DISTANT, IN A WESTERLY DIRECTION, TWENTY-TWO AND EIGHT-TENTHS FEET FROM THE NORTH-EAST CORNER OF SAID LOT "C"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "B" AND "C", SEVENTY-SEVEN AND TWO-TENTHS FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-EAST CORNER OF LOT "D" IN BLOCK NUMBER ONE HUNDRED, AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "D", EIGHTY-SEVEN AND SEVEN-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "D" AND "E", DISTANT IN AN EASTERLY DIRECTION, SEVENTY-TWO AND FOUR-TENTHS FEET FROM THE SOUTH-WEST CORNER OF LOT "D" THENCE IN AN EASTERLY DIRECTION, FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "D" AND "E", TWENTY-SEVEN AND SIX-TENTHS FEET TO THE SOUTH-EAST CORNER OF SAID LOT "D"; THENCE IN A NORTHEASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "I" FIFTY FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE NORTH-EAST CORNER OF LOT "E" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "E" TWENTY-SEVEN AND SIX-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, THIRTY-SIX FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "E" AND "H", DISTANT IN A NORTHERLY DIRECTION TWENTY-SEVEN FEET FROM THE SOUTH-EAST CORNER OF LOT "E"; THENCE

IN A NORTHERLY DIRECTION TWENTY-THREE FEET TO THE PLACE OF BEGINNING,

**EXHIBIT B (Continued)**

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "G" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION, FOLLOWING THE NORTH LINE OF "N" STREET SEVEN AND THREE-TENTHS FEET; THENCE IN A NORTH-WESTERLY DIRECTION SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "G" AND "H", DISTANT IN AN EASTERLY DIRECTION THIRTY-TWO AND SIX-TENTHS FEET, FROM THE NORTH-WEST CORNER OF LOT "G"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN SAID LOTS "G" AND "H" SIXTY-SEVEN AND FOUR-TENTHS FEET TO THE NORTH-EAST CORNER OF LOT "G"; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE WEST LINE OF FOURTEENTH STREET, FIFTY FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "H" IN BLOCK NUMBER ONE HUNDRED AND FIFTY- THREE; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE WEST LINE OF FOURTEENTH STREET FORTY- SEVEN AND NINE-TENTHS-FEET; THENCE IN A NORTH-WESTERLY DIRECTION, THREE AND THREE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "H" AND "I", DISTANT IN A WESTERLY DIRECTION, TWO AND FIVE-TENTHS FEET, FROM THE NORTH-EAST CORNER OF SAID LOT "H"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "H" AND "I", NINETY-SEVEN AND FIVE-TENTHS FEET TO THE NORTH-WEST CORNER OF SAID LOT "H"; THENCE IN A SOUTHERLY DIRECTION, FOLLOWING THE DIVISION LINE BETWEEN LOTS "H" AND "E", TWENTY-THREE FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, FORTY-TWO AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "G" AND "H", DISTANT IN AN EASTERLY DIRECTION, THIRTY-TWO AND SIX-TENTHS FEET, FROM THE SOUTH-WEST CORNER OF SAID LOT "H"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "G" AND "H" SIXTY-SEVEN AND FOUR-TENTHS FEET, TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "I" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "H" AND "I", NINETY-SEVEN AND FIVE-TENTHS THE FEET; THENCE IN A NORTH-WESTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "I" AND

"J" DISTANT IN A WESTERLY DIRECTION, SIXTY-TWO AND SIX-TENTHS FEET FROM THE NORTH-EAST

**EXHIBIT B (Continued)**

CORNER OF SAID LOT "I"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "I" AND "J", THIRTY-SEVEN AND FOUR-TENTHS FEET TO THE NORTH-WEST CORNER OF SAID LOT "I"; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "I", FIFTY FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE SOUTH-WEST CORNER OF LOT "J" IN BLOCK NUMBER ONE-HUNDRED AND FIFTY-THREE; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "J", THIRTY-ONE FEET; THENCE IN A SOUTH-EASTERLY DIRECTION FORTY-EIGHT AND FIVE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "I" AND "J" DISTANT IN A WESTERLY DIRECTION SIXTY-TWO AND SIX-TENTHS FEET FROM THE SOUTH-EAST CORNER OF SAID LOT "J"; THENCE IN A WESTERLY DIRECTION THIRTY-SEVEN AND FOUR-TENTHS FEET TO THE PLACE OF BEGINNING.

TOGETHER WITH THE EAST HALF OF THIRTEENTH STREET LYING ADJACENT TO SAID LAND.

TOGETHER WITH THE WEST HALF OF FOURTEENTH STREET LYING ADJACENT TO SAID LAND.

TOGETHER WITH NORTH HALF OF COMMERCIAL STREET LYING ADJACENT TO SAID LAND AND ADJACENT TO THE WEST HALF OF FOURTEENTH STREET.





440 Stevens Avenue, Suite 100  
Solana Beach, California 92075

O | (858) 380-4683

F | (858) 492-0486

[www.deangazzo.com](http://www.deangazzo.com)

February 2, 2024

Writer's Direct Contact

(858) 429-5747

[snoya@deangazzo.com](mailto:snoya@deangazzo.com)

**Certified Mail**

**Return Receipt Requested**

**TO: HEIRS OF CLARK**  
**(See Attachment Service List)**

**RE: San Diego Metropolitan Transit System Offer to Purchase Property Interests Consisting of All Reversionary Fee Interests or Other Rights in Property Located Within Public Street Right-of-Way (block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue, San Diego, CA)**  
**Offer Letter Accompanying California Government Code Section 7267.2 Offer for Acquisition**

Dear Heirs or Devisees of Charles N. Clark and Frances B. Clark:

This law firm represents the San Diego Metropolitan Transit System ("MTS"), a public transportation agency providing bus and light rail (trolley) transit services in San Diego County, California.

MTS is interested in the acquisition of the above-mentioned property interests for public purposes, specifically the proposed construction of certain public improvements for the 12th and Imperial Transit Center Rehabilitation Project (the "Project").

This letter with related attachments is addressed to all people identified to date who are potential heirs or devisees of Charles N. Clark and Frances B. Clark who may have interests in the property identified below which consists of public street right-of-way within the Project area. MTS is unable to determine if there are other heirs or devisees of Charles N. Clark and Frances B. Clark who may also have potential interests in the property.

The proposed Project site is adjacent to the existing 12th and Imperial Transit Center at 1255 Imperial Avenue in San Diego, California. The proposed Project site is in the block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue.

Heirs or devisees of Charles N. Clark and Frances B. Clark  
MTS Offer to Purchase Property Interests Located Within Public Street Right-of-Way  
(block bounded by Imperial Avenue, Commercial Street, 13th Street, 14th Street, and  
diagonally bisected by National Avenue)  
February 2, 2024  
Page 2

MTS seeks to acquire from the known and unknown heirs or devisees of Charles N. Clark and Frances B. Clark all potential property interests, including any reversionary fee or other interests, in those portions of real property which are now, or which were at any time in the past, subject to public street easements or street rights-of-way located and lying within Horton's Addition in the City of San Diego, County of San Diego, State of California, according to the map thereof made by L.L. Lockling filed in the office of the County Recorder of San Diego County. A preliminary title report obtained by MTS provides said potential reversionary or other rights, if any, are located within street right-of-way situated within the above-described boundaries of the proposed Project area, and described in a deed to the City of San Diego, recorded March 22, 1905 in Book 361, Page 294 in the Office of the County Recorder of said County of San Diego, a legal description of which is attached as Exhibit A and depicted in Exhibit B to the enclosed offer (the "Property").

The enclosures with this letter include an offer to purchase all potential interests in the subject Property area, including any and all reversionary fee interests or other rights, if any, held as undivided interests collectively as heirs or devisees of Charles N. Clark and Frances B. Clark, in the segments of public street right-of-way, for the appraised just compensation amount of Two Thousand Five Hundred Dollars (**\$2,500.00**). The offer amount applies to the whole undivided ownership interests held collectively, if any, and is not subject to acceptance by any heir or devisee individually. This offer is subject to and conditioned upon the Property being free and clear of any hazardous materials or contaminated soils, title being free of all adverse liens and encumbrances, and MTS's acceptance of the deed.

A legal description of the public street right-of-way parcels under consideration for public use is attached as Exhibit A to the enclosed offer, along with the Exhibit B map of the area to be acquired.

It is our sincere hope that this Property can be acquired amicably, expeditiously, and by negotiation. To this end, California Government Code §7267.2 provides that prior to initiating negotiations for the acquisition of real property that a public entity shall:

- Make an offer to the owner of record to acquire the property for the full amount that the public entity has established as just compensation;
- Which offer is not less than the public entity's appraisal of the fair market value of the property; and

Heirs or Devisees of Charles N. Clark and Frances B. Clark  
MTS Offer to Purchase Property Interests Located Within Public Street Right-of-Way  
(block bounded by Imperial Avenue, Commercial Street, 13th Street, 14th Street, and  
diagonally bisected by National Avenue)  
February 2, 2024  
Page 3

- Provide the owner with a written statement of, and summary of the basis for, the amount established as just compensation.

The purpose of this letter is to convey the attached offer and written statement of the basis for the amount that MTS established as just compensation so that MTS may initiate negotiations regarding the proposed acquisition of the Property.

California Code of Civil Procedure §1263.025 provides that a public entity shall offer to pay the reasonable costs, not to exceed five thousand dollars (\$5,000), of an independent appraisal ordered by the owner of a property that the public entity offers to purchase under a threat of eminent domain, at the time the offer to purchase is made. MTS hereby makes this offer. Please note that any interests you may have, if any, as heirs or devisees of Charles N. Clark and Frances B. Clark are collectively held as undivided interests. Therefore, the offer required by California Code of Civil Procedure §1263.025 applies to the whole undivided ownership interests held collectively, if any, and is not subject to acceptance by any heir or devisee individually.

Government Code §7267.1 provides that a public entity shall make every reasonable effort to acquire expeditiously real property by negotiation rather than by litigation in the form of an eminent domain action. Please consider this offer as being made in the spirit of avoiding litigation and not as an admission of value, nor an admission of the existence of potential reversionary or other rights in the subject areas of public street right-of-way.

Enclosed herewith is the proposed offer and written statement of and summary of the basis for the amount established as just compensation. An independent appraisal was made of the Property by William B. Anderson, MAI. The amount of MTS's offer is the amount determined to be just compensation for interests to be acquired in the subject public street right-of-way Property areas, including all reversionary rights or other interest you may hold as heirs or devisees of Charles N. Clark and Frances B. Clark. The basis for that determination is explained in the attached appraisal summary statement.

MTS hopes that the appraised value offer price is agreeable to you and that the acquisition process can begin immediately. If you and all other known heirs *collectively* accept this offer, a contract of acquisition and a deed will be proposed for your signature. MTS will work with you on the acquisition of the necessary interests in the Property and on proposing the terms of the contract of acquisition.

Heirs or Devisees of Charles N. Clark and Frances B. Clark  
MTS Offer to Purchase Property Interests Located Within Public Street Right-of-Way  
(block bounded by Imperial Avenue, Commercial Street, 13th Street, 14th Street, and  
diagonally bisected by National Avenue)  
February 2, 2024  
Page 4

After you have an opportunity to consider the offer, we would like to discuss the acquisition under consideration. Please respond to MTS' offer within two (2) weeks of the date of this letter. Contact me if additional time is needed to respond.

Should you have any questions, please do not hesitate to contact me at the phone number and/or email address listed above.

Very truly yours,

Scott Noya  
Attorneys for MTS

SN/pc

- Enclosures:
- 1) Government Code §7267.2 Offer to Purchase with attached Exhibit A Property legal description and Exhibit B map
  - 2) Summary of the Basis for the Amount Established as Just Compensation (Government Code §7267.2) [Appraisal Summary Statement (Code of Civil Procedure §1255.010)] Accompanying Government Code §7267.2 Offer
  - 3) Public Acquisition Process Information
  - 4) MTS Policy No. 8 – Acquisition of Real Property Interests



**Attachment Service List**  
**Descendants of Charles N. Clark and Frances B. Clark**

Marie Robbins Barlow  
25 Thornton Way, Apt 124  
Brunswick, ME 04011-3282

Alec Barlow  
23 Delaware Ave  
South Portland, ME 04106-5916

Christopher Barlow  
23 Delaware Ave  
South Portland, ME 04106-5916

Brian Barlow  
Address Unknown

Gertrude "Jill" Barlow-Kelley  
280 Seawall Rd  
Southwest Harbor, ME  
04679-4031

Mary R. Lemon  
52 Schildbach Rd  
Pound Ridge, NY 10576-1449

Edward Robbins Lemon  
780 Gold Ridge Rd  
Sebastopol, CA 95472-3934

Nicolas Lemon  
697 Emily Dr Apt A  
Bozeman, MT 59718-7028

Jonathan J Robbins  
569 Lexington St  
Waltham, MA 02452-3031

Elliot Coles Robbins  
1642 Beach St  
San Francisco, CA 94123-1702

Edward West Robbins  
409 N River Glen Ave  
Elmhurst, IL 60126-2109

Cherelyn Nieves-Beauchamp  
7308 100th Ave SW  
Lakewood, WA 98498-3432

Charmion Clark  
2848 Jefferson St, Apt 315  
Carlsbad, CA 92008-5764

Travis Daniel Clark  
906 E 4th St, Apt 22  
Arlington, WA 98223-1141

Priscilla Michele Hudon  
2752 Indian Pipe Ln  
Lake Havasu City, AZ  
86406-8518

Nicholas Jay Hudon  
19045 296<sup>th</sup> Pl NE  
Duvall, WA 98019-8704

Janelle Irene Hudon  
7403 Cascade Meadows Way  
Knoxville, TN 37918-9484

Kevin Vincent Clark  
5515 Eagle Ct  
Florence, MT 59833-6651

Terence Gray Clark  
2281 N Avenida Del Polen  
Green Valley, AZ 85614-4165

Lori McIver  
Address Unknown

Tricia Kay Clark  
15508 SW Feldspar Way  
Beaverton, OR 97007-8632

Terence Gray Clark Jr  
291 S Charleston Ave  
Vail, AZ 85641-2338

Gwyneth Joy Brown  
2861 Diamond Spur St  
Kingman, AZ 86401-7848

Eric Brown  
1733 Airfield Ave  
Kingman, AZ 86401-4002

Adam Brown  
1260 N Siesta St  
Anaheim, CA 92801-1558

Scott Brown  
233 Dogwood Rd  
West Jefferson, NC 28694-7166

Rebecca Noelle Peacock  
5831 N Bull Mountain Dr  
Kingman, AZ 86409-7743

Clare Balbi  
200 S Virginia Ave  
Falls Church, VA 22046-4128

Jose Balbi  
265 Hope Ave, Apt 1  
Passaic, NJ 07055-6905

Jose Balbi Jr  
507 Cole Pl  
Landing, NJ 07850-1211

Sharimar Balbi  
26 Kingsley St  
West Orange, NJ 07052-5202

**GOVERNMENT CODE SECTION 7267.2 OFFER TO PURCHASE**

Pursuant to California Government Code sections 7267.1 and 7267.2

The San Diego Metropolitan Transit System ("MTS") is proposing to construct public improvements for the 12th and Imperial Transit Center Rehabilitation Project (the "Project").

The proposed Project site is adjacent to the existing 12th and Imperial Transit Center at 1255 Imperial Avenue in San Diego, California. The proposed Project site is located in the block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue.

MTS seeks to acquire from the known and unknown heirs or devisees of Charles N. Clark and Frances B. Clark all potential property interests, including any reversionary fee or other interests, in those portions of real property which are now, or which were at any time in the past, subject to public street easements or street rights-of-way located and lying within Horton's Addition in the City of San Diego, County of San Diego, State of California, according to the map thereof made by L.L. Lockling filed in the office of the County Recorder of San Diego County. Said reversionary or other rights, if any, are located within street right-of-way situated within the above-described boundaries of the proposed Project area, and described in a deed to the City of San Diego, recorded March 22, 1905 in Book 361, Page 294 in the Office of the County Recorder of said County of San Diego (the "Property").

The accompanying cover letter lists all people identified to date who are potential heirs or devisees of Charles N. Clark and Frances B. Clark who may have interests in the Property identified above which consists of public street right-of-way within the Project area. MTS is unable to determine if there are other heirs or devisees of Charles N. Clark and Frances B. Clark who may also have potential interests in the Property.

In compliance with the Eminent Domain Law of the State of California, an estimate of just compensation in the amount of TWO THOUSAND FIVE DOLLARS (**\$2,500.00**) has been made for the required interests in the Property. MTS hereby offers this amount for the potential interests, including any reversionary fee or other rights, to be acquired in the Property. The offer amount applies to the whole undivided ownership interests held collectively, if any, and is not subject to acceptance by any heir or devisee individually. This offer is based upon an approved MAI appraisal and is not less than the appraiser's opinion of the fair market value of the interests proposed to be acquired in the Property.

Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the California Relocation Assistance and Real Property Acquisition Guidelines require that each owner from whom a public agency purchases real property or an interest therein or each tenant owning improvements on said property be provided with a summary of the appraisal of the real property or interest therein, as well as the following information:

1. You are entitled to receive full payment prior to vacating the real property being purchased, if such vacation is required, unless you have heretofore waived such

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
Heirs or Devises of Charles N. Clark and Frances B. Clark  
Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial  
Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
Page 2 of 5

entitlement. You are not required to pay recording fees, transfer taxes, or the pro rated portion of real property taxes that are allocable to any period subsequent to the passage of title or possession.

2. MTS will offer to purchase any remnant(s) considered by you and MTS to be an uneconomic unit(s) which is/(are) owned by you or, if applicable, occupied by you as tenant and which is/(are) contiguous to the portion of land being conveyed. *[Note: This required sentence regarding purchase of any remnant is not applicable to MTS' proposed purchase of all potential interests in the Property consisting of public street right-of-way parcels.]*
3. All buildings, structures, and other improvements, if any, affixed to the land described in the attached document(s) covering this offer and owned by the grantor(s) herein or, if applicable, owned by you are being conveyed unless other disposition of these improvements has been made. The interest to be acquired in the Property consist of:  
  
**SEE EXHIBIT A LEGAL DESCRIPTION AND EXHIBIT B MAP ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**
4. The market value of the property interests being purchased is based upon a market value appraisal that is summarized on the attached summary statements and such amount:
  - a. Represents the full amount of the appraisal of just compensation for the property to be purchased;
  - b. Is not less than the approved appraisal of the fair market value of the property;
  - c. Disregards any decrease or increase in the fair market value of the real property to be acquired prior to the date of valuation caused by the public improvement for which the property is to be acquired or by the likelihood that the property would be acquired for such public improvement, other than that due to physical deterioration within the reasonable control of the owner or occupant; and
  - d. Does not reflect any consideration of or allowance for any administrative relocation assistance and payments or other benefits, if applicable, which the owner may be entitled to receive under an agreement with MTS.
5. Pursuant to Code of Civil Procedure Section 1263.025 should you elect to obtain

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
Heirs or Devises of Charles N. Clark and Frances B. Clark  
Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial  
Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
Page 3 of 5

an independent appraisal, MTS will pay for the actual reasonable cost up to five thousand dollars (\$5,000) subject to the following conditions:

- a. You, not MTS, must order the appraisal. Should you enter into a contract with the selected appraiser, MTS will not be a party to the contract;
  - b. In this situation, any interests of the heirs or devisees of Charles N. Clark and Frances B. Clark are collectively held as undivided interests. Therefore, the offer required by California Code of Civil Procedure §1263.025 applies to the whole undivided ownership interests held collectively, if any, and is not subject to acceptance by any heir or devisee individually.
  - c. The selected appraiser must be appropriately licensed with the California Office of Real Estate Appraisers (OREA);
  - d. Request for appraisal cost reimbursement must be in writing and submitted to: Sean Myott, Manager of Real Estate Assets, Metropolitan Transit System, 1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490. Requests should be made within ninety (90) days of the earliest of the following dates: (1) the date the selected appraiser requests payment from you for the appraisal; or (2) the date upon which you, or someone on your behalf, remitted full payment to the selected appraiser for the appraisal. Copies of the contract (if a contract was made), appraisal report, and the invoice for the completed work by the appraiser should be provided to MTS concurrent with submission of an Appraisal Cost Reimbursement Agreement. The costs must be reasonable and justifiable.
6. The owner of a business conducted on a property to be acquired, or conducted on the remaining property that will be affected by the purchase of the required property for public use, may be entitled to compensation for loss of goodwill, if any. Entitlement is contingent upon the business operator/owner's ability to prove such loss in accordance with the provisions of Sections 1263.510 and 1263.520 of the Code of Civil Procedure. *[Note: This required notice regarding any businesses operated on the Property to be acquired is not applicable to MTS' proposed purchase of all potential interests in the public street right-of-way parcels.]*
7. If you ultimately elect to reject MTS's offer for the specified interests in the Property, you are entitled to have the amount of compensation determined by a court of law in accordance with the laws of the State of California.

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
Heirs or Devisees of Charles N. Clark and Frances B. Clark  
Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial  
Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
Page 4 of 5

### **EXHIBIT "A" LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED SAN DIEGO, IN THE COUNTY OF SAN DIEGO,  
STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE LAND GRANTED TO THE CITY OF SAN DIEGO FOR PUBLIC STREET PURPOSES IN DEED  
RECORDED MARCH 22, 1905 IN [BOOK 361, PAGE 294](#) OF DEEDS, IN THE CITY OF SAN DIEGO, COUNTY  
OF SAN DIEGO, STATE OF CALIFORNIA, SITUATED IN HORTONS ADDITION ACCORDING TO MAP MADE  
BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY,  
DESCRIBED AS FOLLOWS:

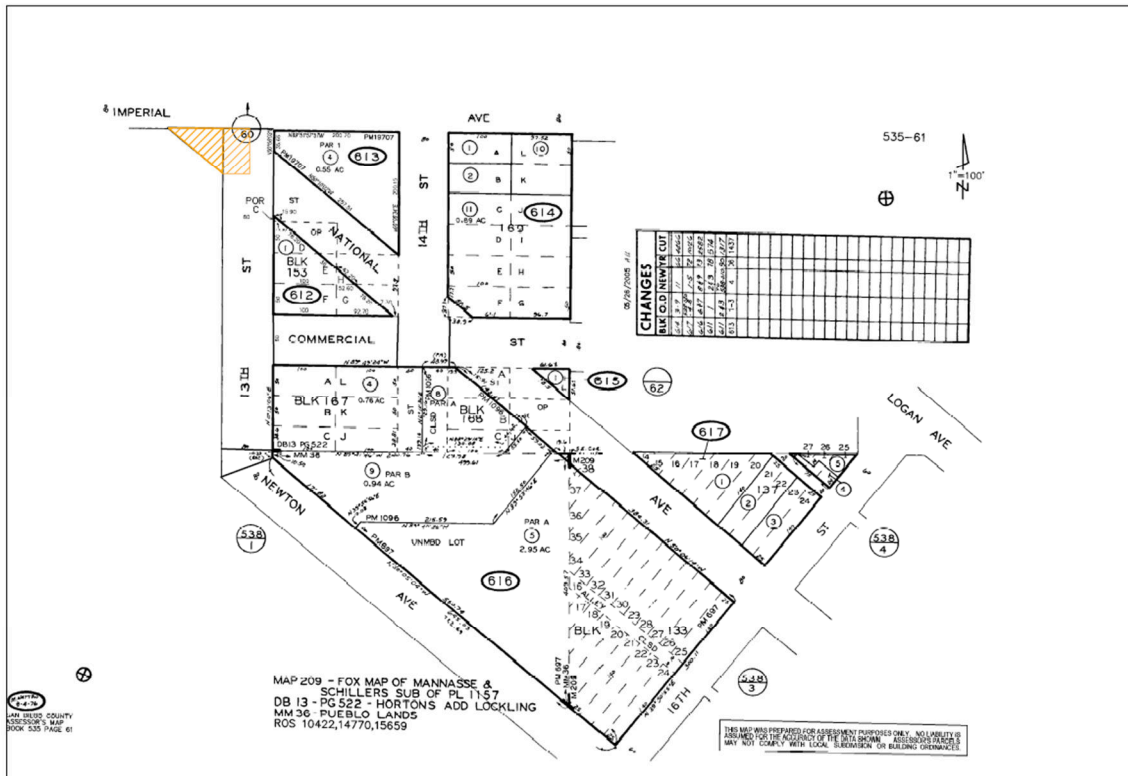
COMMENCING AT THE NORTH-EAST CORNER OF LOT "L" IN BLOCK NUMBER ONE HUNDRED AND  
FIFTY-FOUR OF HORTON'S ADDITION IN THE CITY OF SAN DIEGO, CALIFORNIA, ACCORDING TO THE  
OFFICIAL MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF  
SAN DIEGO; THENCE RUNNING IN A WESTERLY DIRECTION FOLLOWING THE SOUTH LINE OF "M"  
STREET EIGHTY-EIGHT FEET; THENCE RUNNING IN A SOUTHEASTERLY DIRECTION SEVENTY-EIGHT  
AND TWO-TENTH FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "K" AND "L" IN SAID BLOCK,  
DISTANT IN A WESTERLY DIRECTION TWENTY-SEVEN AND NINE-TENTHS FEET FROM THE SOUTHEAST  
CORNER OF SAID LOT "L"; THENCE RUNNING IN AN EASTERLY DIRECTION FOLLOWING THE SAID  
DIVISION LINE BETWEEN SAID LOTS "K" AND "L" TWENTY-SEVEN AND NINE- TENTHS FEET TO THE  
WEST LINE OF THIRTEENTH STREET IN SAID CITY; THENCE RUNNING IN A NORTHERLY DIRECTION  
FOLLOWING THE SAID WEST LINE OF THIRTEENTH STREET FIFTY FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTHEAST CORNER OF LOT "K" IN SAID BLOCK NUMBER ONE HUNDRED  
AND FIFTY-FOUR; THENCE RUNNING IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE  
BETWEEN LOTS "K" AND "L" IN SAID BLOCK, TWENTY-SEVEN AND NINE-TENTHS FEET; THENCE  
RUNNING IN A SOUTH EASTERLY DIRECTION THIRTY-SIX FEET TO A POINT ON THE WEST LINE OF  
THIRTEENTH STREET DISTANT IN A SOUTHERLY DIRECTION TWENTY-THREE FEET FROM THE  
NORTHEAST CORNER OF SAID LOT "K"; THENCE RUNNING IN A NORTHERLY DIRECTION FOLLOWING  
THE SAID WEST LINE OF THIRTEENTH STREET TWENTY-THREE FEET THE PLACE OF BEGINNING.

TOGETHER WITH THE WEST HALF OF 13<sup>TH</sup> STREET LYING ADJACENT TO THE EAST LINE OF SAID  
LAND.

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
 Heirs or Devisees of Charles N. Clark and Frances B. Clark  
 Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
 Page 5 of 5

**EXHIBIT "B" MAP**



This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any loss occurring by reason of reliance thereon.

**SUMMARY OF THE BASIS FOR THE AMOUNT  
ESTABLISHED AS JUST COMPENSATION  
(Government Code §7267.2)  
Appraisal Summary Statement**

The fair market value for the property to be acquired is based upon an appraisal prepared in accordance with accepted appraisal principals and procedures. In this case, property rights are proposed to be acquired in existing public right of ways.

**BASIC PROPERTY DATA**

OWNER:	Clark
SUBJECT PROPERTY ADDRESS:	No Known Address, San Diego, CA 92101
SUBJECT PROPERTY DESCRIPTION:	The ownership is comprised of two adjacent parcels with a combined area of 6,100 square feet or 0.14 acres. One of the parcels is triangular in shape and the other is rectangular in shape.
ASSESSOR'S PARCEL NUMBER:	None
PRESENT USE:	Public right of way
HIGHEST AND BEST USE:	Public right of way
INTERESTS VALUED:	Encumbered fee
DATE OF VALUATION:	October 18, 2023
APPLICABLE ZONING:	CCPD – BP (Ballpark Mixed-Use). Public right of ways have zoning and community plan land use designations, but no development potential as they are dedicated transportation corridors.
IDENTIFIED LARGER PARCEL:	Land only
IMPROVEMENTS:	Standard street improvements, wire fencing and some landscaping. There are no marketable improvements of any kind on the parcels. The valuation premise is that the subject parcels are vacant and available for use in accordance with the estimated highest and best use of the land, subject to existing encumbrances.
LAND AREA OF LARGER PARCEL:	6,100 square feet
AREA SOUGHT:	
Fee acquisition:	6,100 square feet

**FAIR MARKET VALUE:**

In addition to the fact that the Clark ownership is deed restricted to street right of ways, it is heavily encumbered with other existing easements. These easements include significant SDG&E below and above ground facilities, a high pressure transmission gas line, low-medium pressure gas service lines, City of San Diego water and sewer lines, and a portion of the city storm drain system.

The net effect that these encumbrances have on the underlying fee interest is to greatly impair overall utility as most if not all of the property rights associated with the land are under control of the dominant tenements. In an eminent domain action, street easements alone are typically valued at 100 percent of the underlying fee value as the owner retains no beneficial use of the encumbered area. Add to that the other easement encumbrances, and it is readily apparent that, in this case, the underlying fee interest has little, if any residual value.

Given these facts, analysts will typically assign what is regarded as a nominal amount to represent the appropriate compensation; an amount not based on an analysis of comparable real estate sales, which are non-existent, but rather an amount of money to compensate the owner for the time and effort to accomplish the needs of the acquiring agency which is to effect the sale and transfer of the interest. While there is no standard for estimating nominal value, appraisers generally regard \$1,000 - \$2,500 as reasonable compensation in situations where the fee interest is so heavily encumbered and has no identifiable independent development potential. In conclusion, the estimated fair market value and hence just compensation for the property rights to be acquired in this case is estimated to be \$2,500.

**DEFINITION OF FAIR MARKET VALUE**

(See Code of Civil Procedure 1263.320)

(a) The fair market value is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

(b) The fair market value of property taken for which there is no relevant comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

APPRAISED BY:

William B. Anderson, MAI, SRA

APPRAISAL FIRM:

**Anderson & Brabant, Inc.**  
Real Estate Appraisers and Consultants  
420 So. Broadway, Suite 202  
Escondido, CA 92025



## THE PUBLIC ACQUISITION PROCESS

### **PURPOSE**

This brochure provides to you, as an individual affected by the acquisition of your property for a public improvement project, a summary of the policies and provisions embodied in Title 42 Chapter 61 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the Uniform Relocation Act Amendments of 1987, which will assure that your interests are protected.

### **INTRODUCTION**

All governments have a duty to serve the public welfare. In order to meet this responsibility, it is often necessary for governments to acquire private lands to accommodate public projects. The authority to procure privately owned real property for public use has long been recognized as an inherent power of organized government, known as eminent domain. The constitution provides safeguards against the abuse of this power in the Fifth Amendment, which states, "nor shall private property be taken for public use, without just compensation."

Just compensation is usually defined as payment for the value of the property taken, which takes into account partial takings, damages and benefits to the remaining lands. The guarantee of the Fifth Amendment provided adequate protection of property rights when the constitution was written and the country was predominately rural and undeveloped. In an effort to establish uniform treatment of all people affected by any public projects financed in whole or in part with Federal funds, the U.S. Congress passed the UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 and subsequently the UNIFORM RELOCATION ACT AMENDMENTS of 1987.

Now all Federal agencies and all state and local public agencies acquiring real property with Federal assistance are guided by the policies and provisions set forth in this Act and amendments thereto.

### **PURPOSE OF Title 42, Chapter 61**

The purpose of Chapter 61 is to encourage and expedite acquisition by agreement, to avoid litigation, to assure consistent treatment for owners, and to promote public confidence in the many Federal and federally assisted acquisition programs. Title III applies equally to all property owners regardless of race, color, religion, sex or national origin.

### **SECTION 4651- UNIFORM POLICY ON REAL PROPERTY ACQUISITION PRACTICES**

#### **DETERMINATION OF JUST COMPENSATION**

An appraisal of your real property is to be made before negotiations are started. (Real property is defined as the rights and interest in land and generally whatever is erected, growing upon, or affixed to, the land.) You, or a representative you designate, must be given an opportunity to accompany the appraiser on his inspection. This provision affords you an opportunity to point out any unusual or hidden features the property may possess.

In preparing the appraisal, the appraiser may not consider an increase or decrease in the value of your property, prior to the date of valuation, which results from the proposed project or the likelihood that your property will be acquired for the project. However, any physical deterioration within your reasonable control will be considered in the valuation of your property.

The completed appraisal(s) must be reviewed by the acquiring agency. Based upon a review of the appraisal, the agency will establish the amount it believes to be the just compensation to be offered for the property.

Under the California Code of Civil Procedure, you may elect to have your property appraised by an independent appraiser who is licensed with the Office of Real Estate Appraisers. The acquiring agency will pay the reasonable costs of this independent appraisal in an amount not exceeding Five Thousand Dollars (\$5,000.00).

#### **NEGOTIATIONS**

The acquiring agency must make a prompt offer to purchase the property for the full amount it has determined to be just compensation. At the initiation of negotiations, you must be provided a written statement, which must include the date the appraisal was prepared, the amount offered, a description and location of the property and interest in the property to be acquired, an identification of the buildings, structures and other improvements included in the offer, and an explanation of the basis for determining this amount. In cases where only a part of the property is to be acquired, the statement must separate the amount of compensation to be paid for the property being acquired and the amount (if any) for damages to the remainder. If the acquisition leaves you with an uneconomic remnant, the agency must offer to purchase it. The acquiring agency may not take any action that would coerce you into accepting its offer. Prohibited actions include advancing the time of condemnation, deferring negotiations or condemnation, or postponing the deposit of funds in court for your use. You shall be given reasonable opportunity to consider the offer and present material which you believe is relevant to determining the value of the property and to suggest modification in the proposed terms and conditions of the purchase. The acquiring agency shall consider your presentation, if any.

## **POSSESSION**

If you must move because your home has been acquired, or if you must relocate your business or farm operation because of the acquisition of your property, you will be given at least 90 days written advance notice of the date by which you are required to move. If you have to move from your home, a decent, safe and sanitary replacement dwelling must be available to you, on a nondiscriminatory basis, prior to your displacement.

You are not required to surrender possession of your property until:

1. You have been paid the agreed purchase price; or
2. You have been paid an award of viewers, board, commission or similar body, or of a court where law provides for a trial on demand of the acquiring agency or condemnee; or
3. An amount at least equal to the agency's approved appraisal of the value of your property is deposited with the Court for your benefit; or
4. The award resulting from a condemnation proceeding is deposited with the court.

Once the agency has acquired your property, it may decide to rent it, subject to termination on short notice. The amount of rent the agency may charge you, or another tenant, may not exceed the fair rental value of the property to a short-term occupier.

## **CONDEMNATION**

When you cannot reach an agreement of the sale of your property to the acquiring agency, the agency can acquire your property by the exercise of the power of eminent domain. If a situation such as this does occur, the agency must institute formal condemnation proceedings. The acquiring agency may not intentionally force you to begin legal proceedings to prove that your real property has been taken without payment of just compensation.

## **SECTION 4652 - ACQUISITION OF BUILDINGS, STRUCTURES AND IMPROVEMENTS**

### **SINGLE OWNERSHIP**

When a governmental agency obtains an interest in your land, it must acquire at least an equal interest in any buildings located on the acquired land, if these improvements are required to be removed or if the project will adversely affect them.

### **TENANT - OWNED**

The acquiring agency is required to pay for property as if it were in a single ownership, and the contributory value of tenant's improvements will be paid to the tenant. In other words, if you are a tenant who owns a building on land required for public purposes, you will ordinarily be paid either the fair market value which your building contributes to the real property or the fair market of the improvement for removal from the real property, whichever is the greater.

However, no payment can be made unless the owner of the land involved disclaims all interest in the improvements you own. Also, in consideration for payment, you must assign, transfer and release to the acquiring agency all of your right, title and interest in and to such improvements.

No provisions of this section deprives you of your right to reject payment under this Act and to obtain payment of just compensation for your interests as otherwise defined by applicable law. (An attorney would be the best source of information as to which other laws apply in and are best suited to your particular circumstances.)

## **SECTION 4653 - REIMBURSEMENT OF INCIDENTAL EXPENSES**

You are entitled to be reimbursed for fair and reasonable expenses you necessarily incurred for:

1. Recording fees, transfer taxes, and similar expenses incidental to conveying your real property to the acquiring agency. However, the acquiring agency is not required to pay costs solely related to perfecting your title to the property.
2. Penalty cost for prepayment of any pre-existing, recorded mortgage/trust deed, entered into in good faith, encumbering your property.
3. The pro rata portion of real property taxes you have paid which are allocable to the period after title passes to the acquiring agency, or the date of effective possession, whichever is earlier.

These costs will be paid to you as soon as practicable after:

1. The date of payment of the purchase price; or
2. The date of payment of an award of viewers, board, commission or similar body, or of a court where law provides for a trial on demand for the acquiring agency or condemnee; or
3. The date of deposit in court of funds to satisfy the award of compensation in a condemnation proceeding to acquire real property.

**SECTION 4654- REIMBURSEMENT OF LITIGATION EXPENSES**

If any one of the following three conditions exist, the acquiring agency must reimburse you for your reasonable costs, disbursements, and expenses, including reasonable attorney, appraisal, and engineering fees which you have actually incurred. Such litigation expenses are reimbursable only under these conditions:

1. If the acquiring agency starts a condemnation action, but the court decides that agency does not have authority to acquire your property by condemnation; or,
2. If the acquiring agency starts a condemnation action and abandons it; or,
3. If you, as owner, successfully maintain an inverse condemnation proceeding. (Inverse condemnation is a legal process by which an owner brings suit against an agency to prove that the agency has taken compensable property rights without payment of just compensation.)

**SECTION 4655 - REQUIRED ASSURANCES**

Federal funded construction projects will not be approved unless assurances have been received from the acquiring agency that in acquiring your property:

1. The agency will be guided, to the greatest extent practicable under State Law, by the land acquisition policies in Section 4651 and 4652 as explained, and
2. You will be paid or reimbursed for the necessary expenses described in Sections 4653 and 4654.

**TITLE VI - CIVIL RIGHTS ACT OF 1964 - NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS**

All actions taken by an acquiring agency must be in compliance with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, SEC. 601. "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

**A FINAL WORD**

The acquiring agency realizes that the sale of a home or property to a public agency is often a difficult personal experience. The policies and provisions of Title 42 Chapter 61 of the Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs serve to greatly minimize the problems encountered in property transfers. Every effort will be made to reach an amicable settlement with you by offering you as fair a price as you would receive on the open market, and by reimbursing you for your incidental expenses.



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
619/231-1466  
FAX 619/234-3407

# Policies and Procedures

No. 8

SUBJECT:

Board Approval: 1/29/04

ACQUISITION OF REAL PROPERTY INTERESTS

PURPOSE:

In order to encourage and expedite the acquisition of real property by agreements with owners, to avoid litigation and relieve congestion in the courts, to assure consistent treatment for owners in the public programs, and to promote public confidence in public land acquisition programs, MTS shall set forth a just and fair acquisition and relocation assistance policy.

BACKGROUND:

The Government Code provides that MTS, "... may own and acquire property within or without its boundaries for either governmental or proprietary, or any purpose, either by succession, annexation, purchase, devise, lease, gift, or condemnation ..."

POLICY:

MTS's real property acquisition program will be executed within the following policy parameters:

1. All property owners will be dealt with fairly and equitably in the acquisition of lands or interests therein required by MTS.
2. Settlements will be based on estimates of fair market value as supported by current appraisal practices.
3. MTS shall pay for expenses that the owner(s) must incur for title and escrow fees incidental to conveying real property to MTS.
4. MTS shall make every reasonable effort to acquire expeditiously by negotiation the required property interests.
5. Condemnation will be utilized where negotiations have reached an impasse or there is a requirement to meet time restraints imposed by funding sources or construction schedules.



6. The Relocation Assistance Program will be fairly administered to ensure that all owners receive any and all benefits to which they are legally entitled as provided in Policy No. 10.

GUIDELINES:

The following guidelines shall be utilized by MTS or its agents to ensure fair and equitable treatment of all property owners affected by MTS acquisitions as set out in Government Code Section 7267.

1. The real property interests to be acquired shall be appraised and the fair market value established before the initiation of negotiations and the property owner shall be given the opportunity to accompany the appraiser during their inspection on the property (Government Code Sections 7267.1b and 7267.2).
2. MTS or its agents shall make a prompt offer to the property owner for the full estimate of market value established by the Board. MTS or its agent shall also provide the property owner with a written statement of and summary of the basis for the amount established as just compensation. The summary shall contain the following elements:
  - a. The owner's name and address.
  - b. Zoning and present use of the property.
  - c. Highest and best use of the property.
  - d. Consideration to be paid by MTS.
  - e. Total property area and amount to be acquired.
  - f. Market value of the property to be acquired and a statement as to how the value was established; i.e., market data approach, income approach, or cost approach.
  - g. Amount of damages or a statement indicating that there are no compensable damages (Government Code Section 7267.2).
3. MTS shall make every reasonable effort to acquire by negotiation the real property interests required so as to reduce the need for litigation. MTS shall strive at all times to assure consistent treatment of property owners involved in public improvement projects and to promote public confidence in MTS's acquisition practices (Government Code Sections 7267 and 7267.1a).
4. MTS shall schedule the construction or development of a public improvement, insofar as it is practicable, so that no person lawfully occupying real property shall be required to move from a dwelling or business, assuming a replacement dwelling is available, without at least 90 days' written notice from MTS

(Government Code Section 7267.3). Should rental property become vacant, MTS may rent the vacated premises prior to acquisition.

5. The threat of condemnation shall not be used to coerce a property owner into agreement (Government Code Sections 7267.5 and 7267.6).
6. MTS shall offer to acquire the entire property if the owner so desires where the acquisition of a portion of the property would leave the remaining portion in such shape or condition as to constitute an uneconomic remnant (Government Code Section 7267.7).

SGreen/JGarde  
POLICY.8.ACQUISITION REAL PROPERTY  
7/11/06

Original Policy approved on 9/11/78.  
Policy revised on 8/27/79.  
Policy revised on 7/28/80.  
Policy revised/renumbered on 1/29/04.



440 Stevens Avenue, Suite 100  
Solana Beach, California 92075

O | (858) 380-4683

F | (858) 492-0486

[www.deangazzo.com](http://www.deangazzo.com)

February 2, 2024

Writer's Direct Contact

(858) 429-5747

[snoya@deangazzo.com](mailto:snoya@deangazzo.com)

**Certified Mail**

**Return Receipt Requested**

**TO: HEIRS OF MURDOCK  
(See Attachment Service List)**

**RE: San Diego Metropolitan Transit System Offer to Purchase Property Interests Consisting of All Reversionary Fee Interests or Other Rights in Property Located Within Public Street Right-of-Way (block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue, San Diego, CA)  
Offer Letter Accompanying California Government Code Section 7267.2 Offer for Acquisition**

Dear Heirs or Devisees of Elizabeth S. Murdock:

This law firm represents the San Diego Metropolitan Transit System ("MTS"), a public transportation agency providing bus and light rail (trolley) transit services in San Diego County, California.

MTS is interested in the acquisition of the above-mentioned property interests for public purposes, specifically the proposed construction of certain public improvements for the 12th and Imperial Transit Center Rehabilitation Project (the "Project").

This letter with related attachments is addressed to all people identified to date who are potential heirs or devisees of Elizabeth S. Murdock who may have interests in the property identified below which consists of public street right-of-way within the Project area. MTS is unable to determine if there are other heirs or devisees of Elizabeth S. Murdock who may also have potential interests in the property.

The proposed Project site is adjacent to the existing 12th and Imperial Transit Center at 1255 Imperial Avenue in San Diego, California. The proposed Project site is in the block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue.



Heirs or devisees of Elizabeth S. Murdock

MTS Offer to Purchase Property Interests Located Within Public Street Right-Of-Way  
(block bounded by Imperial Avenue, Commercial Street, 13th Street, 14th Street, and  
diagonally bisected by National Avenue)

February 2, 2024

Page 2

MTS seeks to acquire from the known and unknown heirs or devisees of Elizabeth S. Murdock all potential property interests, including any reversionary fee or other interests, in those portions of real property which are now, or which were at any time in the past, subject to public street easements or street rights-of-way located and lying within Horton's Addition in the City of San Diego, County of San Diego, State of California, according to the map thereof made by L.L. Lockling filed in the office of the County Recorder of San Diego County. A preliminary title report obtained by MTS provides said potential reversionary or other rights, if any, are located within street right-of-way situated within the above-described boundaries of the proposed Project area, and described in a deed to the City of San Diego, recorded March 22, 1905 in Book 361, Page 296 in the Office of the County Recorder of said County of San Diego, a legal description of which is attached as Exhibit A and depicted in Exhibit B to the enclosed offer (the "Property").

The enclosures with this letter include an offer to purchase all potential interests in the subject Property area, including any and all reversionary fee interests or other rights, if any, held as undivided interests collectively as heirs or devisees of Elizabeth S. Murdock, in the segments of public street right-of-way, for the appraised just compensation amount of Two Thousand Five Hundred Dollars (**\$2,500.00**). The offer amount applies to the whole undivided ownership interests held collectively, if any, and is not subject to acceptance by any heir or devisee individually. This offer is subject to and conditioned upon the Property being free and clear of any hazardous materials or contaminated soils, title being free of all adverse liens and encumbrances, and MTS's acceptance of the deed.

A legal description of the public street right-of-way parcels under consideration for public use is attached as Exhibit A to the enclosed offer, along with the Exhibit B map of the area to be acquired.

It is our sincere hope that this Property can be acquired amicably, expeditiously, and by negotiation. To this end, California Government Code §7267.2 provides that prior to initiating negotiations for the acquisition of real property that a public entity shall:

- Make an offer to the owner of record to acquire the property for the full amount that the public entity has established as just compensation;
- Which offer is not less than the public entity's appraisal of the fair market value of the property; and



Heirs or devisees of Elizabeth S. Murdock

MTS Offer to Purchase Property Interests Located Within Public Street Right-Of-Way  
(block bounded by Imperial Avenue, Commercial Street, 13th Street, 14th Street, and  
diagonally bisected by National Avenue)

February 2, 2024

Page 3

- Provide the owner with a written statement of, and summary of the basis for, the amount established as just compensation.

The purpose of this letter is to convey the attached offer and written statement of the basis for the amount that MTS established as just compensation so that MTS may initiate negotiations regarding the proposed acquisition of the Property.

California Code of Civil Procedure §1263.025 provides that a public entity shall offer to pay the reasonable costs, not to exceed five thousand dollars (\$5,000), of an independent appraisal ordered by the owner of a property that the public entity offers to purchase under a threat of eminent domain, at the time the offer to purchase is made. MTS hereby makes this offer. Please note that any interests you may have, if any, as heirs or devisees of Elizabeth S. Murdock are collectively held as undivided interests. Therefore, the offer required by California Code of Civil Procedure §1263.025 applies to the whole undivided ownership interests held collectively, if any, and is not subject to acceptance by any heir or devisee individually.

Government Code §7267.1 provides that a public entity shall make every reasonable effort to acquire expeditiously real property by negotiation rather than by litigation in the form of an eminent domain action. Please consider this offer as being made in the spirit of avoiding litigation and not as an admission of value, nor an admission of the existence of potential reversionary or other rights in the subject areas of public street right-of-way.

Enclosed herewith is the proposed offer and written statement of and summary of the basis for the amount established as just compensation. An independent appraisal was made of the Property by William B. Anderson, MAI. The amount of MTS's offer is the amount determined to be just compensation for interests to be acquired in the subject public street right-of-way Property areas, including all reversionary rights or other interest you may hold as heirs or devisees of Elizabeth S. Murdock. The basis for that determination is explained in the attached appraisal summary statement.

MTS hopes that the appraised value offer price is agreeable to you and that the acquisition process can begin immediately. If you and all other known heirs *collectively* accept this offer, a contract of acquisition and a deed will be proposed for your signature. MTS will work with you on the acquisition of the necessary interests in the Property and on proposing the terms of the contract of acquisition.

Heirs or Devisees of Elizabeth S. Murdock  
MTS Offer to Purchase Property Interests Located Within Public Street Right-Of-Way  
(block bounded by Imperial Avenue, Commercial Street, 13th Street, 14th Street, and  
diagonally bisected by National Avenue)  
February 2, 2024  
Page 4

After you have an opportunity to consider the offer, we would like to discuss the acquisition under consideration. Please respond to MTS' offer within two (2) weeks of the date of this letter. Contact me if additional time is needed to respond.

Should you have any questions, please do not hesitate to contact me at the phone number and/or email address listed above.

Very truly yours,

Scott Noya  
Attorneys for MTS

SN/pc

- Enclosures:
- 1) Government Code §7267.2 Offer to Purchase with attached Exhibit A Property legal description and Exhibit B map
  - 2) Summary of the Basis for the Amount Established as Just Compensation (Government Code §7267.2) [Appraisal Summary Statement (Code of Civil Procedure §1255.010)] Accompanying Government Code §7267.2 Offer
  - 3) Public Acquisition Process Information
  - 4) MTS Policy No. 8 – Acquisition of Real Property Interests

**Attachment Service List**  
**Descendants of Elizabeth S. Murdock**

Linda A Cooke  
7003 Johnson Cir  
Niwot, CO 80503-7667

Mackenzie Lyn Becky  
7003 Johnson Cir  
Niwot, CO 80503-7667

Allen Poage Cooke  
7003 Johnson Cir  
Niwot, CO 80503-7667

Colleen Bathen  
18947 Harleigh Dr  
Saratoga, CA 95070-5248

Julia Bathen  
100 Fowler Ave Apt 129  
Clovis, CA 93611-0680

Sarah Ann Bathen  
100 Fowler Ave Apt 129  
Clovis, CA 93611-0680

**GOVERNMENT CODE SECTION 7267.2 OFFER TO PURCHASE**

Pursuant to California Government Code sections 7267.1 and 7267.2

The San Diego Metropolitan Transit System ("MTS") is proposing to construct public improvements for the 12th and Imperial Transit Center Rehabilitation Project (the "Project").

The proposed Project site is adjacent to the existing 12th and Imperial Transit Center at 1255 Imperial Avenue in San Diego, California. The proposed Project site is located in the block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue.

MTS seeks to acquire from the known and unknown heirs or devisees of Elizabeth S. Murdock all potential property interests, including any reversionary fee or other interests, in those portions of real property which are now, or which were at any time in the past, subject to public street easements or street rights-of-way located and lying within Horton's Addition in the City of San Diego, County of San Diego, State of California, according to the map thereof made by L.L. Lockling filed in the office of the County Recorder of San Diego County. Said reversionary or other rights, if any, are located within street right-of-way situated within the above-described boundaries of the proposed Project area, and described in a deed to the City of San Diego, Recorded in Book 361, Page 296 of Deeds dated July 20, 1904 and recorded March 22, 1905 in the Office of the County Recorder of said County of San Diego (the "Property").

The accompanying cover letter lists all people identified to date who are potential heirs or devisees of Elizabeth S. Murdock who may have interests in the Property identified above which consists of public street right-of-way within the Project area. MTS is unable to determine if there are other heirs or devisees of Elizabeth S. Murdock who may also have interests in the Property.

In compliance with the Eminent Domain Law of the State of California, an estimate of just compensation in the amount of TWO THOUSAND FIVE DOLLARS (**\$2,500.00**) has been made for the required interests in the Property. MTS hereby offers this amount for the potential interests, including any reversionary fee or other rights, to be acquired in the Property. The offer amount applies to the whole undivided ownership interests held collectively, if any, and is not subject to acceptance by any heir or devisee individually. This offer is based upon an approved MAI appraisal and is not less than the appraiser's opinion of the fair market value of the interests proposed to be acquired in the Property.

Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the California Relocation Assistance and Real Property Acquisition Guidelines require that each owner from whom a public agency purchases real property or an interest therein or each tenant owning improvements on said property be provided with a summary of the appraisal of the real property or interest therein, as well as the following information:

1. You are entitled to receive full payment prior to vacating the real property being purchased, if such vacation is required, unless you have heretofore waived such entitlement. You are not required to pay recording fees, transfer taxes, or the pro

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
Heirs or Devisees of Elizabeth S. Murdock  
Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
Page 2 of 7

rated portion of real property taxes that are allocable to any period subsequent to the passage of title or possession.

2. MTS will offer to purchase any remnant(s) considered by you and MTS to be an uneconomic unit(s) which is/(are) owned by you or, if applicable, occupied by you as tenant and which is/(are) contiguous to the portion of land being conveyed. *[Note: This required sentence regarding purchase of any remnant is not applicable to MTS' proposed purchase of all potential interests in the Property consisting of public street right-of-way parcels.]*
3. All buildings, structures, and other improvements, if any, affixed to the land described in the attached document(s) covering this offer and owned by the grantor(s) herein or, if applicable, owned by you are being conveyed unless other disposition of these improvements has been made. The interest to be acquired in the Property consist of:  
  
**SEE EXHIBIT A LEGAL DESCRIPTION AND EXHIBIT B MAP ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**
4. The market value of the property interests being purchased is based upon a market value appraisal that is summarized on the attached summary statements and such amount:
  - a. Represents the full amount of the appraisal of just compensation for the property to be purchased;
  - b. Is not less than the approved appraisal of the fair market value of the property;
  - c. Disregards any decrease or increase in the fair market value of the real property to be acquired prior to the date of valuation caused by the public improvement for which the property is to be acquired or by the likelihood that the property would be acquired for such public improvement, other than that due to physical deterioration within the reasonable control of the owner or occupant; and
  - d. Does not reflect any consideration of or allowance for any administrative relocation assistance and payments or other benefits, if applicable, which the owner may be entitled to receive under an agreement with MTS.
5. Pursuant to Code of Civil Procedure Section 1263.025 should you elect to obtain an independent appraisal, MTS will pay for the actual reasonable cost up to five

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
Heirs or Devisees of Elizabeth S. Murdock  
Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial  
Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
Page 3 of 7

thousand dollars (\$5,000) subject to the following conditions:

- a. You, not MTS, must order the appraisal. Should you enter into a contract with the selected appraiser, MTS will not be a party to the contract;
  - b. In this situation, any interests of the heirs or devisees of Elizabeth S. Murdock are collectively held as undivided interests. Therefore, the offer required by California Code of Civil Procedure §1263.025 applies to the whole undivided ownership interests held collectively, if any, and is not subject to acceptance by any heir or devisee individually.
  - c. The selected appraiser must be appropriately licensed with the California Office of Real Estate Appraisers (OREA);
  - d. Request for appraisal cost reimbursement must be in writing and submitted to: Sean Myott, Manager of Real Estate Assets, Metropolitan Transit System, 1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490. Requests should be made within ninety (90) days of the earliest of the following dates: (1) the date the selected appraiser requests payment from you for the appraisal; or (2) the date upon which you, or someone on your behalf, remitted full payment to the selected appraiser for the appraisal. Copies of the contract (if a contract was made), appraisal report, and the invoice for the completed work by the appraiser should be provided to MTS concurrent with submission of an Appraisal Cost Reimbursement Agreement. The costs must be reasonable and justifiable.
6. The owner of a business conducted on a property to be acquired, or conducted on the remaining property that will be affected by the purchase of the required property for public use, may be entitled to compensation for loss of goodwill, if any. Entitlement is contingent upon the business operator/owner's ability to prove such loss in accordance with the provisions of Sections 1263.510 and 1263.520 of the Code of Civil Procedure. *[Note: This required notice regarding any businesses operated on the Property to be acquired is not applicable to MTS' proposed purchase of all potential interests in the public street right-of-way parcels.]*
7. If you ultimately elect to reject MTS's offer for the specified interests in the Property, you are entitled to have the amount of compensation determined by a court of law in accordance with the laws of the State of California.

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
Heirs or Devises of Elizabeth S. Murdock  
Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial  
Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
Page 4 of 7

## EXHIBIT "A" LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE LAND GRANTED TO THE CITY OF SAN DIEGO FOR PUBLIC STREET PURPOSES IN DEED RECORDED MARCH 22, 1905 IN [BOOK 361, PAGE 296](#) OF DEEDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SITUATED IN HORTONS ADDITION ACCORDING TO MAP MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH-WEST CORNER OF LOT "A" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "A" AND "B" SEVENTEEN AND ONE-TENTH FEET; THENCE IN A NORTH-WESTERLY DIRECTION, TWENTY-THREE AND ONE-TENTH FEET, TO A POINT ON THE EAST LINE OF THIRTEENTH STREET, DISTANT IN A NORTHERLY DIRECTION, FOURTEEN AND EIGHT-TENTHS FEET, FROM THE SOUTHWEST CORNER OF LOT "A"; THENCE IN A SOUTHERLY DIRECTION, FOLLOWING THE EAST LINE OF THIRTEENTH STREET, FOURTEEN AND EIGHT-TENTHS FEET, TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-WEST CORNER OF LOT "B" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE EAST LINE OF THIRTEENTH STREET FIFTY FEET; THENCE IN A EASTERLY DIRECTION, FOLLOWING THE DIVISION LINE BETWEEN LOTS "B" AND "C", SEVENTY-SEVEN AND TWO-TENTHS FEET; THENCE IN A NORTH-WESTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTH FEET, TO A POINT ON THE DIVISION LINE BETWEEN LOTS "A" AND "B", DISTANT IN AN EASTERLY DIRECTION SEVENTEEN AND ONE-TENTH FEET FROM THE NORTH-WEST CORNER OF SAID LOT "B"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "A" AND "B" SEVENTEEN AND ONE-TENTH FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-WEST CORNER OF LOT "C" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE EAST LINE OF THIRTEENTH STREET, THIRTY-NINE AND EIGHT-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, FIFTEEN AND NINE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "C" AND "D", DISTANT IN AN EASTERLY DIRECTION, TWELVE AND THREE-TENTHS FEET FROM THE SOUTHWEST CORNER OF LOT "C"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "C" AND "D", EIGHTY-SEVEN AND SEVEN-TENTHS FEET TO THE SOUTH-EAST CORNER OF SAID LOT "C"; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "J", THIRTY-ONE FEET; THENCE IN A NORTH WESTERLY DIRECTION, TWENTY-NINE AND SEVEN-TENTHS FEET, TO A POINT ON THE DIVISION LINE BETWEEN LOTS "B" AND "C", DISTANT, IN A WESTERLY DIRECTION, TWENTY-TWO AND EIGHT-TENTHS FEET FROM THE NORTH-EAST CORNER OF SAID LOT "C"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "B" AND "C", SEVENTY-SEVEN AND TWO-TENTHS FEET TO THE PLACE OF BEGINNING.

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
 Heirs or Devises of Elizabeth S. Murdock  
 Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial  
 Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
 Page 5 of 7

EXHIBIT A  
 (Continued)

ALSO COMMENCING AT THE NORTH-EAST CORNER OF LOT "D" IN BLOCK NUMBER ONE HUNDRED, AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "D", EIGHTY-SEVEN AND SEVEN-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "D" AND "E", DISTANT IN AN EASTERLY DIRECTION, SEVENTY-TWO AND FOUR-TENTHS FEET FROM THE SOUTH-WEST CORNER OF LOT "D" THENCE IN AN EASTERLY DIRECTION, FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "D" AND "E", TWENTY-SEVEN AND SIX-TENTHS FEET TO THE SOUTH-EAST CORNER OF SAID LOT "D"; THENCE IN A NORTHEASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "I" FIFTY FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE NORTH-EAST CORNER OF LOT "E" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "E" TWENTY-SEVEN AND SIX-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, THIRTY-SIX FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "E" AND "H", DISTANT IN A NORTHERLY DIRECTION TWENTY-SEVEN FEET FROM THE SOUTH-EAST CORNER OF LOT "E"; THENCE IN A NORTHERLY DIRECTION TWENTY-THREE FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "G" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION, FOLLOWING THE NORTH LINE OF "N" STREET SEVEN AND THREE-TENTHS FEET; THENCE IN A NORTH-WESTERLY DIRECTION SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "G" AND "H", DISTANT IN AN EASTERLY DIRECTION THIRTY-TWO AND SIX-TENTHS FEET, FROM THE NORTH-WEST CORNER OF LOT "G"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN SAID LOTS "G" AND "H" SIXTY-SEVEN AND FOUR-TENTHS FEET TO THE NORTH-EAST CORNER OF LOT "G"; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE WEST LINE OF FOURTEENTH STREET, FIFTY FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "H" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE WEST LINE OF FOURTEENTH STREET FORTY-SEVEN AND NINE-TENTHS-FEET; THENCE IN A NORTH-WESTERLY DIRECTION, THREE AND THREE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "H" AND "I", DISTANT IN A WESTERLY DIRECTION, TWO AND FIVE-TENTHS FEET, FROM THE NORTH-EAST CORNER OF SAID LOT "H"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "H" AND "I", NINETY-SEVEN AND FIVE-TENTHS FEET TO THE NORTH-WEST CORNER OF SAID LOT "H"; THENCE IN A SOUTHERLY DIRECTION, FOLLOWING THE DIVISION LINE BETWEEN LOTS "H" AND "E", TWENTY-THREE FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, FORTY-TWO AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "G" AND "H", DISTANT IN AN EASTERLY DIRECTION, THIRTY-TWO AND SIX-TENTHS FEET, FROM THE SOUTH-WEST CORNER OF SAID LOT "H"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "G" AND "H" SIXTY-SEVEN AND FOUR-TENTHS FEET, TO THE PLACE OF BEGINNING.



Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
Heirs or Devises of Elizabeth S. Murdock  
Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial  
Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
Page 6 of 7

EXHIBIT A  
(Continued)

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "I" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "H" AND "I", NINETY-SEVEN AND FIVE-TENTHS THE FEET; THENCE IN A NORTH-WESTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "I" AND "J" DISTANT IN A WESTERLY DIRECTION, SIXTY-TWO AND SIX-TENTHS FEET FROM THE NORTH-EAST CORNER OF SAID LOT "I"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "I" AND "J", THIRTY-SEVEN AND FOUR-TENTHS FEET TO THE NORTH-WEST CORNER OF SAID LOT "I"; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "I", FIFTY FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE SOUTH-WEST CORNER OF LOT "J" IN BLOCK NUMBER ONE-HUNDRED AND FIFTY-THREE; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "J", THIRTY-ONE FEET; THENCE IN A SOUTH-EASTERLY DIRECTION FORTY-EIGHT AND FIVE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "I" AND "J" DISTANT IN A WESTERLY DIRECTION SIXTY- TWO AND SIX-TENTHS FEET FROM THE SOUTH-EAST CORNER OF SAID LOT "J"; THENCE IN A WESTERLY DIRECTION THIRTY-SEVEN AND FOUR-TENTHS FEET TO THE PLACE OF BEGINNING.

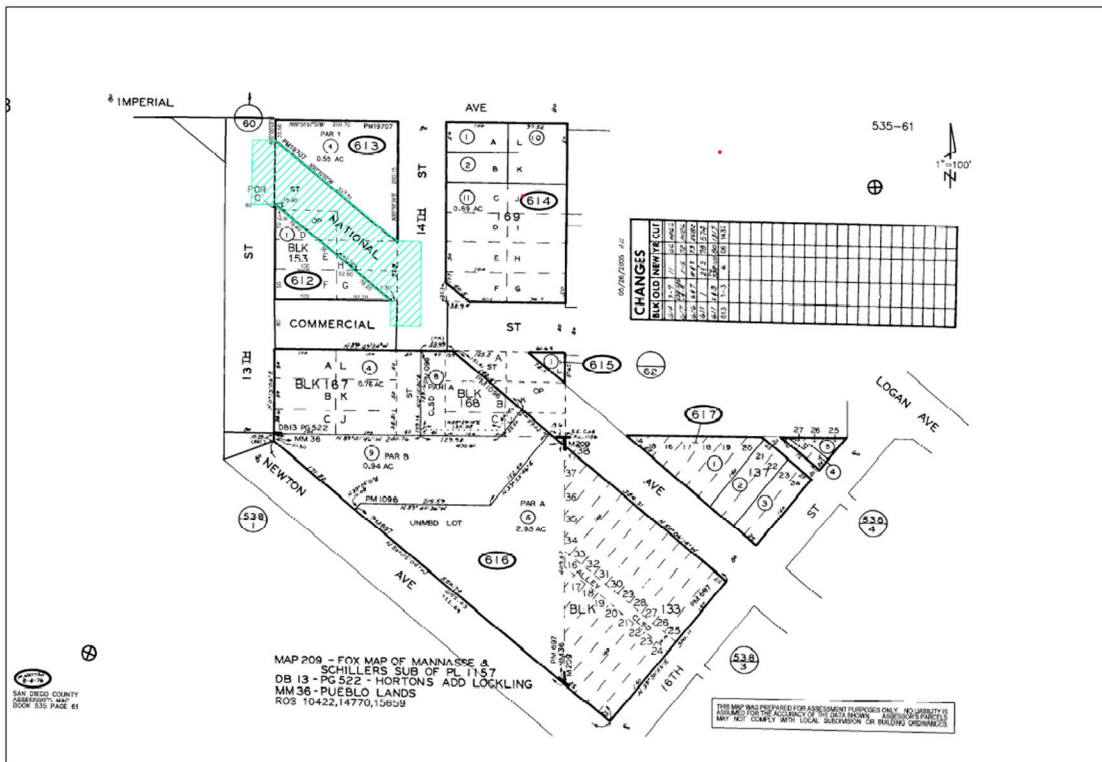
TOGETHER WITH THE EAST HALF OF 13<sup>TH</sup> STREET LYING ADJACENT TO SAID LAND.

TOGETHER WITH THE WEST HALF OF 14<sup>TH</sup> STREET LYING ADJACENT TO SAID LAND.

TOGETHER WITH NORTH HALF OF COMMERCIAL STREET LYING ADJACENT TO SAID LAND AND ADJACENT TO THE WEST HALF OF 14<sup>TH</sup> STREET.

Metropolitan Transit System - Government Code Section 7267.2 Offer to Purchase Property  
 Heirs or Devisees of Elizabeth S. Murdock  
 Property Interests Located Within Public Street Right-Of-Way (block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue)  
 Page 7 of 7

**EXHIBIT "B" MAP**



This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any loss occurring by reason of reliance thereon.

**SUMMARY OF THE BASIS FOR THE AMOUNT  
ESTABLISHED AS JUST COMPENSATION  
(Government Code §7267.2)  
Appraisal Summary Statement**

The fair market value for the property to be acquired is based upon an appraisal prepared in accordance with accepted appraisal principals and procedures. In this case, property rights are proposed to be acquired in existing public right of ways.

**BASIC PROPERTY DATA**

OWNER:	Murdock
SUBJECT PROPERTY ADDRESS:	No Known Address, San Diego, CA 92101
SUBJECT PROPERTY DESCRIPTION:	The ownership is comprised of three adjacent parcels with a combined area of 29,185 square feet or 0.67 acres. The largest component, which is identified as a portion of National Avenue, is in the shape of a parallelogram. The other two parcels are rectangular in shape.
ASSESSOR'S PARCEL NUMBER:	None
PRESENT USE:	Public right of way
HIGHEST AND BEST USE:	Public right of way
INTERESTS VALUED:	Encumbered fee
DATE OF VALUATION:	October 18, 2023
APPLICABLE ZONING:	CCPD – MC (Mixed Commercial). Public right of ways have zoning and community plan land use designations, but no development potential as they are dedicated transportation corridors.
IDENTIFIED LARGER PARCEL:	Land only
IMPROVEMENTS:	Standard street improvements, wire fencing and some landscaping. There are no marketable improvements of any kind on the parcels. The valuation premise is that the subject parcels are vacant and available for use in accordance with the estimated highest and best use of the land, subject to existing encumbrances.
LAND AREA OF LARGER PARCEL:	29,185 square feet

**AREA SOUGHT:**

Fee acquisition: 29,185 square feet

**FAIR MARKET VALUE:**

In addition to the fact that the Murdock ownership is deed restricted to street right of ways, it is heavily encumbered with other existing easements. These easements include significant SDG&E below and above ground facilities, a high pressure transmission gas line, low-medium pressure gas service lines, City of San Diego water and sewer lines, and a portion of the city storm drain system.

The net effect that these encumbrances have on the underlying fee interest is to greatly impair overall utility as most if not all of the property rights associated with the land are under control of the dominant tenements. In an eminent domain action, street easements alone are typically valued at 100 percent of the underlying fee value as the owner retains no beneficial use of the encumbered area. Add to that the other easement encumbrances, and it is readily apparent that, in this case, the underlying fee interest has little, if any residual value.

Given these facts, analysts will typically assign what is regarded as a nominal amount to represent the appropriate compensation; an amount not based on an analysis of comparable real estate sales, which are non-existent, but rather an amount of money to compensate the owner for the time and effort to accomplish the needs of the acquiring agency which is to effect the sale and transfer of the interest. While there is no standard for estimating nominal value, appraisers generally regard \$1,000 - \$2,500 as reasonable compensation in situations where the fee interest is so heavily encumbered and has no identifiable independent development potential. In conclusion, the estimated fair market value and hence just compensation for the property rights to be acquired in this case is estimated to be \$2,500.

**DEFINITION OF FAIR MARKET VALUE**

(See Code of Civil Procedure 1263.320)

(a) The fair market value is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

(b) The fair market value of property taken for which there is no relevant comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

APPRAISED BY: William B. Anderson, MAI, SRA  
 APPRAISAL FIRM: **Anderson & Brabant, Inc.**  
 Real Estate Appraisers and Consultants  
 420 So. Broadway, Suite 202  
 Escondido, CA 92025

## THE PUBLIC ACQUISITION PROCESS

### **PURPOSE**

This brochure provides to you, as an individual affected by the acquisition of your property for a public improvement project, a summary of the policies and provisions embodied in Title 42 Chapter 61 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the Uniform Relocation Act Amendments of 1987, which will assure that your interests are protected.

### **INTRODUCTION**

All governments have a duty to serve the public welfare. In order to meet this responsibility, it is often necessary for governments to acquire private lands to accommodate public projects. The authority to procure privately owned real property for public use has long been recognized as an inherent power of organized government, known as eminent domain. The constitution provides safeguards against the abuse of this power in the Fifth Amendment, which states, "nor shall private property be taken for public use, without just compensation."

Just compensation is usually defined as payment for the value of the property taken, which takes into account partial takings, damages and benefits to the remaining lands. The guarantee of the Fifth Amendment provided adequate protection of property rights when the constitution was written and the country was predominately rural and undeveloped. In an effort to establish uniform treatment of all people affected by any public projects financed in whole or in part with Federal funds, the U.S. Congress passed the UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 and subsequently the UNIFORM RELOCATION ACT AMENDMENTS of 1987.

Now all Federal agencies and all state and local public agencies acquiring real property with Federal assistance are guided by the policies and provisions set forth in this Act and amendments thereto.

### **PURPOSE OF Title 42, Chapter 61**

The purpose of Chapter 61 is to encourage and expedite acquisition by agreement, to avoid litigation, to assure consistent treatment for owners, and to promote public confidence in the many Federal and federally assisted acquisition programs. Title III applies equally to all property owners regardless of race, color, religion, sex or national origin.

### **SECTION 4651- UNIFORM POLICY ON REAL PROPERTY ACQUISITION PRACTICES**

#### **DETERMINATION OF JUST COMPENSATION**

An appraisal of your real property is to be made before negotiations are started. (Real property is defined as the rights and interest in land and generally whatever is erected, growing upon, or affixed to, the land.) You, or a representative you designate, must be given an opportunity to accompany the appraiser on his inspection. This provision affords you an opportunity to point out any unusual or hidden features the property may possess.

In preparing the appraisal, the appraiser may not consider an increase or decrease in the value of your property, prior to the date of valuation, which results from the proposed project or the likelihood that your property will be acquired for the project. However, any physical deterioration within your reasonable control will be considered in the valuation of your property.

The completed appraisal(s) must be reviewed by the acquiring agency. Based upon a review of the appraisal, the agency will establish the amount it believes to be the just compensation to be offered for the property.

Under the California Code of Civil Procedure, you may elect to have your property appraised by an independent appraiser who is licensed with the Office of Real Estate Appraisers. The acquiring agency will pay the reasonable costs of this independent appraisal in an amount not exceeding Five Thousand Dollars (\$5,000.00).

#### **NEGOTIATIONS**

The acquiring agency must make a prompt offer to purchase the property for the full amount it has determined to be just compensation. At the initiation of negotiations, you must be provided a written statement, which must include the date the appraisal was prepared, the amount offered, a description and location of the property and interest in the property to be acquired, an identification of the buildings, structures and other improvements included in the offer, and an explanation of the basis for determining this amount. In cases where only a part of the property is to be acquired, the statement must separate the amount of compensation to be paid for the property being acquired and the amount (if any) for damages to the remainder. If the acquisition leaves you with an uneconomic remnant, the agency must offer to purchase it. The acquiring agency may not take any action that would coerce you into accepting its offer. Prohibited actions include advancing the time of condemnation, deferring negotiations or condemnation, or postponing the deposit of funds in court for your use. You shall be given reasonable opportunity to consider the offer and present material which you believe is relevant to determining the value of the property and to suggest modification in the proposed terms and conditions of the purchase. The acquiring agency shall consider your presentation, if any.

## **POSSESSION**

If you must move because your home has been acquired, or if you must relocate your business or farm operation because of the acquisition of your property, you will be given at least 90 days written advance notice of the date by which you are required to move. If you have to move from your home, a decent, safe and sanitary replacement dwelling must be available to you, on a nondiscriminatory basis, prior to your displacement.

You are not required to surrender possession of your property until:

1. You have been paid the agreed purchase price; or
2. You have been paid an award of viewers, board, commission or similar body, or of a court where law provides for a trial on demand of the acquiring agency or condemnee; or
3. An amount at least equal to the agency's approved appraisal of the value of your property is deposited with the Court for your benefit; or
4. The award resulting from a condemnation proceeding is deposited with the court.

Once the agency has acquired your property, it may decide to rent it, subject to termination on short notice. The amount of rent the agency may charge you, or another tenant, may not exceed the fair rental value of the property to a short-term occupier.

## **CONDEMNATION**

When you cannot reach an agreement of the sale of your property to the acquiring agency, the agency can acquire your property by the exercise of the power of eminent domain. If a situation such as this does occur, the agency must institute formal condemnation proceedings. The acquiring agency may not intentionally force you to begin legal proceedings to prove that your real property has been taken without payment of just compensation.

## **SECTION 4652 - ACQUISITION OF BUILDINGS, STRUCTURES AND IMPROVEMENTS**

### **SINGLE OWNERSHIP**

When a governmental agency obtains an interest in your land, it must acquire at least an equal interest in any buildings located on the acquired land, if these improvements are required to be removed or if the project will adversely affect them.

### **TENANT - OWNED**

The acquiring agency is required to pay for property as if it were in a single ownership, and the contributory value of tenant's improvements will be paid to the tenant. In other words, if you are a tenant who owns a building on land required for public purposes, you will ordinarily be paid either the fair market value which your building contributes to the real property or the fair market of the improvement for removal from the real property, whichever is the greater.

However, no payment can be made unless the owner of the land involved disclaims all interest in the improvements you own. Also, in consideration for payment, you must assign, transfer and release to the acquiring agency all of your right, title and interest in and to such improvements.

No provisions of this section deprives you of your right to reject payment under this Act and to obtain payment of just compensation for your interests as otherwise defined by applicable law. (An attorney would be the best source of information as to which other laws apply in and are best suited to your particular circumstances.)

## **SECTION 4653 - REIMBURSEMENT OF INCIDENTAL EXPENSES**

You are entitled to be reimbursed for fair and reasonable expenses you necessarily incurred for:

1. Recording fees, transfer taxes, and similar expenses incidental to conveying your real property to the acquiring agency. However, the acquiring agency is not required to pay costs solely related to perfecting your title to the property.
2. Penalty cost for prepayment of any pre-existing, recorded mortgage/trust deed, entered into in good faith, encumbering your property.
3. The pro rata portion of real property taxes you have paid which are allocable to the period after title passes to the acquiring agency, or the date of effective possession, whichever is earlier.

These costs will be paid to you as soon as practicable after:

1. The date of payment of the purchase price; or
2. The date of payment of an award of viewers, board, commission or similar body, or of a court where law provides for a trial on demand for the acquiring agency or condemnee; or
3. The date of deposit in court of funds to satisfy the award of compensation in a condemnation proceeding to acquire real property.

**SECTION 4654- REIMBURSEMENT OF LITIGATION EXPENSES**

If any one of the following three conditions exist, the acquiring agency must reimburse you for your reasonable costs, disbursements, and expenses, including reasonable attorney, appraisal, and engineering fees which you have actually incurred. Such litigation expenses are reimbursable only under these conditions:

1. If the acquiring agency starts a condemnation action, but the court decides that agency does not have authority to acquire your property by condemnation; or,
2. If the acquiring agency starts a condemnation action and abandons it; or,
3. If you, as owner, successfully maintain an inverse condemnation proceeding. (Inverse condemnation is a legal process by which an owner brings suit against an agency to prove that the agency has taken compensable property rights without payment of just compensation.)

**SECTION 4655 - REQUIRED ASSURANCES**

Federal funded construction projects will not be approved unless assurances have been received from the acquiring agency that in acquiring your property:

1. The agency will be guided, to the greatest extent practicable under State Law, by the land acquisition policies in Section 4651 and 4652 as explained, and
2. You will be paid or reimbursed for the necessary expenses described in Sections 4653 and 4654.

**TITLE VI - CIVIL RIGHTS ACT OF 1964 - NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS**

All actions taken by an acquiring agency must be in compliance with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, SEC. 601. "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

**A FINAL WORD**

The acquiring agency realizes that the sale of a home or property to a public agency is often a difficult personal experience. The policies and provisions of Title 42 Chapter 61 of the Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs serve to greatly minimize the problems encountered in property transfers. Every effort will be made to reach an amicable settlement with you by offering you as fair a price as you would receive on the open market, and by reimbursing you for your incidental expenses.





1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
619/231-1466  
FAX 619/234-3407

# Policies and Procedures

No. 8

SUBJECT:

Board Approval: 1/29/04

ACQUISITION OF REAL PROPERTY INTERESTS

PURPOSE:

In order to encourage and expedite the acquisition of real property by agreements with owners, to avoid litigation and relieve congestion in the courts, to assure consistent treatment for owners in the public programs, and to promote public confidence in public land acquisition programs, MTS shall set forth a just and fair acquisition and relocation assistance policy.

BACKGROUND:

The Government Code provides that MTS, "... may own and acquire property within or without its boundaries for either governmental or proprietary, or any purpose, either by succession, annexation, purchase, devise, lease, gift, or condemnation ..."

POLICY:

MTS's real property acquisition program will be executed within the following policy parameters:

1. All property owners will be dealt with fairly and equitably in the acquisition of lands or interests therein required by MTS.
2. Settlements will be based on estimates of fair market value as supported by current appraisal practices.
3. MTS shall pay for expenses that the owner(s) must incur for title and escrow fees incidental to conveying real property to MTS.
4. MTS shall make every reasonable effort to acquire expeditiously by negotiation the required property interests.
5. Condemnation will be utilized where negotiations have reached an impasse or there is a requirement to meet time restraints imposed by funding sources or construction schedules.





6. The Relocation Assistance Program will be fairly administered to ensure that all owners receive any and all benefits to which they are legally entitled as provided in Policy No. 10.

GUIDELINES:

The following guidelines shall be utilized by MTS or its agents to ensure fair and equitable treatment of all property owners affected by MTS acquisitions as set out in Government Code Section 7267.

1. The real property interests to be acquired shall be appraised and the fair market value established before the initiation of negotiations and the property owner shall be given the opportunity to accompany the appraiser during their inspection on the property (Government Code Sections 7267.1b and 7267.2).
2. MTS or its agents shall make a prompt offer to the property owner for the full estimate of market value established by the Board. MTS or its agent shall also provide the property owner with a written statement of and summary of the basis for the amount established as just compensation. The summary shall contain the following elements:
  - a. The owner's name and address.
  - b. Zoning and present use of the property.
  - c. Highest and best use of the property.
  - d. Consideration to be paid by MTS.
  - e. Total property area and amount to be acquired.
  - f. Market value of the property to be acquired and a statement as to how the value was established; i.e., market data approach, income approach, or cost approach.
  - g. Amount of damages or a statement indicating that there are no compensable damages (Government Code Section 7267.2).
3. MTS shall make every reasonable effort to acquire by negotiation the real property interests required so as to reduce the need for litigation. MTS shall strive at all times to assure consistent treatment of property owners involved in public improvement projects and to promote public confidence in MTS's acquisition practices (Government Code Sections 7267 and 7267.1a).
4. MTS shall schedule the construction or development of a public improvement, insofar as it is practicable, so that no person lawfully occupying real property shall be required to move from a dwelling or business, assuming a replacement dwelling is available, without at least 90 days' written notice from MTS

(Government Code Section 7267.3). Should rental property become vacant, MTS may rent the vacated premises prior to acquisition.

5. The threat of condemnation shall not be used to coerce a property owner into agreement (Government Code Sections 7267.5 and 7267.6).
6. MTS shall offer to acquire the entire property if the owner so desires where the acquisition of a portion of the property would leave the remaining portion in such shape or condition as to constitute an uneconomic remnant (Government Code Section 7267.7).

SGreen/JGarde  
POLICY.8.ACQUISITION REAL PROPERTY  
7/11/06

Original Policy approved on 9/11/78.  
Policy revised on 8/27/79.  
Policy revised on 7/28/80.  
Policy revised/renumbered on 1/29/04.

**FREQUENTLY ASKED QUESTIONS**  
**MTS OFFER TO HEIRS OR DEVISEES OF**

- 1. CHARLES N. CLARK AND FRANCES B. CLARK, and**
- 2. ELIZABETH S. MURDOCK**

**RE: Metropolitan Transit System Offer to Purchase Property Interests Consisting of All Reversionary Fee Interests or Other Rights in Property Located Within Public Street Right-of-Way (block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue, San Diego, CA) and California Government Code Section 7267.2 Acquisition Offer**

To: 1) All Heirs or Devisees of Charles N. Clark and Frances B. Clark, and  
2) All Heirs or Devisees of Elizabeth S. Murdock:

The accompanying letter and attachments provide the offer to purchase and related information in a format required for eminent domain property acquisitions, including a summary of the basis for the appraisal and amount determined as just compensation along with a legal description of the property interests to be acquired.

This “Frequently Asked Questions” (“FAQ”) summary is provided as a supplement to the offer to purchase outlined in the enclosed letter and attachments. The FAQ summary answers questions you may have, describes MTS’ offer to each identified heir or devisee a total of \$500 to resolve acquisition of the required property interests, and explains the process and estimated timing.

**What is San Diego Metropolitan Transit System?**

San Diego Metropolitan Transit System (“MTS”), a public transportation agency providing bus and light rail (trolley) transit services in San Diego County, California.

**What is MTS’ proposed project?**

MTS is interested in the acquisition of the property interests described in the offer letter for public purposes, specifically the proposed construction of certain public improvements for the 12th and Imperial Transit Center Rehabilitation Project (the “Project”). The Project will result in closure of certain public street right-of-way to be vacated to accommodate expansion of the existing transit center, construct improvements and transit amenities planned in the proposed street vacation area and create a more efficient flow of bus and vehicle traffic.

**Where is MTS’ proposed project located?**

The proposed Project site is adjacent to the existing 12th and Imperial Transit Center at 1255 Imperial Avenue in San Diego, California. The proposed Project site is located in the block bounded by Imperial Avenue, Commercial Street, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and diagonally bisected by National Avenue.

FREQUENTLY ASKED QUESTIONS

MTS Offer to Heirs or devisees of Charles N. Clark and Frances B. Clark  
and of Elizabeth S. Murdock

February 2, 2024

Page 2 of 8

**What property interests are being acquired by MTS?**

Heirs of Clark property:

MTS seeks to acquire from the known and unknown heirs or devisees of Charles N. Clark and Frances B. Clark all potential property interests, including any reversionary fee or other interests, in those portions of real property which are now, or which were at any time in the past, subject to public street easements or street rights-of-way located and lying within Horton's Addition in the City of San Diego, County of San Diego, State of California, according to the map thereof made by L.L. Lockling filed in the office of the County Recorder of San Diego County. A preliminary title report obtained by MTS provides said potential reversionary or other rights, if any, are located within street right-of-way situated within the above-described boundaries of the proposed Project area, and described in a deed to the City of San Diego, recorded March 22, 1905 in Book 361, Page 294 in the Office of the County Recorder of said County of San Diego, a legal description of which is attached as Exhibit A and depicted in Exhibit B to the separate offer letter documents sent to the heirs of Clark.

Heirs of Murdock property:

MTS seeks to acquire from the known and unknown heirs or devisees of Elizabeth S. Murdock all potential property interests, including any reversionary fee or other interests, in those portions of real property which are now, or which were at any time in the past, subject to public street easements or street rights-of-way located and lying within Horton's Addition in the City of San Diego, County of San Diego, State of California, according to the map thereof made by L.L. Lockling filed in the office of the County Recorder of San Diego County. A preliminary title report obtained by MTS provides said potential reversionary or other rights, if any, are located within street right-of-way situated within the above-described boundaries of the proposed Project area, and directly adjacent to the real property described in a deed to the City of San Diego, Recorded in Book 361, Page 296 of Deeds dated July 20, 1904 and recorded March 22, 1905 in the Office of the County Recorder of said County of San Diego, a legal description of which is attached as Exhibit A and depicted in Exhibit B to the separate offer letter documents sent to the heirs of Murdock.

**Why am I receiving the offer from MTS?**

You received the offer from MTS because you were identified as an heir or devisee of either Charles N. Clark and Frances B. Clark, or of Elizabeth S. Murdock.

MTS hired an investigator specializing in genealogy tracing to identify and locate the last known addresses of the heirs or devisees of Charles N. Clark and Frances B. Clark, and of Elizabeth S. Murdock. The offer letter with related attachments is addressed to all people the investigation identified as potential heirs or devisees of Charles N. Clark and Frances B. Clark, or of Elizabeth S. Murdock, respectively, who may have reversionary rights or other interests in the public street right-of-way described above as the property to be acquired.

FREQUENTLY ASKED QUESTIONS

MTS Offer to Heirs or devisees of Charles N. Clark and Frances B. Clark  
and of Elizabeth S. Murdock

February 2, 2024

Page 3 of 8

**Are there any other heirs?**

MTS is unable to determine if there are other heirs or devisees of Charles N. Clark and Frances B. Clark or Elizabeth S. Murdock who may also have interests in the described property. The investigator traced genealogy records to identify all known heirs and last known addresses, as shown in the accompanying offer letter. If you are aware of any other heirs or devisees of Charles N. Clark and Frances B. Clark or of Elizabeth S. Murdock, please provide such person(s)'s current address and/or other phone/email contact information so MTS can also send them the same offer and related documents.

Regarding the heirs of Clark, the investigation identified two individuals listed in the offer letter as "Brian Barlow" and "Lori McIver" for whom an address could not be located or any other contact information. If anyone receiving the MTS offer letter knows either of these person's current address and/or other phone/email contact information, this requests that you please provide that information so MTS can also send them the same offer and related documents.

**What are the property interests to be acquired?**

The MTS Project will result in closure of certain public street rights-of-way to accommodate expansion of the existing transit center. MTS needs to acquire all potential interests in those affected public street right-of-way segments to be closed and incorporated into the Project site. The interests to be acquired consist of all reversionary rights or other interests in the public street right-of-way (the "Property") according to the legal description and map included with the offer letter documents sent separately to the groups of heirs or devisees of Clark and Murdock.

**Why are the property interests to be acquired described as potential, reversionary, or other rights?**

The potential reversionary fee rights or other property interests, if any exist, held by the heirs of Charles N. Clark and Frances B. Clark arise by operation of the deed to the City of San Diego recorded in Book 361, Page 294 of Deeds, recorded March 22, 1905, in the Office of the County Recorder of said County of San Diego.

The potential reversionary fee rights or other property interests, if any exist, held by the heirs of Elizabeth S. Murdock arise by operation of the deed to the City of San Diego recorded in Book 361, Page 296 of Deeds, recorded March 22, 1905, in the Office of the County Recorder of said County of San Diego.

A legal question exists as to whether the above-described deeds to City of San Diego conveyed a fee simple absolute title to the public street rights-of-way, or merely a street easement.

Because the Project will incorporate and vacate public street right-of-way conveyed in the deeds, MTS must resolve the title issue by acquiring any interests potentially not conveyed with the deeds

FREQUENTLY ASKED QUESTIONS

MTS Offer to Heirs or devisees of Charles N. Clark and Frances B. Clark  
and of Elizabeth S. Murdock

February 2, 2024

Page 4 of 8

recorded in 1905. This is why the property interests to be acquired are described (above and in the offer letter attachments) to consist of all reversionary or other interests arising by operation of the deeds as to those portions of real property which are now, or which were at any time in the past, subject to public street easements or street rights-of-way located within 13<sup>th</sup> Street, 14<sup>th</sup> Street, and Commercial Street in the City of San Diego, County of San Diego, State of California, according to the map thereof made by L.L. Lockling filed in the office of the County Recorder of San Diego County.

**Will MTS need to file litigation to acquire the necessary interests?**

Yes, it is anticipated that MTS will need to file an eminent domain action to legally acquire any potential interests of either and/or all the following:

- 1) unknown heirs or devisees of Charles N. Clark and Frances B. Clark, or of Elizabeth S. Murdock, or anyone else claiming any interest;
- 2) known heirs or devisees who cannot be located;
- 3) any known heirs or devisees who do not agree to release any interests they may have, if any, by signing (with a notary acknowledgement meeting certain recording requirements) and returning the original signed and notarized documents in the form required by MTS.

**How does MTS propose to resolve acquisition of property interests of heirs or devisees who agree to release any potential property rights in the subject public street rights-of-way?**

MTS will pay each identified known heir/devisee a total of **\$500** if they agree to convey the required property interests in the procedure described below and comply with all terms and conditions for executing and returning necessary documents in the form required.

As stated above, MTS anticipates needing to file an eminent domain action to obtain clear title to the subject street rights-of-way from all known and unknown heirs or devisees, or anyone else claiming an interest in the subject property.

Because an action appears necessary to obtain full and clear title from all potential claimants, MTS has developed a procedure for resolving acquisition of rights from any known heir/devisee who agrees to grant and convey the required property interests.

This process does not require you to hire an attorney, although you may do so at your own expense.

Here is a summary of how the process works and the anticipated timeline of events:

- MTS must adopt a “Resolution of Necessity” declaring the public necessity for the Project, and acquisition of the required property interests. This Resolution will recite findings that an offer to acquire has been made based on an appraisal, as required by law, to the known heirs or devisees of Charles N. Clark and Frances B. Clark and of Elizabeth S. Murdock

FREQUENTLY ASKED QUESTIONS

MTS Offer to Heirs or devisees of Charles N. Clark and Frances B. Clark  
and of Elizabeth S. Murdock

February 2, 2024

Page 5 of 8

but that it is unknown whether other persons (including unknown heirs/devisees) may also claim property rights in the same public street rights-of-way. The resolution will authorize filing an action to acquire all necessary interests.

- The MTS board hearing to consider adoption of the “Resolution of Necessity” is scheduled to take place on March 14, 2024. A notice is included in the enclosed packet of materials, providing you with notice of the March 14, 2024, public hearing on the “Resolution of Necessity” and your right to be heard at that hearing.
- Assuming the MTS board adopts the Resolution of Necessity, MTS will then immediately file an eminent domain action seeking to acquire all necessary property interests. The action will name as defendants all known and unknown heirs and devisees of Charles N. Clark and Frances B. Clark and of Elizabeth S. Murdock, including the names listed in the MTS offer letter. The action will be filed in the Superior Court for the County of San Diego.
- MTS will then need to serve a copy of the summons and complaint and all related documents on the named defendants. If any heirs/devisees will consent to accept service of the summons/complaint and related documents by mail (or email), we can arrange for you to sign an acknowledgement of receipt of service. If the alternative service proposal is not agreeable to you, MTS will arrange to have a process server deliver the legal documents.
- MTS will then seek a court order for service of the summons/complaint by publication in a newspaper of general circulation here in San Diego County. The purpose of service by publication is to properly effectuate service of the legal action documents on any unknown heirs/devisees or any other person(s) who may claim an interest in the subject property to be acquired.
- Assuming the court issues the order, the summons/complaint documents will be published in a newspaper for five (5) consecutive weeks, after which service is deemed complete. At that point any unknown heirs/devisees or any other person(s) who may claim an interest in the subject property to be acquired will have thirty (30) days to file and serve an answer to the complaint.
- After the service by publication process is complete, and the following 30-day period expires, if no answers are filed by any other unknown heirs/devisees or other persons, then the action will be ready for entry of defaults against any non-appearing parties. Once defaults are entered, a judgment in the action may be entered as to the non-appearing parties served by publication.
- At that time, MTS would then complete the procedure for resolving acquisition of rights from any known heirs/devisees who agree to convey the required property interests by signing disclaimers of interest and quitclaim deeds to MTS.
- The process identified in the bullet point immediately above consists of all known heirs/devisees who agree to convey the required property interests by doing the following:
  - 1) signing a quitclaim deed (with a notary acknowledgement meeting the legal requirements applicable in the state where signed and acknowledged) and returning the original signed and notarized document in the form required by MTS for recording, conveying to MTS any and all interests in the subject property, and

FREQUENTLY ASKED QUESTIONS

MTS Offer to Heirs or Devisees of Charles N. Clark and Frances B. Clark  
and of Elizabeth S. Murdock

February 2, 2024

Page 6 of 8

2) signing and returning the original signed “Disclaimer of Interest” to be filed in the action, acknowledging the full release of all claims that were made or could be made in the action.

The disclaimer of interest document and separate quitclaim deed forms are enclosed. These documents are required if you wish to accept MTS’ \$500 offer.

- Once the documents described above are properly signed, notarized where applicable, and returned to MTS, the disclaimers of interest will be filed with the court for entry in the court action, and the quitclaim deeds will be recorded with the San Diego County Recorder’s office.
- MTS, through its law firm, will then issue payment to all known heirs/devisees who agree to convey the required property interests in the procedure described above.
- It is estimated the entire process described above will take approximately 4 to 6 months to complete (starting after adoption of the “Resolution of Necessity” scheduled on March 14, 2024). The timeline depends on factors such as court hearing schedules and promptness of participating parties’ cooperation in completing, signing, and returning the required documents. Upon completion MTS will issue the \$500 payments to the participating parties and send the payments to each participating person at the addresses identified, or such other address as you may provide in writing for your contact purposes.

**What is MTS offering for each heir/devisee who elects to participate in the above-described process?**

As stated above, MTS will pay each identified known heir/devisee a total of **\$500** if they agree to convey the required property interests in the procedure described above and comply with all terms and conditions for executing and returning documents in the form required.

The \$500 payment amount will be described in the documents as full and complete compensation for any and all property interests acquired, including satisfaction and release of any right to appraisal cost reimbursement pursuant to California Code of Civil Procedure §1263.025, and release of all other monetary claims for the rights acquired.

MTS will pay for the legal costs to prepare and process the court documents and for recording the quitclaim deeds and a final order of condemnation. You will only need to obtain a notary acknowledgment of your signature and return the signed originals of the required documents.

Note that MTS’ proposed payment of \$500 *each* exceeds the \$2,500 appraised amount for the *collective* totality of the (respective) groups of Clark and Murdock heirs/devisees’ undivided interests in the subject public street rights-of-way.



FREQUENTLY ASKED QUESTIONS

MTS Offer to Heirs or Devisees of Charles N. Clark and Frances B. Clark  
and of Elizabeth S. Murdock

February 2, 2024

Page 7 of 8

**Do you need to hire an attorney to participate in this process?**

No, it is not necessary to hire an attorney for any known heirs/devisees who agree to convey the required property interests in the procedure described above, and who comply with all terms and conditions for executing and returning documents in the form required.

However, you are entitled to retain an attorney at your own expense to advise you whether you agree to the process described above or not. Note that MTS counsel can explain and assist in completing the process described above at no expense but cannot provide legal advice to you.

**Written Response and Return of Signed Originals of Enclosed Documents Required to Accept Proposed \$500 Payment**

If you agree to accept the proposed offer of \$500 each to participate in the process described above, please provide a written response stating your consent to these terms. The written response may be sent by email to MTS's counsel, Scott Noya, at the email address listed in the offer correspondence.

Upon receipt of your consent to this proposal, we can begin the acquisition process by you completing and returning original signatures on the disclaimer of interest and quitclaim deed (original signature and notary acknowledgement required).

Once the required documents are signed and returned, a caption page for MTS' to-be-filed legal action will be added to the signed disclaimers of interest which will then be filed with the court, along with a dismissal of that individual from the action. The quitclaim deeds will be "accepted" by MTS and then recorded.

The disclaimer of interest document and separate quitclaim deed forms are enclosed, each prepared for your signature. Please complete and return the original signed and notarized documents if you agree to accept the \$500 offer to release and convey any interests in the described property.

MTS will work with you to process the acquisition through the court action, as described above, which will begin after MTS adopts the resolution of necessity in March 2024. Upon completion, the payments for the \$500 amount agreed upon will be issued to any identified heir/devisee who returns the signed originals of the necessary documents in the form required.

**What Happens if You Do Not Agree to Accept the Proposed \$500 Payment and Return All Signed Originals of Enclosed Documents Required to Release Any Claims?**

This explains what happens in the eminent domain legal action if you do not agree to accept the proposed \$500 payment and return signed original documents (i.e., the disclaimer of interest and quitclaim deed).

FREQUENTLY ASKED QUESTIONS

MTS Offer to Heirs or Devisees of Charles N. Clark and Frances B. Clark  
and of Elizabeth S. Murdock  
February 2, 2024  
Page 8 of 8

After commencing the eminent domain litigation, MTS will deposit with the Treasurer of the State of California the appraised amount of compensation for the property interests to be acquired from the named heirs/devisees of Clark (\$2,500) and Murdock (\$2,500).

As stated in this document and in MTS' formal offer, the appraised amount of compensation applies to the whole undivided ownership interests, if any, held *collectively* and is not subject to acceptance by any heir or devisee individually.

After either accepting service of the summons and complaint by email or mail, or receiving personal service of the legal documents, you will have thirty (30) days to file an answer to the complaint.

If an answer or other responsive pleading is not timely filed, a request for entry of default may be entered against the non-appearing parties. Subsequently, the court may enter judgment by default against non-appearing parties.

If any party(ies) files an answer and contests the appraised amount of compensation for the property interests to be acquired from the named heirs/devisees of Clark and Murdock, then that party (or parties) will need to present valuation and appraisal evidence to the court, among other required litigation tasks.

Each answering party will also need to establish their right to, and individual share of, the amount of compensation to be awarded in the legal proceedings. Then, after final adjudication of all parties' disputed rights to compensation, a court order must be made to instruct the State Treasurer to issue payment to from the funds deposited or such other funds as may be ordered.

**MTS' Counsel May be Contacted with Questions, But Cannot Provide You Legal Advice**

MTS counsel can explain and assist in completing the \$500 settlement process described above at no expense but cannot provide legal advice to you.

Should you have any questions, please contact MTS' counsel, Scott Noya, at the phone number and/or email address listed in the offer correspondence.

MTS hopes this "FAQ" summary is helpful and answers any questions you may have about acquisition of the property interests described above and in the offer letter attachments.



440 Stevens Avenue, Suite 100  
Solana Beach, California 92075

O | (858) 380-4683

F | (858) 492-0486

[www.deangazzo.com](http://www.deangazzo.com)

February 2, 2024

Writer's Direct Contact

(858) 429-5747

[snoya@deangazzo.com](mailto:snoya@deangazzo.com)

**Certified Mail**

**Return Receipt Requested**

**TO: OWNER**  
**(See Attachment Service List)**

**RE: Notice of Public Hearing to Consider Adoption of a Resolution of Necessity and Authorization of Condemnation Proceedings to Acquire Property Interests by Eminent Domain [California Code of Civil Procedure 1245.235]**

Dear Property Owner:

This law firm represents the San Diego Metropolitan Transit System regarding the matter identified above.

**NOTICE OF YOUR RIGHT TO APPEAR AND BE HEARD:**

Please take notice that San Diego Metropolitan Transit System ("MTS"), at a regular meeting to be held on Thursday March 14, 2024, starting at 9:00 a.m., or as soon thereafter as the matter may be heard, at Metropolitan Transit System, James R. Mills Building, Board Meeting Room - 10th Floor, 1255 Imperial Avenue, San Diego, CA 92101, will hold a public hearing on whether such a Resolution of Necessity should be adopted, as required by California Code of Civil Procedure Section 1245.220 for the commencement of an eminent domain proceeding to acquire interests in real property. If adopted, the Resolution of Necessity will authorize the San Diego MTS to acquire the property interests described herein by eminent domain for implementation of the 12th and Imperial Transit Center Rehabilitation Project. A description of the real property interests being considered for acquisition is attached to this Notice as Exhibit A.

You have a right to appear and be heard before the San Diego MTS Board of Directors at the above scheduled hearing and to have the MTS Board give judicious consideration to your testimony prior to deciding whether or not to adopt the proposed Resolution of Necessity on the following matters, issues, and determinations:

1. Whether the public interest and necessity require the proposed project;

Notice of Public Hearing to Consider Adoption of a Resolution of Necessity and  
Authorization of Condemnation Proceedings to Acquire Property Interests by Eminent  
Domain [California Code of Civil Procedure 1245.235]  
February 2, 2024  
Page 2

2. Whether the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

3. Whether the property interest sought to be acquired by eminent domain and described in the Resolution of Necessity is necessary for the proposed project.

4. Whether the offer required by Government Code Section 7267.2(a), together with the accompanying statement and summary of the basis for the amount established as just compensation, was actually made and whether said offer and statement/summary were in a form and contained all of the factual information required by Government Code Section 7267.2(a).

5. Whether San Diego MTS has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the property interest described herein, as well as any other matter regarding the right to take said property interests by eminent domain; and

6. Whether San Diego MTS has statutory authority to acquire the property interest by eminent domain.

The statutes which authorize San Diego MTS to acquire the property interest by eminent domain for this proposed project include inter alia California Public Utilities Code section 120240, and California Code of Civil Procedure sections 1240.010, 1240.110, and 1240.120.

**If you wish to appear and be heard, you must file a written request with the Clerk of the Board, San Diego Metropolitan Transit System, 1255 Imperial Avenue, Suite 1000, San Diego, CA 92101. Failure to file such a written request within 15 days of mailing this Notice will result in a waiver of the right to appear and be heard.** However, the Board, in its discretion, may determine to hear your oral statement even though you have not mailed a written request to be heard.

Should you elect to mail your request to the Clerk of the Board, it must be received by the Clerk for filing within 15 days after this notice was mailed.

California Code of Civil Procedure section 1245.235(b)(3) provides that:

“Failure to file a written request to appear and be heard within 15 days after the notice was mailed will result in waiver of the right to appear and be heard.”

Notice of Public Hearing to Consider Adoption of a Resolution of Necessity and  
Authorization of Condemnation Proceedings to Acquire Property Interests by Eminent  
Domain [California Code of Civil Procedure 1245.235]  
February 2, 2024  
Page 3

If you elect not to appear and be heard, your failure to appear may be a waiver of your right to later challenge the right of San Diego MTS to take the property interests by eminent domain.

A copy of the proposed Resolution of Necessity that will be recommended to the Board for adoption will be available, upon your request, for inspection at the office of the Clerk of the Board of San Diego MTS.

The amount of the compensation to be paid for the acquisition of the property interests is not a matter or issue being heard by the San Diego MTS Board at this time and will not be considered at this hearing. Your non-appearance at this noticed hearing will not prevent you from claiming greater compensation, in and as determined by a court of law in accordance with the laws of the State of California. This notice is not intended to foreclose future negotiations between you and the representatives of San Diego MTS on the amount of compensation to be paid for your property interests. If you elect not to appear and be heard, you will only be foreclosed from raising in a court of law the issues which are the subject of this noticed hearing and which are concerned with the right to take the property interests by eminent domain.

If the San Diego MTS Board of Directors elects to adopt the Resolution of Necessity, then within six months of the adoption of the Resolution, San Diego MTS will commence eminent domain proceedings in Superior Court. In that proceeding, the court will determine the amount of compensation to which the owners are entitled.

Very truly yours,

Scott Noya

SN/pc

Attachment: Exhibit A – Legal Descriptions of Real Property Interests  
(Property interests of heirs or devisees of Charles N. Clark and Frances B. Clark; and Property interests of heirs or devisees of Elizabeth S. Murdock)

**Attachment Service List**  
**Descendants of Elizabeth S. Murdock**

Linda A Cooke  
7003 Johnson Cir  
Niwot, CO 80503-7667

Mackenzie Lyn Becky  
7003 Johnson Cir  
Niwot, CO 80503-7667

Allen Poage Cooke  
7003 Johnson Cir  
Niwot, CO 80503-7667

Colleen Bathen  
18947 Harleigh Dr  
Saratoga, CA 95070-5248

Julia Bathen  
100 Fowler Ave Apt 129  
Clovis, CA 93611-0680

Sarah Ann Bathen  
100 Fowler Ave Apt 129  
Clovis, CA 93611-0680

**Exhibit A**  
Legal Descriptions of Real Property Interests

**Property interests of heirs or devisees of Charles N. Clark and Frances B. Clark:**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE LAND GRANTED TO THE CITY OF SAN DIEGO FOR PUBLIC STREET PURPOSES IN DEED RECORDED MARCH 22, 1905 IN [BOOK 361, PAGE 294](#) OF DEEDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SITUATED IN HORTONS ADDITION ACCORDING TO MAP MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH-EAST CORNER OF LOT "L" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-FOUR OF HORTON'S ADDITION IN THE CITY OF SAN DIEGO, CALIFORNIA, ACCORDING TO THE OFFICIAL MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF SAN DIEGO; THENCE RUNNING IN A WESTERLY DIRECTION FOLLOWING THE SOUTH LINE OF "M" STREET EIGHTY-EIGHT FEET; THENCE RUNNING IN A SOUTHEASTERLY DIRECTION SEVENTY-EIGHT AND TWO-TENTH FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "K" AND "L" IN SAID BLOCK, DISTANT IN A WESTERLY DIRECTION TWENTY-SEVEN AND NINE-TENTHS FEET FROM THE SOUTHEAST CORNER OF SAID LOT "L"; THENCE RUNNING IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN SAID LOTS "K" AND "L" TWENTY-SEVEN AND NINE- TENTHS FEET TO THE WEST LINE OF THIRTEENTH STREET IN SAID CITY; THENCE RUNNING IN A NORTHERLY DIRECTION FOLLOWING THE SAID WEST LINE OF THIRTEENTH STREET FIFTY FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTHEAST CORNER OF LOT "K" IN SAID BLOCK NUMBER ONE HUNDRED AND FIFTY-FOUR; THENCE RUNNING IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "K" AND "L" IN SAID BLOCK, TWENTY-SEVEN AND NINE-TENTHS FEET; THENCE RUNNING IN A SOUTH EASTERLY DIRECTION THIRTY-SIX FEET TO A POINT ON THE WEST LINE OF THIRTEENTH STREET DISTANT IN A SOUTHERLY DIRECTION TWENTY-THREE FEET FROM THE NORTHEAST CORNER OF SAID LOT "K"; THENCE RUNNING IN A NORTHERLY DIRECTION FOLLOWING THE SAID WEST LINE OF THIRTEENTH STREET TWENTY-THREE FEET THE PLACE OF BEGINNING.

TOGETHER WITH THE WEST HALF OF 13<sup>TH</sup> STREET LYING ADJACENT TO THE EAST LINE OF SAID LAND.

**Property interests of heirs or devisees of Elizabeth S. Murdock:**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE LAND GRANTED TO THE CITY OF SAN DIEGO FOR PUBLIC STREET PURPOSES IN DEED RECORDED MARCH 22, 1905 IN [BOOK 361, PAGE 296](#) OF DEEDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SITUATED IN HORTONS ADDITION ACCORDING TO MAP MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH-WEST CORNER OF LOT "A" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "A" AND "B" SEVENTEEN AND ONE-TENTH FEET; THENCE IN A NORTH-WESTERLY DIRECTION,

EXHIBIT A  
(Continued)

TWENTY-THREE AND ONE-TENTH FEET, TO A POINT ON THE EAST LINE OF THIRTEENTH STREET, DISTANT IN A NORTHERLY DIRECTION, FOURTEEN AND EIGHT-TENTHS FEET, FROM THE SOUTHWEST CORNER OF LOT "A"; THENCE IN A SOUTHERLY DIRECTION, FOLLOWING THE EAST LINE OF THIRTEENTH STREET, FOURTEEN AND EIGHT-TENTHS FEET, TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-WEST CORNER OF LOT "B" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE EAST LINE OF THIRTEENTH STREET FIFTY FEET; THENCE IN A EASTERLY DIRECTION, FOLLOWING THE DIVISION LINE BETWEEN LOTS "B" AND "C", SEVENTY-SEVEN AND TWO-TENTHS FEET; THENCE IN A NORTH-WESTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTH FEET, TO A POINT ON THE DIVISION LINE BETWEEN LOTS "A" AND "B", DISTANT IN AN EASTERLY DIRECTION SEVENTEEN AND ONE-TENTH FEET FROM THE NORTH-WEST CORNER OF SAID LOT "B"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "A" AND "B" SEVENTEEN AND ONE-TENTH FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-WEST CORNER OF LOT "C" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE EAST LINE OF THIRTEENTH STREET, THIRTY-NINE AND EIGHT-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, FIFTEEN AND NINE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "C" AND "D", DISTANT IN AN EASTERLY DIRECTION, TWELVE AND THREE-TENTHS FEET FROM THE SOUTHWEST CORNER OF LOT "C"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "C" AND "D", EIGHTY-SEVEN AND SEVEN-TENTHS FEET TO THE SOUTH-EAST CORNER OF SAID LOT "C"; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "J", THIRTY-ONE FEET; THENCE IN A NORTH WESTERLY DIRECTION, TWENTY-NINE AND SEVEN-TENTHS FEET, TO A POINT ON THE DIVISION LINE BETWEEN LOTS "B" AND "C", DISTANT, IN A WESTERLY DIRECTION, TWENTY-TWO AND EIGHT-TENTHS FEET FROM THE NORTH-EAST CORNER OF SAID LOT "C"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "B" AND "C", SEVENTY-SEVEN AND TWO-TENTHS FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-EAST CORNER OF LOT "D" IN BLOCK NUMBER ONE HUNDRED, AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "D", EIGHTY-SEVEN AND SEVEN-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "D" AND "E", DISTANT IN AN EASTERLY DIRECTION, SEVENTY-TWO AND FOUR-TENTHS FEET FROM THE SOUTH-WEST CORNER OF LOT "D" THENCE IN AN EASTERLY DIRECTION, FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "D" AND "E", TWENTY-SEVEN AND SIX-TENTHS FEET TO THE SOUTH-EAST CORNER OF SAID LOT "D"; THENCE IN A NORTHEASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "I" FIFTY FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE NORTH-EAST CORNER OF LOT "E" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "E" TWENTY-SEVEN AND SIX-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, THIRTY-SIX FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "E" AND "H", DISTANT IN A NORTHERLY DIRECTION TWENTY-SEVEN FEET FROM THE SOUTH-EAST CORNER OF LOT "E"; THENCE IN A NORTHERLY DIRECTION TWENTY-THREE FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "G" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION, FOLLOWING THE NORTH LINE OF "N" STREET SEVEN AND THREE-TENTHS FEET; THENCE IN A NORTH-WESTERLY DIRECTION SEVENTY-EIGHT AND



EXHIBIT A  
(Continued)

TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "G" AND "H", DISTANT IN AN EASTERLY DIRECTION THIRTY-TWO AND SIX-TENTHS FEET, FROM THE NORTH-WEST CORNER OF LOT "G"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN SAID LOTS "G" AND "H" SIXTY-SEVEN AND FOUR-TENTHS FEET TO THE NORTH-EAST CORNER OF LOT "G"; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE WEST LINE OF FOURTEENTH STREET, FIFTY FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "H" IN BLOCK NUMBER ONE HUNDRED AND FIFTY- THREE; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE WEST LINE OF FOURTEENTH STREET FORTY- SEVEN AND NINE-TENTHS-FEET; THENCE IN A NORTH-WESTERLY DIRECTION, THREE AND THREE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "H" AND "I", DISTANT IN A WESTERLY DIRECTION, TWO AND FIVE-TENTHS FEET, FROM THE NORTH-EAST CORNER OF SAID LOT "H"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "H" AND "I", NINETY-SEVEN AND FIVE-TENTHS FEET TO THE NORTH-WEST CORNER OF SAID LOT "H"; THENCE IN A SOUTHERLY DIRECTION, FOLLOWING THE DIVISION LINE BETWEEN LOTS "H" AND "E", TWENTY-THREE FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, FORTY-TWO AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "G" AND "H", DISTANT IN AN EASTERLY DIRECTION, THIRTY-TWO AND SIX-TENTHS FEET, FROM THE SOUTH-WEST CORNER OF SAID LOT "H"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "G" AND "H" SIXTY-SEVEN AND FOUR-TENTHS FEET, TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "I" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "H" AND "I", NINETY-SEVEN AND FIVE-TENTHS THE FEET; THENCE IN A NORTH-WESTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "I" AND "J" DISTANT IN A WESTERLY DIRECTION, SIXTY-TWO AND SIX-TENTHS FEET FROM THE NORTH-EAST CORNER OF SAID LOT "I"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "I" AND "J", THIRTY-SEVEN AND FOUR-TENTHS FEET TO THE NORTH-WEST CORNER OF SAID LOT "I"; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "I", FIFTY FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE SOUTH-WEST CORNER OF LOT "J" IN BLOCK NUMBER ONE-HUNDRED AND FIFTY-THREE; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "J", THIRTY-ONE FEET; THENCE IN A SOUTH-EASTERLY DIRECTION FORTY-EIGHT AND FIVE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "I" AND "J" DISTANT IN A WESTERLY DIRECTION SIXTY- TWO AND SIX-TENTHS FEET FROM THE SOUTH-EAST CORNER OF SAID LOT "J"; THENCE IN A WESTERLY DIRECTION THIRTY-SEVEN AND FOUR-TENTHS FEET TO THE PLACE OF BEGINNING.

TOGETHER WITH THE EAST HALF OF 13<sup>TH</sup> STREET LYING ADJACENT TO SAID LAND.

TOGETHER WITH THE WEST HALF OF 14<sup>TH</sup> STREET LYING ADJACENT TO SAID LAND.

TOGETHER WITH NORTH HALF OF COMMERCIAL STREET LYING ADJACENT TO SAID LAND AND ADJACENT TO THE WEST HALF OF 14<sup>TH</sup> STREET.



440 Stevens Avenue, Suite 100  
Solana Beach, California 92075

O | (858) 380-4683

F | (858) 492-0486

[www.deangazzo.com](http://www.deangazzo.com)

February 2, 2024

Writer's Direct Contact

(858) 429-5747

[snoya@deangazzo.com](mailto:snoya@deangazzo.com)

**Certified Mail**

**Return Receipt Requested**

**TO: OWNER**  
**(See Attachment Service List)**

**RE: Notice of Public Hearing to Consider Adoption of a Resolution of Necessity and Authorization of Condemnation Proceedings to Acquire Property Interests by Eminent Domain [California Code of Civil Procedure 1245.235]**

Dear Property Owner:

This law firm represents the San Diego Metropolitan Transit System regarding the matter identified above.

**NOTICE OF YOUR RIGHT TO APPEAR AND BE HEARD:**

Please take notice that San Diego Metropolitan Transit System ("MTS"), at a regular meeting to be held on Thursday March 14, 2024, starting at 9:00 a.m., or as soon thereafter as the matter may be heard, at Metropolitan Transit System, James R. Mills Building, Board Meeting Room - 10th Floor, 1255 Imperial Avenue, San Diego, CA 92101, will hold a public hearing on whether such a Resolution of Necessity should be adopted, as required by California Code of Civil Procedure Section 1245.220 for the commencement of an eminent domain proceeding to acquire interests in real property. If adopted, the Resolution of Necessity will authorize the San Diego MTS to acquire the property interests described herein by eminent domain for implementation of the 12th and Imperial Transit Center Rehabilitation Project. A description of the real property interests being considered for acquisition is attached to this Notice as Exhibit A.

You have a right to appear and be heard before the San Diego MTS Board of Directors at the above scheduled hearing and to have the MTS Board give judicious consideration to your testimony prior to deciding whether or not to adopt the proposed Resolution of Necessity on the following matters, issues, and determinations:

1. Whether the public interest and necessity require the proposed project;

Notice of Public Hearing to Consider Adoption of a Resolution of Necessity and  
Authorization of Condemnation Proceedings to Acquire Property Interests by Eminent  
Domain [California Code of Civil Procedure 1245.235]  
February 2, 2024  
Page 2

2. Whether the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

3. Whether the property interest sought to be acquired by eminent domain and described in the Resolution of Necessity is necessary for the proposed project.

4. Whether the offer required by Government Code Section 7267.2(a), together with the accompanying statement and summary of the basis for the amount established as just compensation, was actually made and whether said offer and statement/summary were in a form and contained all of the factual information required by Government Code Section 7267.2(a).

5. Whether San Diego MTS has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the property interest described herein, as well as any other matter regarding the right to take said property interests by eminent domain; and

6. Whether San Diego MTS has statutory authority to acquire the property interest by eminent domain.

The statutes which authorize San Diego MTS to acquire the property interest by eminent domain for this proposed project include inter alia California Public Utilities Code section 120240, and California Code of Civil Procedure sections 1240.010, 1240.110, and 1240.120.

**If you wish to appear and be heard, you must file a written request with the Clerk of the Board, San Diego Metropolitan Transit System, 1255 Imperial Avenue, Suite 1000, San Diego, CA 92101. Failure to file such a written request within 15 days of mailing this Notice will result in a waiver of the right to appear and be heard.** However, the Board, in its discretion, may determine to hear your oral statement even though you have not mailed a written request to be heard.

Should you elect to mail your request to the Clerk of the Board, it must be received by the Clerk for filing within 15 days after this notice was mailed.

California Code of Civil Procedure section 1245.235(b)(3) provides that:

“Failure to file a written request to appear and be heard within 15 days after the notice was mailed will result in waiver of the right to appear and be heard.”

Notice of Public Hearing to Consider Adoption of a Resolution of Necessity and  
Authorization of Condemnation Proceedings to Acquire Property Interests by Eminent  
Domain [California Code of Civil Procedure 1245.235]  
February 2, 2024  
Page 3

If you elect not to appear and be heard, your failure to appear may be a waiver of your right to later challenge the right of San Diego MTS to take the property interests by eminent domain.

A copy of the proposed Resolution of Necessity that will be recommended to the Board for adoption will be available, upon your request, for inspection at the office of the Clerk of the Board of San Diego MTS.

The amount of the compensation to be paid for the acquisition of the property interests is not a matter or issue being heard by the San Diego MTS Board at this time and will not be considered at this hearing. Your non-appearance at this noticed hearing will not prevent you from claiming greater compensation, in and as determined by a court of law in accordance with the laws of the State of California. This notice is not intended to foreclose future negotiations between you and the representatives of San Diego MTS on the amount of compensation to be paid for your property interests. If you elect not to appear and be heard, you will only be foreclosed from raising in a court of law the issues which are the subject of this noticed hearing and which are concerned with the right to take the property interests by eminent domain.

If the San Diego MTS Board of Directors elects to adopt the Resolution of Necessity, then within six months of the adoption of the Resolution, San Diego MTS will commence eminent domain proceedings in Superior Court. In that proceeding, the court will determine the amount of compensation to which the owners are entitled.

Very truly yours,

Scott Noya

SN/pc

Attachment: Exhibit A – Legal Descriptions of Real Property Interests  
(Property interests of heirs or devisees of Charles N. Clark and Frances B. Clark; and Property interests of heirs or devisees of Elizabeth S. Murdock)

**Attachment Service List**  
**Descendants of Charles N. Clark and Frances B. Clark**

Marie Robbins Barlow  
25 Thornton Way, Apt 124  
Brunswick, ME 04011-3282

Alec Barlow  
23 Delaware Ave  
South Portland, ME 04106-5916

Christopher Barlow  
23 Delaware Ave  
South Portland, ME 04106-5916

Brian Barlow  
Address Unknown

Gertrude "Jill" Barlow-Kelley  
280 Seawall Rd  
Southwest Harbor, ME  
04679-4031

Mary R. Lemon  
52 Schildbach Rd  
Pound Ridge, NY 10576-1449

Edward Robbins Lemon  
780 Gold Ridge Rd  
Sebastopol, CA 95472-3934

Nicolas Lemon  
697 Emily Dr Apt A  
Bozeman, MT 59718-7028

Jonathan J Robbins  
569 Lexington St  
Waltham, MA 02452-3031

Elliot Coles Robbins  
1642 Beach St  
San Francisco, CA 94123-1702

Edward West Robbins  
409 N River Glen Ave  
Elmhurst, IL 60126-2109

Cherelyn Nieves-Beauchamp  
7308 100th Ave SW  
Lakewood, WA 98498-3432

Charmion Clark  
2848 Jefferson St, Apt 315  
Carlsbad, CA 92008-5764

Travis Daniel Clark  
906 E 4th St, Apt 22  
Arlington, WA 98223-1141

Priscilla Michele Hudon  
2752 Indian Pipe Ln  
Lake Havasu City, AZ  
86406-8518

Nicholas Jay Hudon  
19045 296<sup>th</sup> Pl NE  
Duvall, WA 98019-8704

Janelle Irene Hudon  
7403 Cascade Meadows Way  
Knoxville, TN 37918-9484

Kevin Vincent Clark  
5515 Eagle Ct  
Florence, MT 59833-6651

Terence Gray Clark  
2281 N Avenida Del Polen  
Green Valley, AZ 85614-4165

Lori McIver  
Address Unknown

Tricia Kay Clark  
15508 SW Feldspar Way  
Beaverton, OR 97007-8632

Terence Gray Clark Jr  
291 S Charleston Ave  
Vail, AZ 85641-2338

Gwyneth Joy Brown  
2861 Diamond Spur St  
Kingman, AZ 86401-7848

Eric Brown  
1733 Airfield Ave  
Kingman, AZ 86401-4002

Adam Brown  
1260 N Siesta St  
Anaheim, CA 92801-1558

Scott Brown  
233 Dogwood Rd  
West Jefferson, NC 28694-7166

Rebecca Noelle Peacock  
5831 N Bull Mountain Dr  
Kingman, AZ 86409-7743

Clare Balbi  
200 S Virginia Ave  
Falls Church, VA 22046-4128

Jose Balbi  
265 Hope Ave, Apt 1  
Passaic, NJ 07055-6905

Jose Balbi Jr  
507 Cole Pl  
Landing, NJ 07850-1211

Sharimar Balbi  
26 Kingsley St  
West Orange, NJ 07052-5202

**Exhibit A**  
Legal Descriptions of Real Property Interests

**Property interests of heirs or devisees of Charles N. Clark and Frances B. Clark:**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE LAND GRANTED TO THE CITY OF SAN DIEGO FOR PUBLIC STREET PURPOSES IN DEED RECORDED MARCH 22, 1905 IN [BOOK 361, PAGE 294](#) OF DEEDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SITUATED IN HORTONS ADDITION ACCORDING TO MAP MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH-EAST CORNER OF LOT "L" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-FOUR OF HORTON'S ADDITION IN THE CITY OF SAN DIEGO, CALIFORNIA, ACCORDING TO THE OFFICIAL MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF SAN DIEGO; THENCE RUNNING IN A WESTERLY DIRECTION FOLLOWING THE SOUTH LINE OF "M" STREET EIGHTY-EIGHT FEET; THENCE RUNNING IN A SOUTHEASTERLY DIRECTION SEVENTY-EIGHT AND TWO-TENTH FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "K" AND "L" IN SAID BLOCK, DISTANT IN A WESTERLY DIRECTION TWENTY-SEVEN AND NINE-TENTHS FEET FROM THE SOUTHEAST CORNER OF SAID LOT "L"; THENCE RUNNING IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN SAID LOTS "K" AND "L" TWENTY-SEVEN AND NINE- TENTHS FEET TO THE WEST LINE OF THIRTEENTH STREET IN SAID CITY; THENCE RUNNING IN A NORTHERLY DIRECTION FOLLOWING THE SAID WEST LINE OF THIRTEENTH STREET FIFTY FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTHEAST CORNER OF LOT "K" IN SAID BLOCK NUMBER ONE HUNDRED AND FIFTY-FOUR; THENCE RUNNING IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "K" AND "L" IN SAID BLOCK, TWENTY-SEVEN AND NINE-TENTHS FEET; THENCE RUNNING IN A SOUTH EASTERLY DIRECTION THIRTY-SIX FEET TO A POINT ON THE WEST LINE OF THIRTEENTH STREET DISTANT IN A SOUTHERLY DIRECTION TWENTY-THREE FEET FROM THE NORTHEAST CORNER OF SAID LOT "K"; THENCE RUNNING IN A NORTHERLY DIRECTION FOLLOWING THE SAID WEST LINE OF THIRTEENTH STREET TWENTY-THREE FEET THE PLACE OF BEGINNING.

TOGETHER WITH THE WEST HALF OF 13<sup>TH</sup> STREET LYING ADJACENT TO THE EAST LINE OF SAID LAND.

**Property interests of heirs or devisees of Elizabeth S. Murdock:**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE LAND GRANTED TO THE CITY OF SAN DIEGO FOR PUBLIC STREET PURPOSES IN DEED RECORDED MARCH 22, 1905 IN [BOOK 361, PAGE 296](#) OF DEEDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SITUATED IN HORTONS ADDITION ACCORDING TO MAP MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH-WEST CORNER OF LOT "A" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "A" AND "B" SEVENTEEN AND ONE-TENTH FEET; THENCE IN A NORTH-WESTERLY DIRECTION,

EXHIBIT A  
(Continued)

TWENTY-THREE AND ONE-TENTH FEET, TO A POINT ON THE EAST LINE OF THIRTEENTH STREET, DISTANT IN A NORTHERLY DIRECTION, FOURTEEN AND EIGHT-TENTHS FEET, FROM THE SOUTHWEST CORNER OF LOT "A"; THENCE IN A SOUTHERLY DIRECTION, FOLLOWING THE EAST LINE OF THIRTEENTH STREET, FOURTEEN AND EIGHT-TENTHS FEET, TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-WEST CORNER OF LOT "B" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE EAST LINE OF THIRTEENTH STREET FIFTY FEET; THENCE IN A EASTERLY DIRECTION, FOLLOWING THE DIVISION LINE BETWEEN LOTS "B" AND "C", SEVENTY-SEVEN AND TWO-TENTHS FEET; THENCE IN A NORTH-WESTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTH FEET, TO A POINT ON THE DIVISION LINE BETWEEN LOTS "A" AND "B", DISTANT IN AN EASTERLY DIRECTION SEVENTEEN AND ONE-TENTH FEET FROM THE NORTH-WEST CORNER OF SAID LOT "B"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "A" AND "B" SEVENTEEN AND ONE-TENTH FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-WEST CORNER OF LOT "C" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE EAST LINE OF THIRTEENTH STREET, THIRTY-NINE AND EIGHT-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, FIFTEEN AND NINE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "C" AND "D", DISTANT IN AN EASTERLY DIRECTION, TWELVE AND THREE-TENTHS FEET FROM THE SOUTHWEST CORNER OF LOT "C"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "C" AND "D", EIGHTY-SEVEN AND SEVEN-TENTHS FEET TO THE SOUTH-EAST CORNER OF SAID LOT "C"; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "J", THIRTY-ONE FEET; THENCE IN A NORTH WESTERLY DIRECTION, TWENTY-NINE AND SEVEN-TENTHS FEET, TO A POINT ON THE DIVISION LINE BETWEEN LOTS "B" AND "C", DISTANT, IN A WESTERLY DIRECTION, TWENTY-TWO AND EIGHT-TENTHS FEET FROM THE NORTH-EAST CORNER OF SAID LOT "C"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "B" AND "C", SEVENTY-SEVEN AND TWO-TENTHS FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE NORTH-EAST CORNER OF LOT "D" IN BLOCK NUMBER ONE HUNDRED, AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "D", EIGHTY-SEVEN AND SEVEN-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "D" AND "E", DISTANT IN AN EASTERLY DIRECTION, SEVENTY-TWO AND FOUR-TENTHS FEET FROM THE SOUTH-WEST CORNER OF LOT "D" THENCE IN AN EASTERLY DIRECTION, FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "D" AND "E", TWENTY-SEVEN AND SIX-TENTHS FEET TO THE SOUTH-EAST CORNER OF SAID LOT "D"; THENCE IN A NORTHEASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "I" FIFTY FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE NORTH-EAST CORNER OF LOT "E" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "E" TWENTY-SEVEN AND SIX-TENTHS FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, THIRTY-SIX FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "E" AND "H", DISTANT IN A NORTHERLY DIRECTION TWENTY-SEVEN FEET FROM THE SOUTH-EAST CORNER OF LOT "E"; THENCE IN A NORTHERLY DIRECTION TWENTY-THREE FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "G" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN A WESTERLY DIRECTION, FOLLOWING THE NORTH LINE OF "N" STREET SEVEN AND THREE-TENTHS FEET; THENCE IN A NORTH-WESTERLY DIRECTION SEVENTY-EIGHT AND

EXHIBIT A  
(Continued)

TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "G" AND "H", DISTANT IN AN EASTERLY DIRECTION THIRTY-TWO AND SIX-TENTHS FEET, FROM THE NORTH-WEST CORNER OF LOT "G"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN SAID LOTS "G" AND "H" SIXTY-SEVEN AND FOUR-TENTHS FEET TO THE NORTH-EAST CORNER OF LOT "G"; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE WEST LINE OF FOURTEENTH STREET, FIFTY FEET TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "H" IN BLOCK NUMBER ONE HUNDRED AND FIFTY- THREE; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE WEST LINE OF FOURTEENTH STREET FORTY- SEVEN AND NINE-TENTHS-FEET; THENCE IN A NORTH-WESTERLY DIRECTION, THREE AND THREE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "H" AND "I", DISTANT IN A WESTERLY DIRECTION, TWO AND FIVE-TENTHS FEET, FROM THE NORTH-EAST CORNER OF SAID LOT "H"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "H" AND "I", NINETY-SEVEN AND FIVE-TENTHS FEET TO THE NORTH-WEST CORNER OF SAID LOT "H"; THENCE IN A SOUTHERLY DIRECTION, FOLLOWING THE DIVISION LINE BETWEEN LOTS "H" AND "E", TWENTY-THREE FEET; THENCE IN A SOUTH-EASTERLY DIRECTION, FORTY-TWO AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "G" AND "H", DISTANT IN AN EASTERLY DIRECTION, THIRTY-TWO AND SIX-TENTHS FEET, FROM THE SOUTH-WEST CORNER OF SAID LOT "H"; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE SAID DIVISION LINE BETWEEN LOTS "G" AND "H" SIXTY-SEVEN AND FOUR-TENTHS FEET, TO THE PLACE OF BEGINNING.

ALSO COMMENCING AT THE SOUTH-EAST CORNER OF LOT "I" IN BLOCK NUMBER ONE HUNDRED AND FIFTY-THREE; THENCE IN AN EASTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "H" AND "I", NINETY-SEVEN AND FIVE-TENTHS THE FEET; THENCE IN A NORTH-WESTERLY DIRECTION, SEVENTY-EIGHT AND TWO-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "I" AND "J" DISTANT IN A WESTERLY DIRECTION, SIXTY-TWO AND SIX-TENTHS FEET FROM THE NORTH-EAST CORNER OF SAID LOT "I"; THENCE IN A WESTERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "I" AND "J", THIRTY-SEVEN AND FOUR-TENTHS FEET TO THE NORTH-WEST CORNER OF SAID LOT "I"; THENCE IN A SOUTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "D" AND "I", FIFTY FEET TO THE PLACE OF BEGINNING,

ALSO COMMENCING AT THE SOUTH-WEST CORNER OF LOT "J" IN BLOCK NUMBER ONE-HUNDRED AND FIFTY-THREE; THENCE IN A NORTHERLY DIRECTION FOLLOWING THE DIVISION LINE BETWEEN LOTS "C" AND "J", THIRTY-ONE FEET; THENCE IN A SOUTH-EASTERLY DIRECTION FORTY-EIGHT AND FIVE-TENTHS FEET TO A POINT ON THE DIVISION LINE BETWEEN LOTS "I" AND "J" DISTANT IN A WESTERLY DIRECTION SIXTY- TWO AND SIX-TENTHS FEET FROM THE SOUTH-EAST CORNER OF SAID LOT "J"; THENCE IN A WESTERLY DIRECTION THIRTY-SEVEN AND FOUR-TENTHS FEET TO THE PLACE OF BEGINNING.

TOGETHER WITH THE EAST HALF OF 13<sup>TH</sup> STREET LYING ADJACENT TO SAID LAND.

TOGETHER WITH THE WEST HALF OF 14<sup>TH</sup> STREET LYING ADJACENT TO SAID LAND.

TOGETHER WITH NORTH HALF OF COMMERCIAL STREET LYING ADJACENT TO SAID LAND AND ADJACENT TO THE WEST HALF OF 14<sup>TH</sup> STREET.



# **National Avenue Reversionary Fee Interest *Resolution of Necessity Hearing***

Board of Directors

# Resolution of Necessity Hearing

- Authorizes MTS to acquire property interest using eminent domain
- Requires 2/3 vote of board – 10 “yes” votes
- Specific Findings to be made

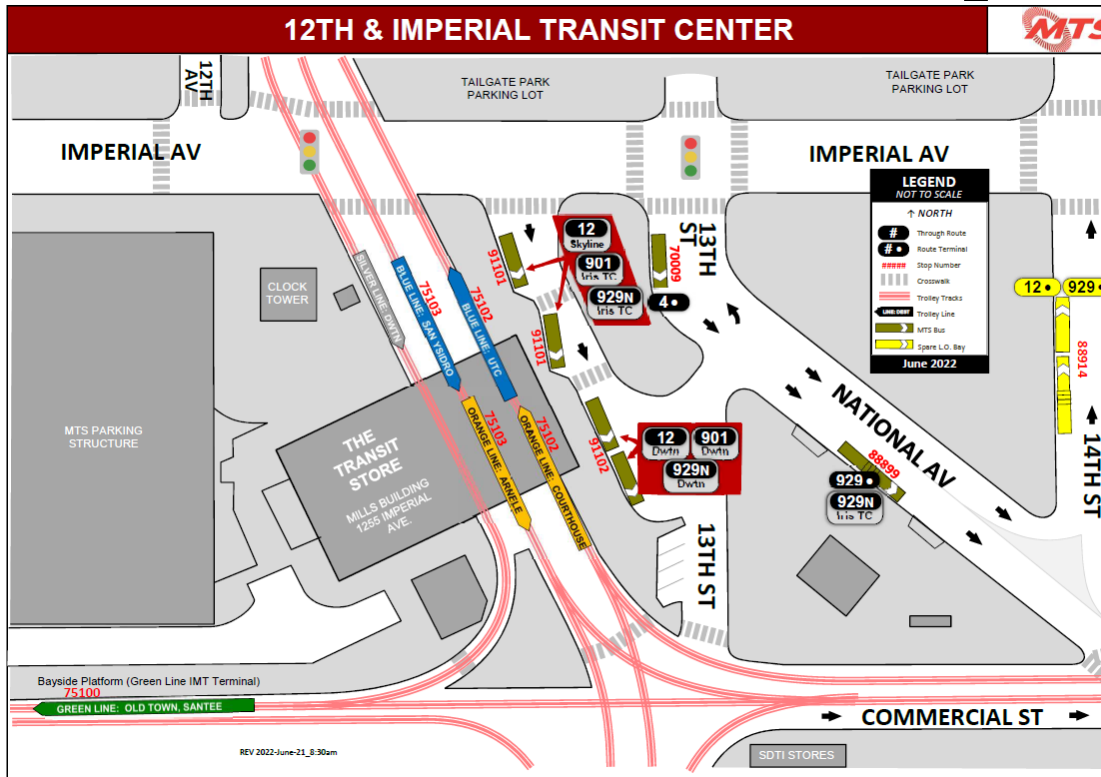
# Findings Required:

- a) the *public interest and necessity require the project;*
- b) the *project is planned or located in a manner that will be the most compatible with the greatest public good and least private injury;*
- c) the *interests in the property sought to be acquired is necessary for the project;* and
- d) that *offers to acquire the necessary real property were made to the owners of the subject properties pursuant to Section 7267.2 of the Government Code*

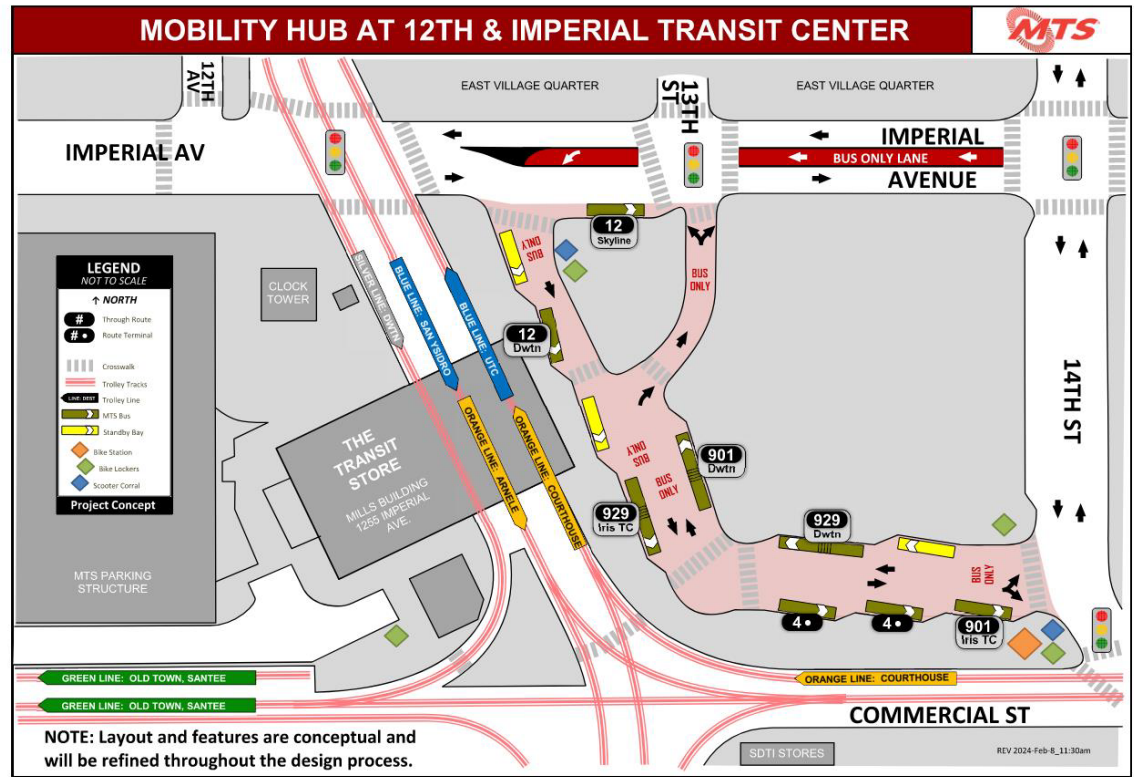
## ***the public interest and necessity require the project***

- PROJECT: 12<sup>TH</sup> & Imperial Transit Center Rehabilitation Project
- TIRCP Grant (\$10.92 mil plus \$2.73 local share) to reconfigure and expand the bus transit center at 12<sup>th</sup> & Imperial Transit Center
  - Increase bus bays from 4 to 10-13 bays,
  - add new Orange Line platform on Commercial St,
  - improve passenger waiting areas with shelters, benches, lighting;
  - improve circulation with Imperial Avenue and 14<sup>th</sup> Street;
  - reduce flooding impacts to transit service by adding some detention basins and drainage improvements
  - better configuration for current service levels; room for additional service

# 12<sup>th</sup> & Imperial Transit Center Rehabilitation Project



Current Configuration



Proposed Project

# ***the project is planned or located in a manner that will be the most compatible with the greatest public good and least private injury***

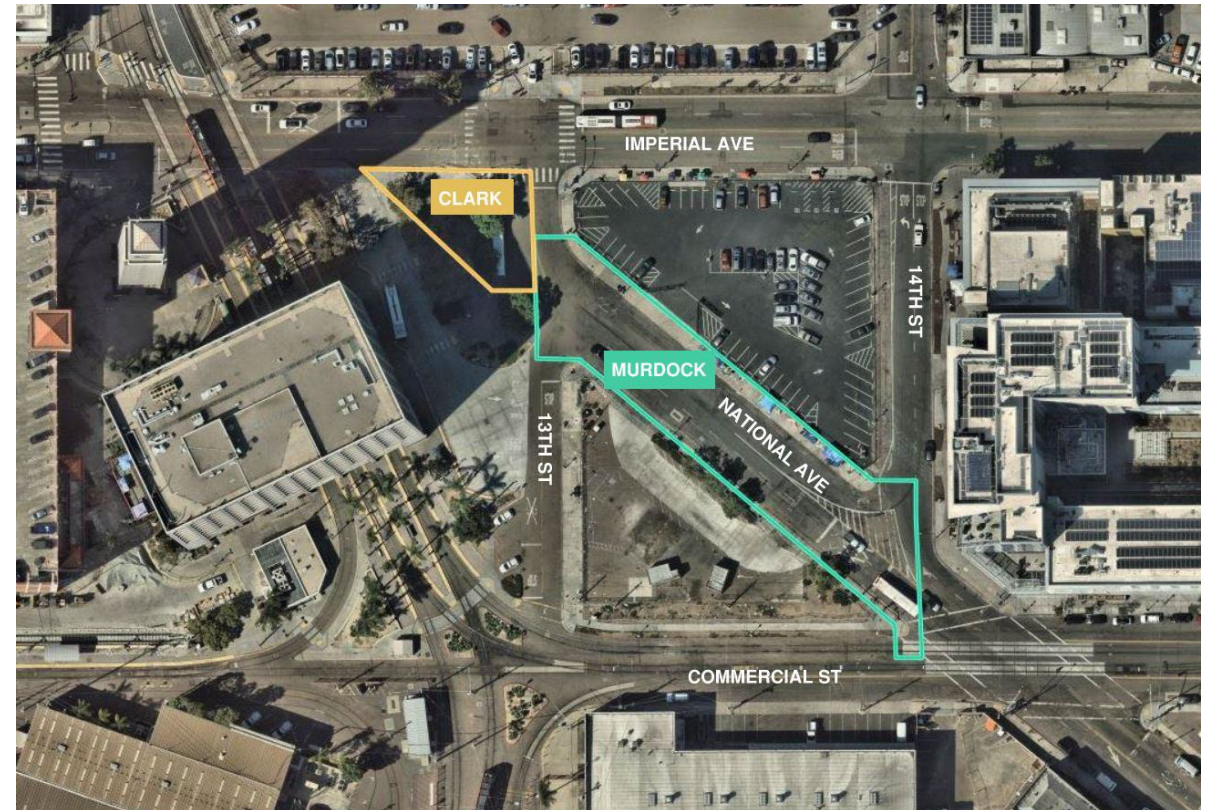
- Project Site already owned or used by MTS
  - Adjacent Fee Parcels – the “Triangle Properties” owned by MTS
  - MTS statutory right to use public streets (Pub. Util. Code 120244)
- Realignment of National Ave and a portion of 13<sup>th</sup> St improves traffic flow
  - Leaving current road configuration would lead to unsafe and inefficient conflicts between bus operations and regular traffic
- Heirs of Murdock & Clark have no current use or right to private use of National Ave/13<sup>th</sup> St/14<sup>th</sup> or Commercial St.





# ***the interests in the property sought to be acquired is necessary for the project***

- Project will require MTS to vacate the street sections of National Avenue, 13<sup>th</sup> Street, 14<sup>th</sup> Street, and Commercial Street & then reconfigure them into the new bus lane
- Acquiring the Reversionary Fee Interest is necessary to clear title for the vacated street sections









# Who Owns the Underlying Fee Interest in a Street?

Answer: Generally 3 Options:

- 1. Adjacent/Abutting Property Owner owns to the center line of the street.**
  - @ National Avenue: MTS
- 2. The City or County who “owns” the street**
  - @National Avenue: City of San Diego
- 3. The original grantor from when the street was created**
  - @National Avenue: Heirs of Elizabeth Murdock (Block 153) and Heirs of Charles & Frances Clark (Block 154)

# Title Report Conclusions re Ownership

- ***First Report: City of San Diego*** owns reversionary fee (since they acquired by grant deed in 1905).
  - City says no, there is legal theory that City only acquires an easement for streets, even if deed does not say so.
- ***Second Report: Heirs of Murdock & Clark***
  - Because the property was granted by metes and bounds (drawing the lines of the street out of Block 153 and Block 154 and the individual lots within those blocks), this severed the property from the abutting parcels.
  - Therefore, instead of abutting owner (MTS) owning the street, the heirs of the original grantor own the reversionary fee interest.

**that offers to acquire the necessary real property were made to the owners of the subject properties pursuant to Section 7267.2 of the Government Code**

- Owners of property interests acquired by a public agency are entitled to receive “just compensation” for those interest
- Steps for Public Agency:
  - Appraise Property Interest
  - Identify Reversionary Fee Interest potential owners (heirs of Murdock & Clark)
  - Make a written offer to purchase
    - Including certain legally required notices/information
  - Provide notice of Resolution of Necessity Hearing & Right to Speak

# Property Right Appraisal

- Reversionary Fee Interest Appraised by Bill Anderson, MAI
  - Nominal Value for each heir group's interest: \$2,500
  - Primary Value of property was paid to original owners when the property was first sold to the City in 1905
  - No expectation to have reversionary fee interest returned

# Offers Made to Heirs of Original Grantors

- How do you find heirs of original grantors from 1905?
  - MTS hired private investigator specializing in genealogy and descendant tracing
  - Created family tree and made offers to identified “next in line” descendants
    - Adjustments made when family members corrected some of the information MTS had collected (some heirs identified as deceased were in fact alive and located)
  - Offer letters and notices of the proposed Resolution of Necessity hearing were sent between February 2 and 22, 2024 (more than the required 15-days notice).
  - Negotiations with heirs in various stages

# Eminent Domain Needed for Clear Title

- MTS will continue good faith negotiations with all potential “next in line” heirs.
- Even if MTS is able to acquire all of the identified heirs’ reversionary fee interests through negotiation, an eminent domain action is still necessary
  - Clear Title of potential unknown heirs
  - Court to determine MTS made reasonable and diligent efforts to identify heirs

# Recommendation (10+ Votes Yes Required):

- 1) Open hearing and receive public testimony;
- 2) Determine that offers to acquire the necessary real property were made to the owners of the subject properties pursuant to Section 7267.2 of the Government Code;
- 3) Adopt Resolution of Necessity No. 24-03 (Attachment 1) pertaining to the acquisition of private real property interests in the subject public street right-of-way property parcels in support of the 12th & Imperial Transit Center Rehabilitation Project, and find that:
  - a) the public interest and necessity require the project;
  - b) the project is planned or located in a manner that will be the most compatible with the greatest public good and least private injury; and
  - c) the interests in the property sought to be acquired is necessary for the project;
- d) MTS has complied with the requirements of Government Code § 7267.2 to the extent applicable to the subject property, made the required offers to acquire the property together with the accompanying statement of and summary of the basis for the amount established as just compensation to the owner or owners of record, which offers and accompanying statement/summary were in a form and contained all of the factual disclosures required by law, and complied with all conditions and statutory requirements necessary to exercise of the power of eminent domain to acquire the property; and
- 4) Authorize the General Counsel and staff, through outside counsel, to proceed with condemnation proceedings necessary to acquire the private property interests in the subject public street right of way property parcels.



**Metropolitan  
Transit  
System**

## **Agenda Item No. 22**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Fiscal Year (FY) 2024 Mid-Year Performance Monitoring Report (Denis Desmond, Neomi Woods)

**INFORMATIONAL ONLY**

Budget Impact

None at this time.

**DISCUSSION:**

MTS Board Policy No. 42, "Transit Service Evaluation and Adjustment," establishes a process for evaluating existing transit services to achieve the objective of developing a customer-focused, competitive, integrated, and sustainable system. Additionally, federal Title VI guidance requires that certain performance measures be evaluated and reported to the Board periodically.

Staff from the Planning and Scheduling Department will provide a summary of service performance for the first six months of FY 2024, including the status of ridership recovery from the COVID-19 pandemic.

/S/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachment: A. FY 2024 Q1-Q2 Performance Monitoring Report

**1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 • (619) 231-1466 • [sdmts.com](http://sdmts.com)**

San Diego Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego. MTS is also the For-Hire Vehicle administrator for nine cities.





**San Diego Metropolitan Transit System**  
**POLICY 42 PERFORMANCE MONITORING REPORT**  
**FY 2024: JULY 2023 - DECEMBER 2023**

Att.A, AI 22, 03/14/24 Date: 3/5/24 rev

**OBJECTIVE | Develop a Customer-Focused and Competitive System**

The following measures of productivity and service quality are used to ensure that services are focused on providing competitive and attractive transportation that meets our customers' needs.

**Total Passengers**

Route Categories	Pre-Pandemic	FY 2022	FY 2023	FY 2024	% Change	
	FY2019				FY22 - FY23	FY23 - FY24
Urban Frequent	15,494,842	8,652,558	10,474,906	10,989,188	21.1%	4.9%
Urban Standard	3,792,986	2,164,969	2,741,054	2,835,668	26.6%	3.5%
Rapid	2,954,767	1,883,478	2,500,390	2,856,966	32.8%	14.3%
Express	1,007,362	477,411	370,439	293,779	-22.4%	-20.7%
Circulator	440,163	232,850	313,284	280,236	34.5%	-10.5%
Premium/Rapid Express	138,940	34,743	49,655	50,872	42.9%	2.5%
Rural	42,823	20,009	22,158	19,218	10.7%	-13.3%
<b>Fixed-Bus Subtotal</b>	<b>23,871,883</b>	<b>13,466,018</b>	<b>16,471,886</b>	<b>17,325,927</b>	<b>22.3%</b>	<b>5.2%</b>
Light Rail (Blue, Orange, Green)	19,055,766	13,515,233	17,786,597	20,177,524	31.6%	13.4%
Light Rail (Silver)	10,794	815	666	494	-18.3%	-25.8%
<b>Light Rail Subtotal</b>	<b>19,066,560</b>	<b>13,516,048</b>	<b>17,787,263</b>	<b>20,178,018</b>	<b>31.6%</b>	<b>13.4%</b>
<b>ALL Fixed Route</b>	<b>42,938,443</b>	<b>26,982,066</b>	<b>34,259,149</b>	<b>37,503,945</b>	<b>27.0%</b>	<b>9.5%</b>
Demand-Resp. (MTS Access)	250,524	81,846	97,365	86,994	19.0%	-10.7%
Demand-Resp. (Access Taxi)	-	9,349	26,051	65,310	100.0%	150.7%
<b>Demand-Resp. Subtotal</b>	<b>250,524</b>	<b>91,195</b>	<b>123,416</b>	<b>152,304</b>	<b>35.3%</b>	<b>23.4%</b>
<b>System</b>	<b>43,188,967</b>	<b>27,073,261</b>	<b>34,382,565</b>	<b>37,656,249</b>	<b>27.0%</b>	<b>9.5%</b>

*NOTES:* MTS ridership continues to rebound from the Covid-19 pandemic in nearly all categories. Monthly year-over-year ridership changes are still increasing by 10%-15%, indicating that MTS ridership has not yet reached its post-pandemic potential. Express Route 950 was replaced by Rapid 227 in October 2023, contributing to a decrease in the Express category and an increase in the Rapid category.

**Average Weekday Passengers**

Route Categories	Pre-Pandemic	FY 2022	FY 2023	FY 2024	% Change	
	FY2019				FY22 - FY23	FY23 - FY24
Urban Frequent	100,606	54,968	66,790	70,966	21.5%	6.3%
Urban Standard	25,851	14,543	18,492	19,326	27.2%	4.5%
Rapid	19,425	12,150	16,465	19,026	35.5%	15.6%
Express	7,224	3,311	2,458	1,996	-25.8%	-18.8%
Circulator	3,064	1,660	2,240	2,066	34.9%	-7.8%
Premium/Rapid Express	1,092	274	391	404	42.9%	3.3%
Rural	337	158	174	153	10.7%	-12.6%
<b>Fixed-Bus Subtotal</b>	<b>157,599</b>	<b>87,063</b>	<b>107,011</b>	<b>113,936</b>	<b>22.9%</b>	<b>6.5%</b>
Light Rail (Blue, Orange, Green)	116,307	81,663	107,452	122,979	31.6%	14.5%
Light Rail (Silver)	85	-	-	-	-	-
<b>Light Rail Subtotal</b>	<b>116,392</b>	<b>81,663</b>	<b>107,452</b>	<b>122,979</b>	<b>31.6%</b>	<b>14.5%</b>
<b>ALL Fixed Route</b>	<b>273,991</b>	<b>168,726</b>	<b>214,463</b>	<b>236,915</b>	<b>27.1%</b>	<b>10.5%</b>
Demand-Resp. (MTS Access)	1,774	458	680	615	48.6%	-9.5%
Demand-Resp. (Access Taxi)	-	51	174	465	100.0%	166.6%
<b>Demand-Resp. Subtotal</b>	<b>1,774</b>	<b>508</b>	<b>854</b>	<b>1,080</b>	<b>68.1%</b>	<b>26.4%</b>
<b>System</b>	<b>275,765</b>	<b>169,235</b>	<b>215,317</b>	<b>237,995</b>	<b>27.2%</b>	<b>10.5%</b>

**San Diego Metropolitan Transit System**  
**POLICY 42 PERFORMANCE MONITORING REPORT**  
**FY 2024: JULY 2023 - DECEMBER 2023**

Att.A, AI 22, 03/14/24 Date: 3/5/24 rev

**Passengers per Revenue Hour**

The 'passengers per revenue hour' metric shows how any added or removed **revenue hours** (in-service hours plus layover hours) relate to ridership increases or decreases. Increasing riders per revenue hour would indicate that the system is more efficient, for example, carrying more passengers with the same number of buses.

Route Categories	Pre-Pandemic FY2019 Annual	FY 2022	FY 2023	FY 2024	% Change	
					FY22 - FY23	FY23 - FY24
Urban Frequent	26.8	15.1	19.9	20.6	31.7%	3.2%
Urban Standard	18.8	10.7	13.8	14.2	29.4%	2.5%
Rapid	31.4	16.5	24.1	25.2	46.3%	4.4%
Express	25.4	12.6	12.8	13.3	1.2%	4.6%
Circulator	13.3	6.9	9.3	8.3	33.5%	-10.0%
Premium/Rapid Express	24.0	10.0	13.5	13.9	34.0%	3.2%
Rural	15.8	7.5	8.3	7.1	9.9%	-13.5%
<b>Fixed-Bus Subtotal</b>	<b>25.1</b>	<b>13.9</b>	<b>18.4</b>	<b>19.0</b>	<b>31.8%</b>	<b>3.7%</b>
Light Rail (Blue, Orange, Green)	216.7	137.2	152.2	172.8	10.9%	13.5%
Light Rail (Silver)	21.6	11.9	10.4	20.3	-12.8%	95.4%
<b>Light Rail Subtotal</b>	<b>215.7</b>	<b>137.2</b>	<b>152.1</b>	<b>172.7</b>	<b>10.9%</b>	<b>13.5%</b>
<b>ALL Fixed Route</b>	<b>41.0</b>	<b>25.3</b>	<b>33.8</b>	<b>36.5</b>	<b>33.4%</b>	<b>8.1%</b>
Demand-Resp. (MTS Access)	2.0	1.4	1.7	1.5	17.6%	-10.4%
Demand-Resp. (Access Taxi)	3.3	2.8	2.9	3.0	100.0%	2.6%
<b>Demand-Resp. Subtotal</b>	<b>2.1</b>	<b>1.5</b>	<b>1.8</b>	<b>1.9</b>	<b>22.6%</b>	<b>3.7%</b>
<b>System</b>	<b>37.1</b>	<b>24.1</b>	<b>31.8</b>	<b>34.0</b>	<b>32.0%</b>	<b>7.0%</b>

**NOTES:** As with ridership, the figures for this efficiency metric are returning towards pre-pandemic levels.

**Weekday Passengers per In-Service Hour**

The 'passengers per in-service hour' measure is related to the above 'passengers per revenue hour,' but shows how many passengers are carried while the vehicle is in-service picking up passengers, excluding layover time. Analyzing this figure helps MTS to understand how effective it is at providing the right level of service (instead of how efficiently MTS is grouping trips and breaks together for a vehicle to operate [revenue hours]).

Route Categories	Pre-Pandemic FY2019 Annual	FY 2022	FY 2023	FY 2024	% Change	
					FY22 - FY23	FY23 - FY24
Urban Frequent	33.8	22.4	25.4	26.3	13.4%	3.4%
Urban Standard	26.1	17.2	19.0	19.4	10.1%	2.3%
Rapid	41.3	25.3	31.8	33.4	25.4%	5.1%
Express	33.4	18.4	17.0	17.0	-7.3%	0.1%
Circulator	17.4	11.5	13.0	11.8	13.3%	-9.4%
Premium/Rapid Express	26.6	14.0	15.6	16.1	11.3%	3.2%
Rural	15.8	12.8	12.2	10.5	-5.1%	-13.5%
<b>Fixed-Bus Subtotal</b>	<b>32.3</b>	<b>21.1</b>	<b>23.9</b>	<b>24.8</b>	<b>13.5%</b>	<b>3.6%</b>
Light Rail (Blue, Orange, Green)	260.9	160.9	181.2	207.2	12.7%	14.3%
Light Rail (Silver)	23.6	-	-	-	0.0%	0.0%
<b>Light Rail Subtotal</b>	<b>260.6</b>	<b>160.9</b>	<b>181.2</b>	<b>207.2</b>	<b>12.7%</b>	<b>14.3%</b>
<b>ALL Fixed Route</b>	<b>51.1</b>	<b>36.4</b>	<b>42.3</b>	<b>45.7</b>	<b>16.4%</b>	<b>7.9%</b>
Demand-Resp. (MTS Access)	N/A	1.4	1.7	1.5	N/A	N/A
Demand-Resp. (Access Taxi)	N/A	2.8	2.9	3.4	N/A	N/A
<b>Demand-Resp. Subtotal</b>	<b>N/A</b>	<b>1.5</b>	<b>1.9</b>	<b>2.0</b>	<b>N/A</b>	<b>N/A</b>
<b>System</b>	<b>51.1</b>	<b>34.0</b>	<b>39.0</b>	<b>41.6</b>	<b>14.6%</b>	<b>6.6%</b>

**NOTES:** The Weekday Passengers per In-Service Hour metric generally followed the same trends as Passengers per Revenue Hour.

**San Diego Metropolitan Transit System**  
**POLICY 42 PERFORMANCE MONITORING REPORT**  
**FY 2024: JULY 2023 - DECEMBER 2023**

Att.A, AI 22, 03/14/24 Date: 3/5/24 rev

**On-Time Performance**

On-time performance (OTP) is measured at each bus timepoint for every trip; buses departing timepoints within 0-5 minutes of the scheduled time are considered to be "on-time." Trolley trips arriving at their end terminal within 0-5 minutes of the scheduled time are considered to be "on-time." OTP is measured by service change period in order to show the results of scheduling changes. MTS' goal for on-time performance is 85% for Urban Frequent and Rapid bus routes, and 90% for Trolley and all other bus route categories. Each route is continually evaluated to determine if performance below the target is a result of issues that MTS controls, such as driver performance or scheduling, or situations outside MTS' direct control, such as construction, traffic congestion, and passenger issues. **Performance of fixed bus routes is heavily impacted by construction, stop signs and stop lights, and traffic when they travel through high density corridors.**

Route Categories	Service Change Period					GOAL
	June 2022	Sept. 2022	Jan. 2023	June 2023	Sept. 2023	
Urban Frequent	83.6%	82.4%	82.0%	81.7%	82.4%	85.0%
Urban Standard	86.9%	84.8%	84.3%	84.7%	83.8%	90.0%
Rapid	88.7%	86.9%	86.5%	85.4%	85.9%	85.0%
Express	94.4%	91.7%	91.1%	90.9%	91.1%	90.0%
Circulator	84.3%	85.9%	85.0%	83.1%	84.4%	90.0%
Premium/Rapid Express	93.8%	90.5%	88.6%	88.8%	90.2%	90.0%
Rural	N/A	N/A	N/A	N/A	N/A	
Demand-Resp. (Access & Taxi)	N/A	N/A	N/A	N/A	N/A	
Light Rail (Blue, Orange, Green)	96.1%	95.8%	95.8%	95.7%	95.7%	90.0%
Light Rail (Silver)	N/A	N/A	N/A	N/A	N/A	90.0%
<b>System</b>	<b>86.5%</b>	<b>85.3%</b>	<b>85.0%</b>	<b>84.4%</b>	<b>84.4%</b>	

**OBJECTIVE | Develop a Sustainable System**

The following measures are used to ensure that transit resources are deployed efficiently and do not exceed budgetary constraints. These resources may be increased over the budgeted amounts in order to respond to heavy passenger loads, special events, or unplanned detours due to construction or route changes. They may be lower than budgeted if underperforming services are reduced, or if not all of the planned capacity is required to meet the ridership demand.

**Scheduled In-Service Hours (Weekly Total)**

Operator	Sept. 2022	Sept. 2023	# Diff	% Diff
MTS Directly-Operated Bus	11,745	12,096	351	3.0%
MTS Contracted Fixed-Route Bus	14,965	15,258	292	2.0%
MTS Rail	3,831	3,834	3	0.1%
<b>System</b>	<b>30,541</b>	<b>31,187</b>	<b>646</b>	<b>2.1%</b>

**Scheduled In-Service Miles (Weekly Total)**

Operator	Sept. 2022	Sept. 2023	# Diff	% Diff
MTS Directly-Operated Bus	171,421	176,707	5,285	3.1%
MTS Contracted Fixed-Route Bus	207,004	211,177	4,173	2.0%
MTS Rail	82,012	82,078	66	0.1%
<b>System</b>	<b>460,438</b>	<b>469,961</b>	<b>9,524</b>	<b>2.1%</b>

**Scheduled Weekday Peak-Vehicle Requirement**

This measure shows the maximum number of buses and railcars that are scheduled in service at any one time (a weekday peak period) in order to demonstrate the levels of service that are planned.

Operator	Sept. 2022	Sept. 2023	# Change FY23 - FY24
MTS Directly-Operated Bus	194	201	7
MTS Contracted Fixed-Route Bus	264	268	4
MTS Rail	114	114	0

**Scheduled In-Service Speed (MPH) (Weekday)**

Operator	Sept. 2022	Sept. 2023	% Change FY23 - FY24
MTS Directly-Operated Bus	14.5	14.5	0.2%
MTS Contracted Fixed-Route Bus	13.8	13.8	0.0%
MTS Rail	21.5	21.5	0.0%

**Scheduled In-Service Miles/Total Miles (Weekday)**

The 'in-service miles per total miles' ratio is only calculated for MTS in-house operations, as contractors are responsible for bus and driver assignments (runcutting) for MTS Contract Services.

Operator	Sept. 2022	Sept. 2023	% Change FY23 - FY24
MTS Directly-Operated Bus	86.7%	86.1%	-0.8%
MTS Contracted Fixed-Route Bus	N/A	N/A	N/A
MTS Rail	98.3%	98.2%	-0.1%

**Scheduled In-Service Hours/Total Hours (Weekday)**

As with the mileage statistic, 'in-service hours' per total hours are only calculated for MTS in-house operations.

Operator	Sept. 2022	Sept. 2023	% Change FY23 - FY24
MTS Directly-Operated Bus	74.9%	75.1%	0.2%
MTS Contracted Fixed-Route Bus	N/A	N/A	N/A
MTS Rail (Layover Included)	84.8%	83.7%	-1.3%

FY 2024 SEMI-ANNUAL ROUTE STATISTICS (Q1-Q2)														TITLE VI MONITORING (FY 2023 Annual Statistics) -								
BASE STATISTICS														TITLE VI MONITORING (FY 2023 Annual Statistics) -								
Route	Cat	Jurisdiction (#=SD Dist.)	Q1-Q2 Passengers	FY23-24 % Change	Avg. Wkdy. Psgrs.	Psgrs./ Rev. Hr.	Cost/ Psgr.	Average Fare	Subsidy/ Psgr.	Farebox Recovery	Budgeted Rev.Svc.		Route	Minority Route	On-Time Perf.		Weekday Headway			Vehicle Load Factor --		
											Hours	Miles			Goal	Actual	Goal	Peak	Base	Goal	% trips over VLF	> 20%?
Blue	LRT	3,8,NC,CV	12,312,028	15.4%	75,927	205.1	\$ 2.74	\$ 0.74	\$ 2.01	26.8%	51,537	1,121,004	Blue	✓	90%	93%	15 min.	7.5	15	3.00	0%	No
Orange	LRT	3,4,8,9,LG,LM,EC	3,432,774	11.0%	21,154	137.8	\$ 4.09	\$ 0.74	\$ 3.35	18.0%	22,295	447,130	Orange	✓	90%	94%	15 min.	15	15	3.00	0%	No
Green	LRT	2,3,7,9,LM,EC,ST	4,432,721	10.1%	25,897	139.2	\$ 4.05	\$ 0.74	\$ 3.31	18.2%	27,788	606,779	Green	✓	90%	92%	15 min.	15	15	3.00	0%	No
Silver	LRT	3	494	(25.8%)	-	20.3	\$ 27.69	\$ 0.42	\$ 27.28	1.5%	415	3,043	Silver	✓	90%	100%	15 min.	30	30	3.00	0%	No
1	Frq	3,7,9,LM	384,421	(3.4%)	2,495	18.9	\$ 4.36	\$ 1.29	\$ 3.08	29.5%	20,544	187,406	1	✓	85%	77%	15 min.	15	15	1.50	0%	No
2	Frq	3	279,783	5.9%	1,793	18.1	\$ 8.78	\$ 1.12	\$ 7.65	12.8%	15,568	122,444	2	✓	85%	93%	15 min.	12	15	1.50	0%	No
3	Frq	3,4,8,9	466,173	2.7%	3,082	18.7	\$ 3.80	\$ 1.36	\$ 2.44	35.7%	25,149	197,579	3	✓	85%	76%	15 min.	12	12	1.50	0%	No
4	Std	3,4,8,9	310,478	27.4%	1,979	25.6	\$ 6.19	\$ 0.93	\$ 5.26	15.1%	12,033	128,775	4	✓	85%	86%	30 min.	30	30	1.50	0%	No
5	Frq	3,4,8,9	216,548	(0.0%)	1,480	19.3	\$ 3.60	\$ 1.26	\$ 2.34	35.0%	11,304	86,778	5	✓	85%	88%	15 min.	12	12	1.50	0%	No
6	Frq	3,7	118,221	(10.5%)	715	15.6	\$ 10.17	\$ 1.16	\$ 9.00	11.5%	7,633	65,287	6	✓	85%	87%	15 min.	15	15	1.50	0%	No
7	Frq	3,4,9	913,483	9.4%	5,478	28.3	\$ 5.61	\$ 1.04	\$ 4.57	18.5%	32,575	252,916	7	✓	85%	82%	15 min.	10	10	1.50	0%	No
8	Frq	2,3	301,377	13.9%	1,652	17.7	\$ 8.98	\$ 1.19	\$ 7.79	13.2%	17,179	177,046	8	✓	85%	87%	15 min.	20	20	1.50	0%	No
9	Frq	2,3	128,268	(2.7%)	714	14.7	\$ 10.77	\$ 1.08	\$ 9.70	10.0%	8,783	78,640	9	✓	85%	92%	15 min.	20	20	1.50	0%	No
10	Frq	2,3,4,9	465,841	7.9%	3,085	23.6	\$ 6.74	\$ 1.20	\$ 5.54	17.8%	19,872	174,648	10	✓	85%	81%	15 min.	12	15	1.50	0%	No
11	Frq	3,9	240,444	0.5%	1,553	15.5	\$ 10.25	\$ 1.25	\$ 9.00	12.2%	15,629	154,256	11	✓	85%	84%	15 min.	15	15	1.50	0%	No
12	Frq	3,4,8,9	453,294	12.4%	2,949	21.6	\$ 7.36	\$ 0.93	\$ 6.44	12.6%	20,951	205,922	12	✓	85%	84%	15 min.	7.5/15	15	1.50	0%	No
13	Frq	4,7,9,NC	866,532	20.4%	5,738	31.0	\$ 5.13	\$ 0.98	\$ 4.15	19.1%	28,158	282,408	13	✓	85%	84%	15 min.	12	12	1.50	0%	No
14	Circ	7,9,LM	21,219	3.7%	168	6.7	\$ 12.87	\$ 1.19	\$ 11.68	9.3%	3,209	32,427	14	✓	90%	84%	60 min.	60	60	1.00	0%	No
18	Circ	3,7	7,035	(7.0%)	56	5.4	\$ 15.90	\$ 1.38	\$ 14.52	8.7%	1,307	19,728	18	✓	90%	89%	60 min.	30	30	1.00	0%	No
20	Exp	3,5,6,7	189,112	4.4%	1,254	11.1	\$ 14.36	\$ 1.18	\$ 13.18	8.2%	17,207	325,796	20	✓	90%	91%	30 min.	15/30	30	1.50	0%	No
25	Circ	6,7	23,522	8.4%	187	7.6	\$ 11.27	\$ 1.19	\$ 10.08	10.5%	3,108	38,976	25	✓	90%	87%	60 min.	60	60	1.00	0%	No
27	Std	2,6	118,115	2.0%	726	11.4	\$ 6.92	\$ 1.29	\$ 5.63	18.6%	10,438	91,301	27	✓	85%	87%	30 min.	30	30	1.50	0%	No
28	Std	2,3	116,286	(0.7%)	755	19.1	\$ 3.23	\$ 1.13	\$ 2.10	35.1%	6,167	41,925	28	✓	85%	82%	30 min.	15/30	30	1.50	0%	No
30	Frq	1,2,3	545,336	15.4%	3,331	19.3	\$ 8.23	\$ 1.25	\$ 6.97	15.2%	28,470	360,264	30	✓	85%	79%	15 min.	15	15	1.50	0%	No
31	Std	1,6	40,614	3.4%	322	17.2	\$ 9.25	\$ 1.29	\$ 7.96	14.0%	2,364	29,318	31	✓	85%	89%	30 min.	30	-	1.50	0%	No
35	Frq	2,3	165,732	(11.0%)	990	17.1	\$ 3.16	\$ 1.36	\$ 1.81	42.9%	9,777	58,426	35	✓	85%	85%	15 min.	15	15	1.50	0%	No
41	Frq	1,6,7	363,538	3.2%	2,506	20.5	\$ 7.76	\$ 1.12	\$ 6.64	14.4%	17,993	229,001	41	✓	85%	90%	15 min.	7.5/15	15	1.50	0%	No
43	Frq	2,6	216,995	100.0%	1,382	17.8	\$ 8.93	\$ 1.06	\$ 7.87	11.9%	12,284	124,266	43	✓	85%	92%	15 min.	15	15	1.50	0%	No
44	Frq	2,3,6,7	381,585	13.4%	2,507	22.3	\$ 7.11	\$ 1.02	\$ 6.09	14.4%	17,178	178,920	44	✓	85%	91%	15 min.	7.5/15	15	1.50	0%	No
60	Exp	1,3,4,6,9	24,924	5.5%	198	14.7	\$ 10.79	\$ 1.24	\$ 9.54	11.5%	1,695	29,361	60	✓	90%	83%	30 min.	20/30	-	1.50	0%	No
83	Circ	3	8,424	4.1%	67	5.3	\$ 16.23	\$ 1.35	\$ 14.88	8.3%	1,600	12,872	83	✓	90%	90%	60 min.	60	60	1.00	0%	No
84	Circ	2	6,793	(2.9%)	54	4.6	\$ 18.64	\$ 1.42	\$ 17.22	7.6%	1,493	17,648	84	✓	90%	93%	60 min.	60	60	1.00	0%	No
88	Circ	3,7	41,554	(12.3%)	279	11.6	\$ 5.65	\$ 1.41	\$ 4.25	24.9%	3,613	25,351	88	✓	90%	94%	60 min.	30	30	1.00	0%	No
105	Std	1,2,3,6	95,102	1.4%	678	12.6	\$ 12.56	\$ 1.03	\$ 11.53	8.2%	7,562	90,904	105	✓	85%	93%	30 min.	30	30	1.50	0%	No
110	Exp	3,6	9,524	9.0%	76	9.8	\$ 16.22	\$ 1.27	\$ 14.95	7.8%	975	19,936	110	✓	90%	97%	30 min.	20/30	-	1.50	0%	No
115	Std	7,9,LM,EC	97,505	1.3%	693	11.7	\$ 9.27	\$ 1.06	\$ 8.21	11.4%	8,392	97,770	115	✓	85%	84%	30 min.	30	30	1.50	0%	No
120	Frq	3,6,7	244,900	5.4%	1,595	14.7	\$ 10.79	\$ 1.19	\$ 9.60	11.0%	16,765	173,452	120	✓	85%	86%	15 min.	15/30	15/30	1.50	0%	No
201/202^	Rpd	1	1,052,176	7.1%	7,567	52.1	\$ 3.05	\$ 1.38	\$ 1.66	45.4%	20,544	186,547	201/202^	✓	85%	92%	15 min.	5	10	1.50	0%	No
204^	Rpd	1	28,623	(6.9%)	227	13.9	\$ 11.38	\$ 1.34	\$ 10.04	11.8%	2,052	14,138	204^	✓	85%	94%	15 min.	30	30	1.50	0%	No
215^	Rpd	3,9	700,746	13.7%	4,212	27.8	\$ 5.71	\$ 1.07	\$ 4.64	18.7%	25,419	252,255	215^	✓	85%	83%	15 min.	10	15	1.50	0%	No
225^	Rpd	3,8,CV	281,551	2.2%	1,795	15.1	\$ 11.35	\$ 1.38	\$ 9.98	12.1%	18,790	362,776	225^	✓	85%	80%	15 min.	15	30	1.50	0%	No
227~	Rpd	8,IB	142,746	100.0%	2,179	14.8	\$ 8.52	\$ 0.84	\$ 7.67	9.9%	9,914	158,186	227~	✓	85%	0%	15 min.	15	30	1.50	0%	No

FY 2024 SEMI-ANNUAL ROUTE STATISTICS (Q1-Q2)																						
BASE STATISTICS													TITLE VI MONITORING (FY 2023 Annual Statistics) ~									
Route	Cat	Jurisdiction (#=SD Dist.)	Q1-Q2 Passengers	FY23-24 % Change	Avg. Wkdy. Psgrs.	Psgrs./ Rev. Hr.	Cost/ Psgr.	Average Fare	Subsidy/ Psgr.	Farebox Recovery	Budgeted Rev.Svc.		Route	Minority Route	On-Time Perf.		Weekday Headway			Vehicle Load Factor ---		
											Hours	Miles			Goal	Actual	Goal	Peak	Base	Goal	% trips over VLF	> 20%?
235^	Rpd	3,5,6,9,Esc	565,481	7.3%	3,628	17.6	\$ 9.00	\$ 1.18	\$ 7.82	13.2%	32,313	760,605	235^		85%	88%	15 min.	15	15	1.50	0%	No
237^	Rpd	1,6	85,643	25.4%	680	14.6	\$ 10.86	\$ 1.32	\$ 9.54	12.2%	5,875	72,167	237^	✓	85%	93%	15 min.	15	-	1.50	0%	No
280	RpEx	3,5,Esc	24,164	(3.6%)	192	12.8	\$ 23.46	\$ 3.23	\$ 20.23	13.8%	1,886	59,260	280		90%	89%	30 min.	15	-	1.00	0%	No
290	RpEx	3,5	26,708	8.7%	212	15.1	\$ 15.82	\$ 3.24	\$ 12.58	20.5%	1,774	44,201	290		90%	88%	30 min.	10	-	1.00	0%	No
701	Frq	CV	160,389	(2.1%)	1,157	16.0	\$ 5.84	\$ 1.03	\$ 4.81	17.6%	10,121	104,129	701	✓	85%	78%	15 min.	15	15	1.50	0%	No
704	Std	CV	167,106	3.0%	1,179	16.0	\$ 6.06	\$ 1.22	\$ 4.84	20.2%	10,485	112,549	704	✓	85%	82%	30 min.	30	30	1.50	0%	No
705	Std	CV,NC,Cty	82,593	(0.1%)	597	14.9	\$ 5.47	\$ 1.21	\$ 4.26	22.1%	5,586	50,174	705	✓	85%	90%	30 min.	30/60	30/60	1.50	0%	No
707	Std	CV	46,917	1.8%	372	13.8	\$ 6.53	\$ 1.04	\$ 5.49	16.0%	3,398	33,942	707	✓	85%	87%	30 min.	30	30	1.50	0%	No
709	Frq	CV	315,947	8.6%	2,262	21.2	\$ 4.67	\$ 1.13	\$ 3.54	24.2%	15,028	164,602	709	✓	85%	82%	15 min.	7.5/15	15	1.50	0%	No
712	Frq	CV	253,633	8.8%	1,815	23.3	\$ 3.99	\$ 1.03	\$ 2.96	25.9%	10,947	112,808	712	✓	85%	85%	15 min.	15	15	1.50	0%	No
815	Frq	EC	138,235	0.5%	910	19.6	\$ 3.49	\$ 1.34	\$ 2.15	38.4%	7,136	52,368	815		85%	86%	15 min.	15	15	1.50	0%	No
816	Std	EC,Cty	47,124	12.3%	374	10.8	\$ 9.35	\$ 1.17	\$ 8.18	12.5%	4,385	47,187	816		85%	83%	30 min.	30	30	1.50	0%	No
832	Std	ST	17,760	19.5%	125	13.3	\$ 7.02	\$ 1.11	\$ 5.91	15.8%	1,344	14,043	832		85%	82%	30 min.	60	60	1.50	0%	No
833	Std	EC,ST	35,525	23.0%	238	9.7	\$ 8.81	\$ 1.16	\$ 7.64	13.2%	3,684	36,621	833		85%	81%	30 min.	35-45	35-45	1.50	0%	No
834	Std	ST	10,464	5.4%	83	8.7	\$ 10.97	\$ 1.09	\$ 9.88	9.9%	1,206	12,303	834		85%	77%	30 min.	60	60	1.50	0%	No
838	Std	Cty	51,183	(15.5%)	296	10.0	\$ 8.61	\$ 1.39	\$ 7.22	16.1%	5,204	78,215	838		85%	78%	30 min.	60	60	1.50	0%	No
848	Std	EC,Cty	120,039	8.5%	788	15.3	\$ 5.93	\$ 1.22	\$ 4.70	20.7%	7,909	76,922	848		85%	86%	30 min.	30	30	1.50	0%	No
851	Circ	LM,Cty	25,493	13.3%	202	14.7	\$ 7.42	\$ 0.90	\$ 6.52	12.2%	1,743	20,257	851	✓	90%	86%	60 min.	60	60	1.00	0%	No
852	Std	4,9,LM	110,359	6.2%	701	12.0	\$ 7.05	\$ 1.20	\$ 5.85	17.0%	9,347	84,623	852	✓	85%	84%	30 min.	30	30	1.50	0%	No
854	Std	7,LM	26,867	53.1%	213	9.3	\$ 11.04	\$ 1.08	\$ 9.96	9.8%	2,948	32,418	854		85%	91%	30 min.	30/60	30/60	1.50	0%	No
855	Std	LM,Cty	85,879	10.9%	591	19.0	\$ 4.63	\$ 0.96	\$ 3.67	20.7%	4,558	42,981	855	✓	85%	91%	30 min.	30	30	1.50	0%	No
856	Std	4,9,LG,Cty	201,212	6.9%	1,446	18.0	\$ 5.67	\$ 1.12	\$ 4.55	19.7%	11,272	123,236	856	✓	85%	79%	30 min.	30	30	1.50	0%	No
864	Std	EC,Cty	123,796	(6.0%)	783	16.4	\$ 4.96	\$ 1.32	\$ 3.64	26.6%	7,625	66,405	864		85%	82%	30 min.	30	30	1.50	0%	No
872	Std	EC	16,773	16.2%	133	10.0	\$ 6.31	\$ 1.29	\$ 5.03	20.4%	1,685	11,332	872		85%	90%	30 min.	30	30	1.50	0%	No
874/875	Std	EC	124,836	6.7%	838	14.6	\$ 6.13	\$ 1.34	\$ 4.79	21.9%	8,587	82,497	874/875		85%	84%	30 min.	30	30	1.50	0%	No
888	Rural	EC,Cty	394	8.8%	8	1.2	\$ 196.21	\$ 9.43	\$ 186.77	4.8%	276	8,749	888									
891	Rural	EC,Cty	70	(47.8%)	3	0.4	\$ 603.84	\$ 9.76	\$ 594.07	1.6%	165	4,584	891									
892	Rural	EC,Cty	74	(42.6%)	3	0.5	\$ 560.49	\$ 9.68	\$ 550.81	1.7%	165	4,392	892									
894	Rural	EC,Cty	18,680	(13.2%)	148	9.1	\$ 24.89	\$ 4.36	\$ 20.53	17.5%	2,639	49,754	894									
901	Frq	3,8,IB,Cor	280,359	(2.2%)	1,756	14.6	\$ 8.11	\$ 1.38	\$ 6.73	17.0%	19,433	253,704	901	✓	85%	76%	15 min.	15	30	1.50	0%	No
904*	Circ	Cor	36,493	(39.3%)	203	8.5	\$ 5.28	\$ 0.22	\$ 5.06	4.2%	4,335	21,768	904*		90%	84%	60 min.	60	60	1.50	0%	No
905	Std	8	168,267	(24.4%)	1,205	19.5	\$ 6.76	\$ 1.20	\$ 5.56	17.7%	8,651	127,083	905	✓	85%	86%	30 min.	15/30	30	1.50	0%	No
906/907	Frq	8	500,516	8.6%	3,187	23.5	\$ 2.74	\$ 1.25	\$ 1.49	45.7%	21,514	153,509	906/907	✓	85%	80%	15 min.	15	15	1.50	0%	No
909	Circ	8	16,678	(27.8%)	132	8.8	\$ 12.47	\$ 1.37	\$ 11.10	11.0%	1,903	23,103	909	✓	90%	73%	60 min.	60+	60+	1.5	0%	No
916/917	Std	4,LG	56,288	(4.6%)	394	9.7	\$ 10.58	\$ 1.23	\$ 9.35	11.6%	5,837	66,348	916/917	✓	85%	80%	30 min.	30/60	30/60	1.50	0%	No
921	Std	1,6	100,573	5.7%	647	12.8	\$ 7.10	\$ 1.43	\$ 5.66	20.2%	7,949	77,546	921	✓	85%	81%	30 min.	30	30	1.50	0%	No
923	Std	2,3	62,615	0.9%	497	9.4	\$ 8.83	\$ 1.31	\$ 7.52	14.9%	6,707	61,236	923		85%	84%	30 min.	30	30	1.50	0%	No
928	Std	6,7	69,082	4.7%	485	9.5	\$ 11.24	\$ 1.35	\$ 9.89	12.0%	7,347	83,642	928		85%	84%	30 min.	30	30	1.50	0%	No
929	Frq	3,8,CV,NC	652,876	0.5%	4,234	20.5	\$ 4.32	\$ 1.19	\$ 3.14	27.5%	32,178	315,763	929	✓	85%	70%	15 min.	12	15	1.00	0%	No
932	Frq	8,CV,NC	335,805	(5.9%)	2,281	20.1	\$ 4.33	\$ 1.24	\$ 3.09	28.7%	16,836	162,233	932	✓	85%	80%	15 min.	15	15	1.50	0%	No
933/934	Frq	8,IB	595,206	(1.2%)	3,978	23.0	\$ 4.48	\$ 1.02	\$ 3.45	22.9%	26,094	297,164	933/934	✓	85%	74%	15 min.	12	15	1.50	0%	No
936	Std	4,8,LG,Cty	161,204	4.7%	940	16.0	\$ 4.68	\$ 1.27	\$ 3.41	27.1%	10,184	81,893	936	✓	85%	80%	30 min.	30	30	1.50	0%	No
944	Std	5,PW	20,551	(5.6%)	163	5.9	\$ 14.60	\$ 1.31	\$ 13.29	9.0%	3,515	37,803	944		85%	91%	30 min.	30	30	1.00	0%	No
945	Std	5,PW	45,144	10.1%	323	7.6	\$ 11.22	\$ 1.27	\$ 9.95	11.3%	6,015	83,730	945		85%	83%	30 min.	30	30	1.50	0%	No
945A	Std	PW	4,517	19.3%	36	9.1	\$ 9.38	\$ 0.29	\$ 9.09	3.1%	498	7,004	945A		85%	82%	30 min.	30	30	1.50	0%	No
950	Exp	8	70,219	(43.2%)	808	31.3	\$ 4.92	\$ 1.24	\$ 3.68	25.2%	2,270	38,260	950	✓	90%	96%	30 min.	12/20	20	1.50	0%	No
955	Frq	4,8,9,NC	439,422	(1.1%)	2,879	22.1	\$ 3.71	\$ 1.12	\$ 2.58	30.3%	20,021	181,700	955	✓	85%	81%	15 min.	12	12	1.50	0%	No

FY 2024 SEMI-ANNUAL ROUTE STATISTICS (Q1-Q2)													TITLE VI MONITORING (FY 2023 Annual Statistics) ~									
BASE STATISTICS																						
Route	Cat	Jurisdiction (#=SD Dist.)	Q1-Q2 Passengers	FY23-24 % Change	Avg. Wkdy. Psgrs.	Psgrs./ Rev. Hr.	Cost/ Psgr.	Average Fare	Subsidy/ Psgr.	Farebox Recovery	Budgeted Rev.Svc.		Route	Minority Route	On-Time Perf.		Weekday Headway			Vehicle Load Factor ---		
											Hours	Miles			Goal	Actual	Goal	Peak	Base	Goal	% trips over VLF	> 20%?
961	Frq	4,NC	218,405	(3.3%)	1,408	18.7	\$ 4.93	\$ 1.11	\$ 3.82	22.6%	11,824	120,198	961	✓	85%	79%	15 min.	15/30	15/30	1.50	0%	No
962	Frq	4,NC,Cty	189,921	(5.2%)	1,178	18.6	\$ 5.12	\$ 1.27	\$ 3.84	24.9%	10,301	108,360	962	✓	85%	79%	15 min.	15	15	1.50	0%	No
963	Std	4,NC	62,535	2.7%	421	13.4	\$ 5.58	\$ 1.31	\$ 4.27	23.4%	4,722	38,928	963	✓	85%	85%	30 min.	30	30	1.50	0%	No
964	Circ	5,6	44,648	4.4%	354	10.3	\$ 8.32	\$ 1.18	\$ 7.14	14.2%	4,394	41,291	964	✓	90%	84%	60 min.	30	30	1.00	0%	No
965	Circ	9	20,872	(2.5%)	145	9.0	\$ 9.54	\$ 1.16	\$ 8.38	12.2%	2,349	23,907	965	✓	90%	75%	60 min.	35-45	35-45	1.00	0%	No
967	Std	4,NC	15,486	0.6%	123	8.7	\$ 9.30	\$ 1.24	\$ 8.07	13.3%	1,789	15,926	967	✓	85%	91%	30 min.	60	60	1.50	0%	No
968	Std	NC	22,873	(10.4%)	182	11.0	\$ 8.22	\$ 1.10	\$ 7.12	13.3%	2,076	20,786	968	✓	85%	84%	30 min.	60+	60+	1.50	0%	No
972**	Circ	1.6	1,526	(53.4%)	12	2.3	\$ 34.22	\$ 0.76	\$ 33.46	2.2%	653	6,970	972**						1.00	0%	No	
973**	Circ	1.6	3,802	(12.1%)	30	5.8	\$ 13.91	\$ 0.76	\$ 13.15	5.5%	659	8,543	973**	✓					1.00	0%	No	
974 ***	Circ	1	3,132	(12.8%)	25	5.2	\$ 15.27	\$ 0.76	\$ 14.51	5.0%	599	5,601	974 ***	✓					1.00	0%	No	
978**	Circ	1	2,273	(22.5%)	18	3.6	\$ 22.51	\$ 0.76	\$ 21.75	3.4%	639	6,766	978**						1.00	0%	No	
979**	Circ	1	3,491	1.0%	29	5.6	\$ 14.29	\$ 0.76	\$ 13.53	5.3%	624	5,457	979**						1.00	0%	No	
985	Circ	1	13,281	100.0%	105	7.9	\$ 10.85	\$ 1.46	\$ 9.40	13.4%	1,710	19,388	985	✓	90%		15 min.	15	15			
992	Frq	2,3	156,003	(5.2%)	875	13.6	\$ 5.27	\$ 1.46	\$ 3.80	27.8%	11,650	92,103	992		85%	68%	15 min.	15	15	1.50	0%	No
Access	D.R.	ALL	86,994	(10.7%)	615	1.5	\$ 79.30	\$ 4.47	\$ 74.83	5.6%												
Taxi	D.R.	ALL	65,310	150.7%	465	3.0	\$ 39.78	\$ 4.78	\$ 35.00	12.0%												
<b>TOTAL</b>			<b>37,656,249</b>	<b>9.5%</b>	<b>237,995</b>	<b>34.0</b>	<b>\$ 4.92</b>	<b>\$ 0.96</b>	<b>\$ 3.97</b>	<b>19.4%</b>	<b>1,020,300</b>	<b>12,214,642</b>										

FTA defines **Minority** persons to include the following: (1) American Indian and Alaska Native, (2) Asian, (3) Black or African American, (4) Hispanic or Latino, (5) Native Hawaiian or Other Pacific Islander.  
 FTA defines **Minority Route** as one with at least 1/3 of its total mileage in a census block(s) with a percentage of minority population that exceeds the percentage of minority population in the entire MTS service area.  
 Source: [https://www.transit.dot.gov/sites/fta.dot.gov/files/dovs/FTA\\_Title\\_VI\\_FINAL.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/dovs/FTA_Title_VI_FINAL.pdf)

Route Category	Q1-Q2 Passengers	FY23-24 % Change	Avg. Wkdy. Psgrs.	Psgrs./ Rev. Hr.	Cost/ Psgr.	Average Fare	Subsidy/ Psgr.	Farebox Recovery
Urban Frequent	10,989,188	4.9%	70,966	20.6	\$ 5.88	\$ 1.15	\$ 4.73	19.6%
Urban Standard	2,835,668	3.5%	19,326	14.2	\$ 7.00	\$ 1.19	\$ 5.81	17.0%
Rapid ^	2,856,966	14.3%	19,026	25.2	\$ 6.29	\$ 1.24	\$ 5.05	19.7%
Express	293,779	-20.7%	1,996	13.3	\$ 11.86	\$ 1.20	\$ 10.66	10.1%
Circulator	280,236	-10.5%	2,066	8.3	\$ 8.99	\$ 1.00	\$ 7.98	11.1%
Premium/Rapid Express	50,872	2.5%	404	13.9	\$ 19.45	\$ 3.23	\$ 16.21	16.6%
Rural ^^	19,218	-13.3%	153	7.1	\$ 32.57	\$ 4.50	\$ 28.07	13.8%
<b>Fixed Bus Subtotal</b>	<b>17,325,927</b>	<b>5.2%</b>	<b>113,936</b>	<b>19.0</b>	<b>\$ 6.35</b>	<b>\$ 1.18</b>	<b>\$ 5.17</b>	<b>18.6%</b>
Light Rail (B,O,G)	20,177,524	13.4%	122,979	172.8	\$ 3.26	\$ 0.74	\$ 2.52	22.6%
Light Rail (Silver)	494	-25.8%	-	20.3	\$ 27.69	\$ 0.42	\$ 27.28	1.5%
<b>Light Rail Subtotal</b>	<b>20,178,018</b>	<b>13.4%</b>	<b>122,979</b>	<b>172.7</b>	<b>\$ 3.26</b>	<b>\$ 0.74</b>	<b>\$ 2.52</b>	<b>22.6%</b>
<b>ALL Fixed-Route</b>	<b>37,503,945</b>	<b>9.5%</b>	<b>236,915</b>	<b>36.5</b>	<b>\$ 4.69</b>	<b>\$ 0.94</b>	<b>\$ 3.75</b>	<b>20.1%</b>
MTS Access	86,994	-10.7%	615	1.5	\$ 79.30	\$ 4.47	\$ 74.83	5.6%
Access Taxi	65,310	150.7%	465	3.0	\$ 39.78	\$ 4.78	\$ 35.00	12.0%
<b>Demand-Resp Subtotal</b>	<b>152,304</b>	<b>23.4%</b>	<b>1,080</b>	<b>1.9</b>	<b>\$ 62.35</b>	<b>\$ 4.60</b>	<b>\$ 57.75</b>	<b>7.4%</b>
<b>System Total</b>	<b>37,656,249</b>	<b>9.5%</b>	<b>237,995</b>	<b>34.0</b>	<b>\$ 4.92</b>	<b>\$ 0.96</b>	<b>\$ 3.97</b>	<b>19.4%</b>

\* City of Coronado subsidized fares for summer service on Route 904.  
 \*\* SVCC fares and one-half of the subsidy are paid for by NCTD.  
 \*\*\* Route 974 cost is 100% reimbursed by NCTD.  
 ^ SANDAG reimburses MTS for net operating costs for Routes 201-237 with TransNet funds (except Route 227).  
 ^^ Routes 888, 891, 892, and 894 receive federal rural operating subsidy.  
 ~ New IRIS Rapid Route 227 started service on Oct 15, 2023.

NC=National City, CV=Chula Vista  
 IB=Imperial Beach, LG=Lemon Grove, LM=La Mesa  
 EC=El Cajon, ST=Santee, PW=Poway  
 Cor=Coronado, Cty=County Uninc., Esc=Escondido  
 SD Dist.=City of San Diego Council District

SERVICE AVAILABILITY	
Goal	Actual
80% of residents or jobs within 1/2 mile of a bus stop or rail station in urban area	% of <b>residents</b> within 1/2 mile of a bus stop or rail station in urban areas: <b>99.2%</b> % of <b>jobs</b> within 1/2 mile of a bus stop or rail station in urban areas: <b>95.9%</b>
100% of suburban residences within 5 miles of a bus stop or rail station.	% of suburban residents within 5 miles of a bus stop or rail station: <b>100.0%</b>
One return trip at least 2 days/week to destinations from rural villages (defined as Lakeside and Alpine).	Available Service: <b>Route 848 serves Lakeside seven days a week and Route 838 serves Alpine seven days a week.</b>

See attached map entitled 'Metropolitan Transit System Area of Jurisdiction.'

Percentage Sources: American Community Survey (2019) and 2020 U.S. Census Bureau

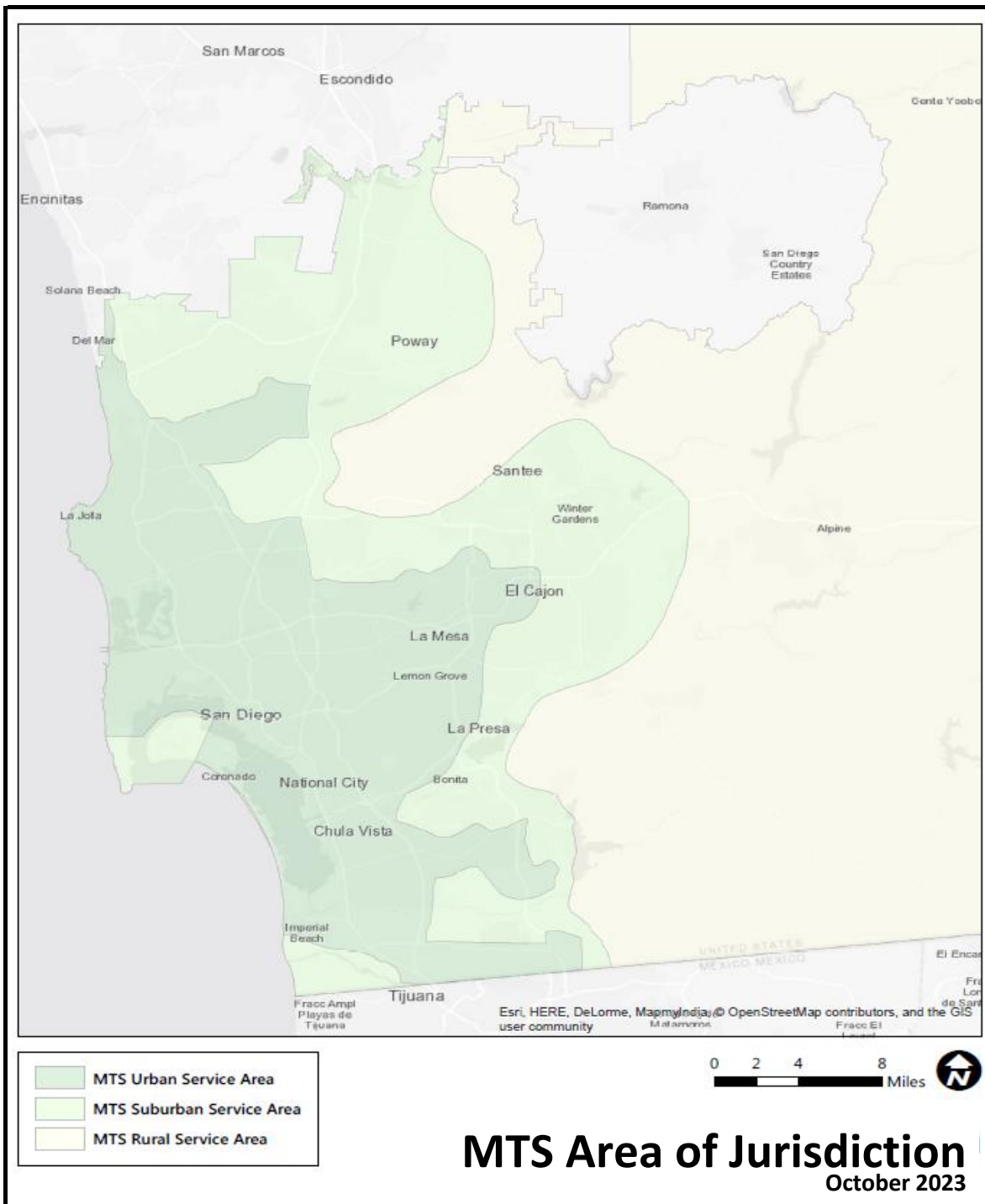
^ Minority Route report updated using ACS 2021 (10/26/2023)

~ Title VI Monitoring statistics are updated on an annual basis

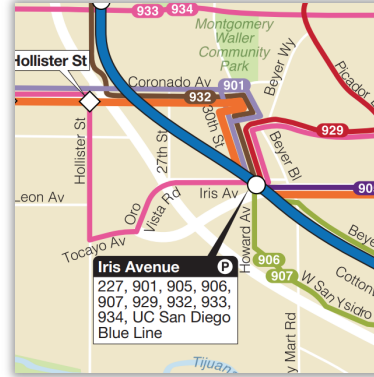
--- No trips averaged above the vehicle load factor target (1.5 for most bus routes, 3.0 for Trolley).

NOTE: Rural and Demand Response services have no specific Policy 42 goals for OTP, headway, or vehicle load.









# FY 2024 Q1-Q2 Performance Monitoring Report

## MTS Board of Directors

# Policy 42 Evaluation Criteria

CUSTOMER FOCUSED/COMPETITIVE		INTEGRATED	SUSTAINABLE	
PRODUCTIVITY	QUALITY	CONNECTIVITY	RESOURCES	EFFICIENCY
<ul style="list-style-type: none"> <li>• <b>Total Passengers</b></li> <li>• <b>Average Weekday Passengers</b></li> <li>• <b>Passengers/ Revenue Hour</b></li> <li>• <b>Passengers/ In-Service Hour</b></li> </ul>	<ul style="list-style-type: none"> <li>• Passenger Load Factor</li> <li>• <b>On-Time Performance</b></li> <li>• Accidents/ 100,000 Miles</li> <li>• Comments/ 100,000 Passengers</li> <li>• Mean Distance Between Failures</li> </ul>	<ul style="list-style-type: none"> <li>• Route Headway</li> <li>• Span-of- Service Consistency</li> <li>• Service Availability</li> </ul>	<ul style="list-style-type: none"> <li>• In-Service Miles</li> <li>• In-Service Hours</li> <li>• Peak Vehicle Requirement</li> </ul>	<ul style="list-style-type: none"> <li>• In-Service Speed</li> <li>• In-Service/Total Miles</li> <li>• In-Service/Total Hours</li> <li>• Farebox Recovery Ratio</li> <li>• Subsidy/Passenger</li> </ul>

---

## Ridership

- FY 2020 (pre-pandemic) 6-month average weekday ridership was **283k**
- FY 2022 6-month average weekday ridership was **169k**
- FY 2023 6-month average weekday ridership was **215k**
- FY 2024 up 11% to **238k** (84% of FY 2020)
  - Riders on commuter services slowest to return
    - Commuter routes still down 60%, though at lower level of service.
    - MTS' SVCC to be discontinued in June 2024 (NCTD to take over)
- Outlook for full year FY 2024:
  - MTS ridership continues to rebound from the Covid-19 pandemic
    - Monthly year-over-year ridership increasing 10%-15%, indicating MTS ridership has not yet reached its post-pandemic potential
  - Services reduced in 2022 due to driver shortages being restored
  - Iris Rapid (227) implemented in October 2023
  - Trolley night and weekend improvements for June 2024

# Total Passengers

Q1/Q2 (six-month totals)

- **Policy 42 GOAL** is a year-over-year improvement by Route, Category, and System
  - Most categories met the goal.
  - Express 950 was replaced by Rapid 227.
  - Circulator and Rural categories underperforming.

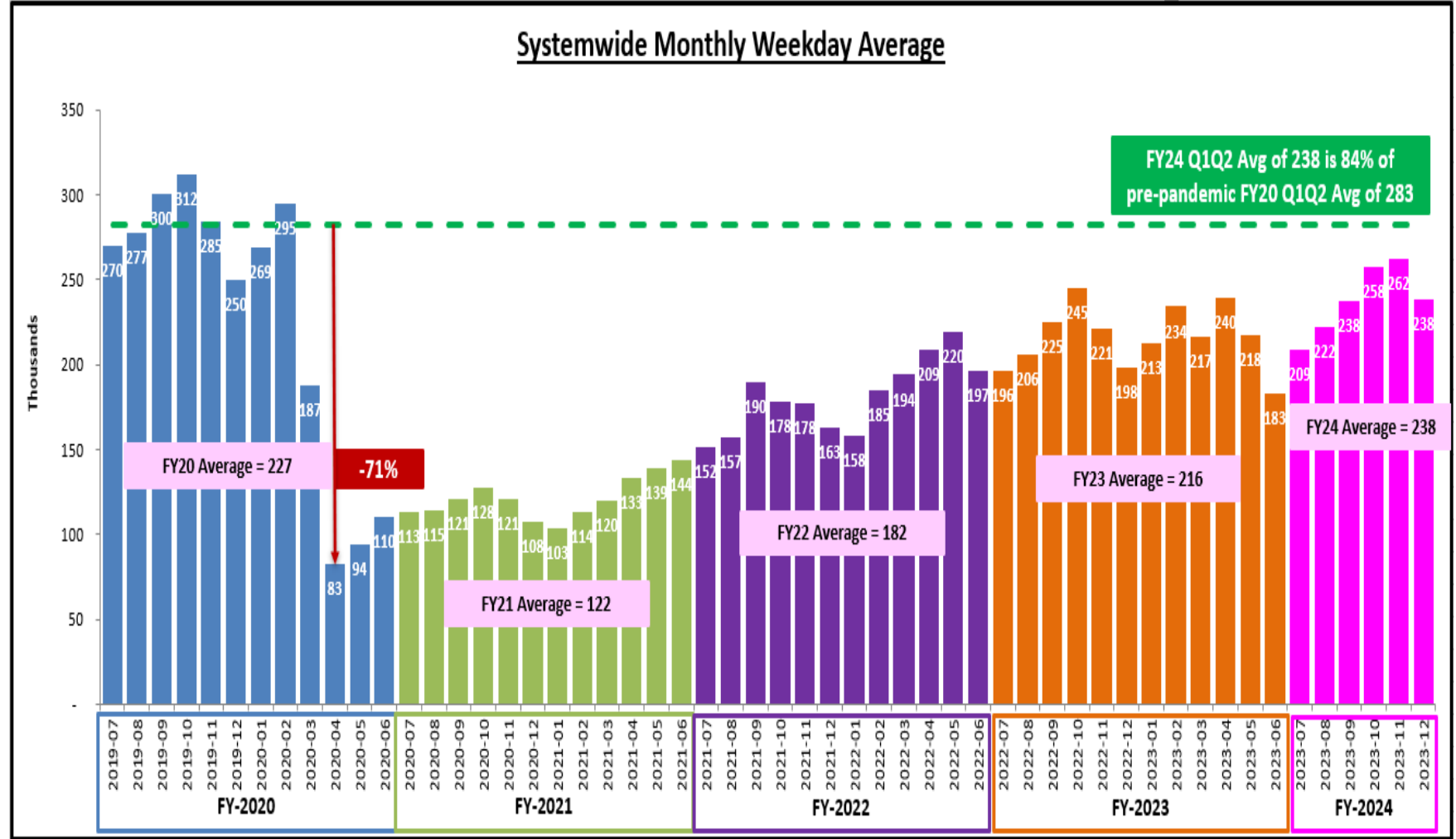
Route Categories	FY 2019 <i>Pre-Pandemic</i>	FY 2022 <i>July-Dec.</i>	FY 2023 <i>July-Dec.</i>	FY 2024 <i>July-Dec.</i>	% Change FY23-FY24
Urban Frequent	15,494,842	8,652,558	10,474,906	10,989,188	4.9%
Urban Standard	3,792,986	2,164,969	2,741,054	2,835,668	3.5%
Rapid	2,954,767	1,883,478	2,500,390	2,856,966	14.3%
Express	1,007,362	477,411	370,439	293,779	-20.7%
Circulator	440,163	232,850	313,284	280,236	-10.5%
Rapid Express	138,940	34,743	49,655	50,872	2.5%
Rural	42,823	20,009	22,158	19,218	-13.3%
<b>Fixed-Route Bus</b>	<b>23,871,883</b>	<b>13,466,018</b>	<b>16,471,886</b>	<b>17,325,927</b>	<b>5.2%</b>
<b>Light Rail</b>	<b>19,066,560</b>	<b>13,516,048</b>	<b>17,787,263</b>	<b>20,178,018</b>	<b>13.4%</b>
<b>All Fixed-Route</b>	<b>42,938,443</b>	<b>26,982,066</b>	<b>34,259,149</b>	<b>37,503,945</b>	<b>9.5%</b>
MTS Access	250,524	91,195	123,416	152,304	23.4%
<b>System</b>	<b>43,188,967</b>	<b>27,073,261</b>	<b>34,382,565</b>	<b>37,656,249</b>	<b>9.5%</b>
<i>Average Weekday</i>	<i>275,765</i>	<i>169,235</i>	<i>215,317</i>	<i>237,995</i>	<i>10.5%</i>

# Weekday Average

Compared to pandemic low-point of 83k in April 2020 (29% of baseline):

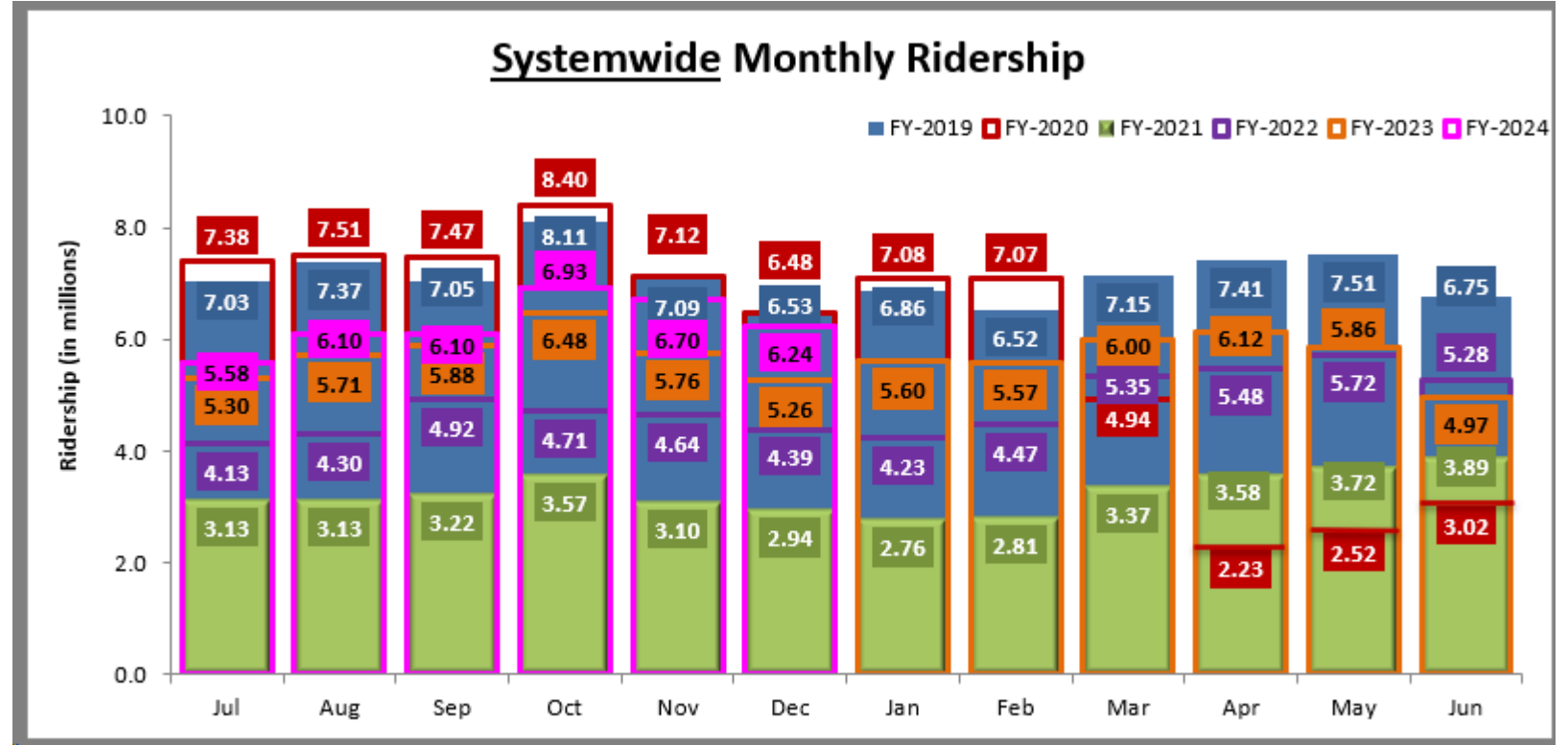
- Oct 2023 = 212% higher (258k)
- Nov 2023 = 218% higher (262k)

*Note: Weekday average in Nov. 2023 was the highest at 262k (93% of Fall 2019 baseline)*



# Monthly Passengers

- Ridership for Q1-Q2 of FY 2024 increased 10% compared to Q1-Q2 of FY 2023



- YOY increase nearly every month since April 2021
  - Except June 2023 due to strike
  - Jan./Feb. 2024 will be lower due to rain & floods

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
FY23-FY24	5%	7%	4%	7%	16%	19%						
FY22-FY23	28%	33%	20%	38%	24%	20%	34%	25%	12%	12%	2%	-6%
FY21-FY22	32%	37%	53%	32%	49%	49%	53%	59%	59%	53%	54%	36%
FY20-FY21	-58%	-58%	-57%	-58%	-56%	-55%	-61%	-60%	-32%	60%	47%	29%
FY19-FY20	5%	2%	6%	4%	0%	-1%	3%	9%	-31%	-70%	-66%	-55%

## Passengers Per Revenue Hour

- Q1/Q2 (six-month totals)
- **Policy 42 GOAL** is to improve the route category average
  - All categories except Circulator and Rural met the goal.
  - All categories lower than pre-pandemic.

Route Categories	FY 2019 <i>Pre-Pandemic</i>	FY 2022 <i>July-Dec.</i>	FY 2023 <i>July-Dec.</i>	FY 2024 <i>July-Dec.</i>	% Change FY23-FY24
Urban Frequent	26.8	15.1	19.9	20.6	3.2%
Urban Standard	18.8	10.7	13.8	14.2	2.5%
Rapid	31.4	16.5	24.1	25.2	4.4%
Express	25.4	12.6	12.8	13.3	4.6%
Circulator	13.3	6.9	9.3	8.3	-10.0%
Premium/Rapid Express	24.0	10.0	13.5	13.9	3.2%
Rural	15.8	7.5	8.3	7.1	-13.5%
<b>Fixed-Route Bus</b>	<b>25.1</b>	<b>13.9</b>	<b>18.4</b>	<b>19.0</b>	<b>3.7%</b>
<b>Light Rail</b>	<b>215.7</b>	<b>137.2</b>	<b>152.1</b>	<b>172.7</b>	<b>13.5%</b>
<b>All Fixed-Route</b>	<b>41.0</b>	<b>25.3</b>	<b>33.8</b>	<b>36.5</b>	<b>8.1%</b>
MTS Access	2.1	1.5	1.8	1.9	3.7%
<b>System</b>	<b>37.1</b>	<b>24.1</b>	<b>31.8</b>	<b>34.0</b>	<b>7.0%</b>



## On-Time Performance

- **Policy 42 GOAL** is 85% for Urban Frequent & Rapid, 90% for all other categories
  - Higher speed routes with highway and/or guideway components consistently meet their goals.
  - As in pre-pandemic, Urban routes with surface street traffic and signals are more challenged to meet their goals.

Route Categories	Service Change Period					GOAL
	June 2022	Sept. 2022	Jan. 2023	June 2023	Sept. 2023	
Urban Frequent	83.6%	82.4%	82.0%	81.7%	82.4%	85.0%
Urban Standard	86.9%	84.8%	84.3%	84.7%	83.8%	90.0%
Rapid	88.7%	86.9%	86.5%	85.4%	85.9%	85.0%
Express	94.4%	91.7%	91.1%	90.9%	91.1%	90.0%
Circulator	84.3%	85.9%	85.0%	83.1%	84.4%	90.0%
Premium/Rapid Express	93.8%	90.5%	88.6%	88.8%	90.2%	90.0%
Rural	N/A	N/A	N/A	N/A	N/A	
Demand-Resp. (Access & Taxi)	N/A	N/A	N/A	N/A	N/A	
Light Rail (Blue, Orange, Green)	96.1%	95.8%	95.8%	95.7%	95.7%	90.0%
Light Rail (Silver)	N/A	N/A	N/A	N/A	N/A	90.0%
<b>System</b>	<b>86.5%</b>	<b>85.3%</b>	<b>85.0%</b>	<b>84.4%</b>	<b>84.4%</b>	



# Questions/Comments



**Metropolitan  
Transit  
System**

## **Agenda Item No. 23**

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

**SUBJECT:**

Vehicle Assignment and Transit Amenities Policies (Samantha Leslie & Denis Desmond)

**INFORMATIONAL ONLY**

Budget Impact

None at this time.

**DISCUSSION:**

As a recipient of Federal Transit Administration (FTA) funds, MTS is required to comply with certain FTA Title VI requirements. On October 1, 2012, the FTA issued Circular 4702.1B, which provided revised guidance for transit agencies to maintain compliance with Title VI requirements. The circular introduced new requirements “to set system-wide service standards and policies.” The service standards have been incorporated into MTS Board Policy 42 “Transit Service Evaluation and Adjustment”, and two separate administrative policies are maintained to fulfill the policy requirement for the distribution of transit amenities for each mode and the vehicle assignment for each mode.

MTS’s Transit Amenities Policy sets forth the transit amenities made available to passengers and how distributed across MTS’s system. MTS’s Vehicle Assignment Policy sets forth the types of vehicles operated and how placed into service across MTS’s system. MTS monitors the performance of MTS’s system relative to these policies not less than every three (3) years to ensure amenities are being distributed and vehicles are being assigned throughout the MTS system in an equitable manner.

MTS’s Transit Amenities Policy and MTS’s Vehicle Assignment Policy monitoring results were last presented to the MTS Board of Directors on July 29, 2021. MTS has recently updated these policies to reflect fleet updates, implementation of PRONTO, and the extension of the Blue Line. Interest has been expressed among Board members to review these administrative policies. Before staff begins performance monitoring of these policies, staff will provide a report on MTS’s Transit Amenities and Vehicle Assignment Policy and seek feedback on whether there are any other changes to these policies that should be addressed.



Please note, MTS' triennial Title VI Program submittal is due by June 1, 2024, which is a report that summarizes how MTS has complied with its Title VI requirements for the previous three-year period. Approval by the MTS Board of Directors of the triennial Title VI Program is required prior to submission to FTA. Staff aims to bring the triennial Title VI Program for Board approval on May 16, 2024, which will include MTS's Transit Amenities Policy and MTS's Vehicle Assignment Policy and any completed performance monitoring results within the last three years.

/S/ Sharon Cooney \_\_\_\_\_

Sharon Cooney

Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachment: A. Draft 2024 Transit Amenities Policy and Vehicle Assignment Policy



**Metropolitan  
Transit  
System**

# Vehicle Assignment Policy 2024



SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Subject: VEHICLE ASSIGNMENT POLICY

Effective Date: December 31, 2023

SAN DIEGO METROPOLITAN  
TRANSIT SYSTEM

---

Sharon Cooney  
Chief Executive Officer

---

Approved as to form:  
Samantha Leslie  
Deputy General Counsel / Title VI Liaison Officer

## 1.0 Introduction

The San Diego Metropolitan Transit System (MTS) is the provider of public fixed-route bus and light rail transit services in the southern and eastern portions of San Diego County. MTS' service area is approximately 570 square miles of the **urbanized** areas of San Diego County, plus the rural areas of East County. Our total jurisdiction is 3,240 square miles, serving a population of nearly 3 million.

MTS can trace its roots back to 1886, when private companies began providing various rail transit services in San Diego. The current organization was created by the passage of California Senate Bill 101 and came into existence in January 1976 as the Metropolitan Transit Development Board (MTDB). In 2002, Senate Bill 1703 merged MTDB's long-range planning, financial programming, project development and construction functions into the regional metropolitan planning organization, the San Diego Association of Governments (SANDAG). In 2005, MTDB changed its name to MTS.

MTS directly or through private contractors operates 96 fixed bus routes, 4 light rail lines, and an Americans with Disabilities Act (ADA) complementary paratransit service. All services are coordinated by MTS, which determines the routes, stops, frequencies and hours of operation. Light rail infrastructure includes 54 stations and 102.6 miles of rail. Various modes of bus routes are operated, including local, urban, express, Rapid, Rapid Express, and rural services.

Federal Transit Administration (FTA) Circular 4702.1B requires that operators receiving federal financial assistance have policies ensuring the equitable distribution of vehicles and amenities as part of their compliance with Title VI of the Civil Rights Act of 1964. This document provides the policy guidelines for the distribution and operation of MTS vehicles throughout the MTS service area. It has also been distributed to MTS' outside contractors that provide transit services.

## 2.0 Buses

In Fiscal Year 2023, over 32 million riders boarded MTS bus services, and 105,000 on an average weekday. The fleet consists of over 700 buses operating on 96 fixed-routes and paratransit service. Modes operated include motorbus, commuter bus, and demand response. Approximately half of the bus service is directly operated by MTS employees. The remaining half is operated by private contractors using buses or vans provided by MTS and operating from divisions owned by MTS. ADA Paratransit service is also provided by taxicabs owned and operated by private entities. Most of the heavy-duty bus fleet is powered by natural gas, the culmination of an initiative started in 1994 to replace diesel with cleaner, alternative fuels. The last of MTS' diesel buses were retired in early 2021. As of December 2023, MTS has 25 battery electric buses (BEBs) in its fleet, the first step in a plan to convert the entire fleet to zero-emission by 2040.



2.1 Vehicle Categories

2.1.A Standard Bus: Medium or Heavy-Duty urban transit buses manufactured by New Flyer, Gillig, etc. Passenger amenities are common throughout the fleet, with only minor year-to-year variations. All standard buses are battery-electric or powered by Compressed Natural Gas (CNG).



2.1.A.1 **Standard MTS**: The largest segment of MTS' fixed-route fleet. All standard buses are 40' long. Seating is a standard transit shell seat product with fabric inserts.

2.1.A.2 **Standard Rapid**: The Standard Rapid bus differs from the Standard MTS bus by exterior branding and installation of Transit Signal Priority (TSP) transmitters. All other features and amenities are the same.



2.1.B Articulated Bus: Articulated transit buses are 60' long and all were manufactured by New Flyer Industries. There are three distinct fleets, all either battery-electric or CNG-powered:

2.1.B.1 **Artic Urban**: MTS branded with passenger amenities similar to MTS standard buses. These are assigned to higher volume routes that require additional capacity when added frequency isn't practical, feasible, or cost-effective.



2.1.B.2 **Artic Rapid**: Branded for Rapid service with passenger amenities similar to MTS standard buses. These are primarily assigned to TransNet-funded Rapid routes that operate mostly on surface streets.



2.1.B.3 **Artic Rapid Freeway**: Branded for Rapid service with an upgraded seating product. These are assigned to TransNet-funded Rapid routes

that operate significant freeway segments, with the upgraded seating intended to improve the ride quality at higher speeds.

- 2.1.C Minibus: Single-door, high-floor, body-on-chassis cutaway buses, typically 29'-34' in length; generally fewer seats than standard buses; propane- or gasoline-powered; all are equipped with a wheelchair lift at the curbside rear. These are assigned to fixed-routes with lower ridership. They are also used on other routes during lower-demand periods such as weekends.



- 2.1.D Over-the-Road (OTR) Coach: Single-door, 45' long, high-floor highway coach; upgraded seating product and some additional passenger amenities such as parcel racks and reading lights; all are equipped with a curbside midship wheelchair lift. These are assigned to the higher-fare *Rapid Express* service on the Interstate 15 corridor.



- 2.1.E ADA Paratransit Assigned Minibus: All ADA complementary paratransit buses are Type II cutaway minibuses. There is no variation in passenger amenities from year-to-year, and vehicles are dispatched equally throughout the region based on ride demands.



- 2.1.F ADA Paratransit Assigned Vans: All ADA complementary paratransit vans are conversions of standard minivans. There is no variation in passenger amenities from year-to-year, and vehicles are dispatched equally throughout the region based on ride demands. All are wheelchair accessible.



- 2.1.G ADA Paratransit Assigned Non-MTS Vehicles: MTS' Contractor for ADA Paratransit Service subcontracts with third party organizations to service a portion of the passenger trips. These fleets include taxicabs and/or transportation network company (TNC) vehicles. These vehicles are made up of a variety of standard passenger vehicles. There may be a slight variation in passenger amenities from year-to-year based on the available fleet, but all are equipped with air conditioning and heaters. MTS does not purchase, own, or maintain these vehicles. These vehicles are operated and maintained by private entities, and are dispatched equally throughout the MTS Access Service Area based on ride demands and operational efficiencies. These vehicles are not currently wheelchair accessible. See Section 2.8 of this Vehicle Assignment Policy for further information on Vehicle Assignments for ADA Paratransit.



Sample taxicab; may not be actual vehicle.

## 2.2 Zero Emission Vehicles (ZEVs)

The California Air Resources Board (CARB) requires that transit bus fleets convert to ZEBs by 2040. Various internal combustion engine-powered (ICE) examples in the above vehicle



categories will be replaced by ZEBs over the coming years, anticipated to be primarily Battery Electric Buses (BEBs). **MTS' transition plan prioritizes the deployment of BEBs in disadvantaged communities, as defined by California Senate Bill 535 using the State's CalEnviroscreen tool.**

The transition plan is a gradual conversion of all bus orders, with the last ICE bus being purchased in 2028. All ICE buses will be retired by 2040.

Challenges include the need for significant electrical grid and charging infrastructure installed at all divisions, insufficient range with current battery technology, and lack of viable BEB options on some fleet types. MTS anticipates that most of these will be resolved over the next several years as technology and availability improves, but the CARB plan is a dynamic document that will be updated as new information becomes available.

The current small fleet of Standard BEBs is supported at four MTS divisions with pedestal chargers. The current fleet of articulated BEB buses is located at the South Bay Division, where they are charged using overhead gantries with drop-down pantographs that charge the buses as needed for service. This system also optimizes charging times to avoid peak periods on the grid. Planning and design are underway for the installation of the overhead gantry systems at MTS' other divisions.

### 2.3 Divisions

MTS bus service is operated from five bus divisions, with a sixth in development:

- 2.3.A Imperial Avenue Division (IAD): Directly operated by MTS. Located at 100 Sixteenth Street, San Diego, CA 92101 (Downtown San Diego); operates standard and articulated buses. Maintains CNG-powered and battery-electric buses.
- 2.3.B Kearny Mesa Division (KMD): Directly operated by MTS. Located at 4630 Ruffner Street, San Diego, CA 92111 (Kearny Mesa); operates standard and articulated buses. Fuels and maintains CNG-powered buses. Maintains CNG-powered and battery-electric buses.
- 2.3.C South Bay Division (SBD): Owned by MTS and operated by a contractor (currently Transdev). Located at 3650A Main Street, Chula Vista, CA 91911 (southern Chula Vista); operates standard and articulated buses. Maintains CNG-powered and battery-electric buses.
- 2.3.D East County Division (ECD). Owned by MTS and operated by a contractor (currently Transdev): 544 Vernon Way, El Cajon, CA 92020; operates standard buses, minibuses, and over-the-road coaches. Fuels and maintains CNG- and gasoline-powered buses, and battery-electric buses.
- 2.3.E Copley Park Division (CPD): Owned by MTS and operated by a contractor (currently First Transit). Located at 7490 Copley Park Place, San Diego, CA 92111 (Kearny Mesa); operates minibuses. Fuels and maintains propane- and gasoline-powered buses.

2.3.F Clean Transit Advancement Campus (CTAC). MTS is developing a sixth bus division that will accommodate expansion of the fleet, as well as free up space in existing divisions to add the necessary BEB charging infrastructure. The CTAC is being designed from the ground-up as a primarily ZEB division, with no facilities planned for the fueling of ICE buses.

2.4 Vehicle Amenities: Passenger amenities vary by vehicle type, as shown in the table below:

<b>Vehicle Amenity</b>	<b>Standard Bus</b>	<b>Articulated Bus</b>	<b>Minibus</b>	<b>OTR Coach</b>	<b>Van</b>	<b>Non-MTS Vehicles</b>
Alternative Fuel-Powered	X	X	X	X		
Zero-Emissions	X	X				
Air conditioning	X	X	X	X	X	X
Lift for accessibility			X	X		
Ramp for accessibility	X	X			X	
Wheelchair Tie-Down Locations	2	2	2	2	1	
Bicycle Rack (2-3 positions)	X	X	X			
Bicycle Underfloor Storage				X		
Seating: shell seats with fabric or vinyl inserts	X	X				
Seating: standard transit padded seating			X			
Seating: upgraded high-back seats		X		X		
Seating: standard OEM seating					X	X

2.5 Bus Assignments by Route: Bus types are assigned by route based on the following:

2.5.A Capacity needs: Articulated buses are assigned to higher volume routes that require additional capacity when added frequency isn't practical, feasible, or cost-effective. Minibuses are assigned to the lowest ridership fixed-routes – routes which generally could not be economically operated with a larger bus.

2.5.B Route type: Vehicles are assigned by route type in the specifications below. Temporary exceptions to these assignments may be made in an unanticipated, emergency, or standby situation when service would otherwise be lost.

2.5.B.1 *Rapid Express* routes between the Interstate 15 corridor and Downtown San Diego are assigned over-the-road coaches; these routes have a higher fare and pass price accordingly.

- 2.5.B.2 High-demand Rapid routes are assigned Rapid articulated buses. (These may be supplemented as needed with other MTS buses for capacity purposes.) Rapid routes or trips that operate significant freeway segments are assigned the Rapid “freeway” articulated buses, with upgraded seating intended to improve the ride quality at higher speeds.
- 2.5.B.3 Standard-demand Rapid routes are operated using Rapid articulated buses, Standard Rapid buses, or regular MTS-branded standard buses, depending on availability.
- 2.5.B.4 Urban Frequent routes are operated using MTS-branded articulated and standard buses.
- 2.5.B.5 Urban Standard, Circulator, and Rural routes are operated using MTS-branded standard buses and minibuses, depending on the capacity needs of the individual route.

2.6 Route Assignments by Division: Routes are assigned to each division based on the number and types of buses available, proximity to the service, and opportunities to complement other nearby routes for efficiency, interlining, driver familiarization, supervision, and incident response. State law limits MTS’ ability to reassign directly-operated routes to divisions operated by MTS contractors.

2.7 Vehicle Assignments by Division: Vehicle types are assigned to each division based on division space capacity, and the capability of the division to fuel, operate, and maintain any specialized equipment (alternative fuels, BEBs, articulated buses, etc.). ADA Paratransit Assigned Non-MTS Vehicles do not operate from a division but instead are assigned through dispatch service organizations and are operated and maintained from a non-MTS site. Vehicles are currently assigned to the divisions according to the following table:

<b>Vehicle Category</b>	<b>IAD</b>	<b>KMD</b>	<b>SBD</b>	<b>ECD</b>	<b>CPD</b>	<b>N/A</b>
2.1.A.1 Standard MTS Bus	X	X	X	X		
2.1.A.2 Standard Rapid Bus		X				
2.1.B.1 Articulated Urban Bus	X	X	X			
2.1.B.2 Articulated Rapid Bus	X					
2.1.B.3 Articulated Rapid Freeway Bus		X	X			
2.1.C Minibus				X	X	
2.1.D Over-the-Road Coach				X		
2.1.E ADA Paratransit Assigned Minibus					X	
2.1.F ADA Paratransit Assigned Vans					X	
2.1.G ADA Paratransit Assigned Non-MTS Vehicles						X

2.8 Vehicle Assignments for ADA Paratransit: ADA Paratransit minibus, vans and Non-MTS Vehicles are assigned and routed based on the trips requested by riders each day and

operational efficiencies. Since the ADA Paratransit assigned Non-MTS vehicle fleet does not currently maintain a wheelchair accessible vehicle, a review of the rider’s functional abilities is conducted prior to vehicle assignment to ensure that the appropriate vehicle is assigned (e.g. if the rider uses a wheelchair, requires a lift or ramp to access the vehicle, or requires another accessibility element only available in a minibus or van, then only a minibus or van will be assigned to service that particular trip). MTS does not accommodate ADA Paratransit passenger preference requests for certain type or appearance of vehicles, as it would result in a fundamental alteration of MTS’s operations, service and scheduling process.

- 2.9 Future Procurements: All heavy-duty buses are alternative fuel, hybrid-electric, or zero-emission. Heavy-duty buses will be low-floor, except for buses used for Rapid Express, standby, or tripper services, or on special or low-ridership routes.

### 3.0 Rail Vehicles

- 3.1 Trolley Car Categories: Three different types of cars are operated:

3.1.A High-Floor Cars: Siemens SD100 cars with high floors, steps inside the car to access 0”-8” station platform, wheelchair and bike space at the ends of each car, and a wheelchair lift next to the driver compartment in the lead car. These cars have a flip seat that allows space for three wheelchairs. Passenger amenities are identical on all cars in this fleet, which is planned to be phased out by 2024.



3.1.B Low-Floor Cars: Siemens S70 and S70US cars are 70% low-floor. They include inside steps only up to seating areas at far ends of the car, wheelchair and bike space in the middle of the car, and passenger-activated ramps at two of four doors on each side of each car. Cars were manufactured between 2005 and 2023. Passenger amenities are nearly identical for all models and vintages, with minor improvements in seating configurations in later production cars. Earlier models had larger driver cabs, resulting in a longer overall vehicle length.



3.1.C Vintage Cars: MTS deploys three historic cars on its Silver Line loop in Downtown San Diego: two Presidents Conference Cars (PCCs) dating from 1946; and one 1980-



vintage Siemens-Duewag U2 car preserved from the original San Diego Trolley fleet. These are high-floor vehicles with a wheelchair lift for accessibility.

3.2 Divisions: MTS operates one rail division, from which all light rail (“Trolley”) service is operated: 1341 Commercial Street, San Diego, CA 92113 (Downtown San Diego).

3.3 Vehicle Amenities: Passenger amenities vary by car type, as shown in the table below:

<b>Vehicle Amenity</b>	<b>Low-Floor</b>	<b>High-Floor</b>	<b>Vintage</b>
Air conditioning	<b>X</b>	<b>X</b>	
Lift for accessibility		<b>X</b>	<b>X</b>
Ramps for accessibility	<b>X</b>		
Wheelchair Spaces	<b>Not limited</b>	<b>3</b>	<b>1</b>
Bicycle Spaces (limited by policy for safety)	<b>2</b>	<b>2</b>	<b>0</b>
Seating: shell seats with fabric or vinyl inserts	<b>X</b>		
Seating: standard transit padded seating		<b>X</b>	<b>X</b>

3.4 Trolley Assignments by Line: Trolley cars are assigned primarily based on four factors:

3.4.A Station infrastructure limitations: Low floor cars require a minimum 8” station platform height in order for the ramp to maintain an ADA-compliant slope. All stations on all four lines now have 8” platforms. Most Trolley stations can accommodate four-car trains, except for 12th & Imperial, City College, Fifth Ave, Civic Center, Courthouse, and America Plaza, which can only accommodate three-car trains.

3.4.B Fleet constraints: When additional cars are needed for a full peak schedule, low-floor cars may be supplemented with a high-floor car in the middle of three-car consists. Some occasional tripper and special event trains may operate with all-high-floor consists.

3.4.C Vintage Car constraints: Due to their high floor and limited capacity, the three vintage cars are used only on the Silver Line loop in Downtown San Diego, where they supplement other existing services. Two of the vintage vehicles only have an operating cab on one side, and can therefore can only operate in one direction and limiting them to loop services.

3.5 Future Procurements: Except for vintage cars, all Trolley cars will be a minimum of 70% low-floor; existing high-floor cars will be replaced by low-floor cars upon retirement.

3.6 Trolley System Map:



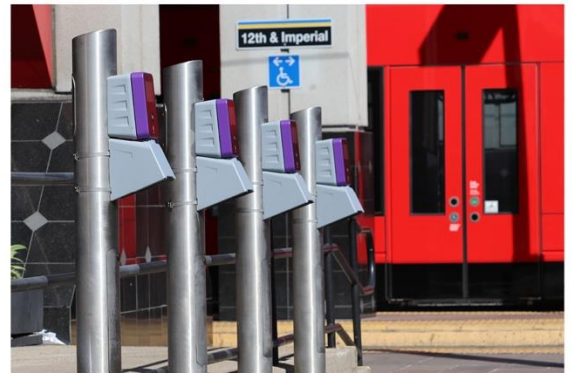
### 4.0 MTS Fleet List (as of 1/1/2024)

Division	Quantity in Fleet	Fleet Series	Year	Make	Model	Vehicle Assignment Policy Category	Power/ Fuel	NTD Fleet ID #
<b>Motorbus - Directly Operated</b>								
KMD	24	1900	2023	New Flyer	Xcelsior XN60	Artic Rapid Fwy	CNG	NEW
IAD	5	1600	2021	Gillig	Low-Floor	Standard MTS	BEB	382015
IAD	2	1600	2020	Gillig	Low-Floor	Standard MTS	BEB	390000
IAD	38	1700	2020	Gillig	Low-Floor	Standard MTS	CNG	389998
IAD	26	1800	2020	New Flyer	Xcelsior XN60	Artic Urban	CNG	389997
KMD	2	1500	2019	New Flyer	Xcelsior XE40	Standard MTS	BEB	382015
KMD	10	1400	2017	Gillig	Low-Floor	Standard Rapid	CNG	355845
KMD	23	200	2015	Gillig	Low-Floor	Standard MTS	CNG	344586
KMD	13	1300	2015	New Flyer	Xcelsior XN60	Artic Urban	CNG	344585
KMD	12	900	2014	Gillig	Low-Floor	Standard MTS	CNG	338442
KMD	8	1100	2013	New Flyer	Xcelsior XN60	Artic Rapid Fwy	CNG	54438
IAD	18	1200	2013	New Flyer	Xcelsior XN60	Artic Rapid	CNG	54438
IAD	26	800	2013	Gillig	Low-Floor	Standard MTS	CNG	338441
IAD	31	700	2012	New Flyer	C40LFR	Standard MTS	CNG	49048
IAD	21	600	2011	New Flyer	C40LFR	Standard MTS	CNG	49047
<b>TOTAL:</b>	<b>259</b>							
<b>Motorbus - Purchased Transportation</b>								
SBD	12	7550	2022	New Flyer	Xcelsior XE60	Artic Rapid Fwy	BEB	NEW
SBD	38	2200	2022	Gillig	Low-Floor	Standard MTS	CNG	NEW
SBD	32	2600	2021	Gillig	Low-Floor	Standard MTS	CNG	NEW
SBD	5	2790	2020	Gillig	Low-Floor	Standard MTS	CNG	390015
SBD	2	1500	2019	New Flyer	Xcelsior XE40	Standard MTS	BEB	395913
ECD	2	1500	2019	New Flyer	Xcelsior XE40	Standard MTS	BEB	295913
ECD	6	8350	2019	Gillig	Low-Floor	Standard MTS	CNG	382016
SBD	7	2780	2018	Gillig	Low-Floor	Standard MTS	CNG	375609
ECD	3	3500	2018	Starcraft	Allstar XL	Minibus	Gasoline	375611
SBD	17	7500	2017	New Flyer	Xcelsior XN60	Artic Rapid Fwy	CNG	355848
SBD	10	7400	2017	New Flyer	Xcelsior XN60	Artic Urban	CNG	355848
SBD	36	2100	2017	Gillig	Low-Floor	Standard MTS	CNG	355847
CPD	29	3100	2016	El Dorado Nat'l	AeroElite 320	Minibus	Propane	350599
ECD	38	8300	2016	Gillig	Low-Floor	Standard MTS	CNG	344589
ECD	13	8200	2015	Gillig	Low-Floor	Standard MTS	CNG	344588
SBD	14	2000	2015	Gillig	Low-Floor	Standard MTS	CNG	344588
SBD	38	2400	2014	Gillig	Low-Floor	Standard MTS	CNG	338448
SBD	18	2300	2013	Gillig	Low-Floor	Standard MTS	CNG	344588
ECD	6	2300	2013	Gillig	Low-Floor	Standard MTS	CNG	344588
CPD	6	3000	2014	El Dorado Nat'l	AeroElite 320	Minibus	Gasoline	338444
SBD	22	2900	2012	New Flyer	C40LFR	Standard MTS	CNG	54442
SBD	5	2900	2011	New Flyer	C40LFR	Standard MTS	CNG	n/a
<b>TOTAL:</b>	<b>359</b>							
<b>Commuter Bus - Purchased Transportation</b>								
ECD	24	8530	2020	MCI	D4500	OTR Coach	CNG	390001
<b>TOTAL:</b>	<b>24</b>							
<b>Demand Response - Purchased Transportation</b>								
CPD	14	3700	2019	Dodge	Grand Caravan	ADA Van	Gasoline	396365
CPD	35	3630	2018	Starcraft	AllStar	ADA Minibus	Propane	375388
CPD	25	3200	2017	Starcraft	AllStar	ADA Minibus	Propane	355846
CPD	46	3300	2016	Starcraft	AllStar	ADA Minibus	Propane	350597
<b>TOTAL:</b>	<b>120</b>							
<b>Light Rail - Directly Operated</b>								
SDTI	67	5000	2019	SDU	S70US	Low-Floor Car	EP	376580
SDTI	65	4000	2011	SDU	S70US	Low-Floor Car	EP	49044
SDTI	11	3000	2005	SDU	S70	Low-Floor Car	EP	25813
SDTI	33	2000	1995	SDU	SD100	High-Floor Car	EP	25812
SDTI	1	1001	1980	SDU	U2	Vintage Car	EP	382272
SDTI	1	529	1946	SLC	PCC	Vintage Car	EP	43778
SDTI	1	530	1946	SLC	PCC	Vintage Car	EP	347023
<b>TOTAL:</b>	<b>179</b>							





# Transit Amenities Policy 2024





SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Subject: TRANSIT AMENITIES POLICY

Effective Date: December 31, 2023

SAN DIEGO METROPOLITAN  
TRANSIT SYSTEM

---

Sharon Cooney  
Chief Executive Officer

---

Approved as to form:  
Samantha Leslie  
Deputy General Counsel / Title VI Liaison Officer

## 1.0 Introduction

The San Diego Metropolitan Transit System (MTS) is the provider of public fixed-route bus and light rail transit services in the southern and eastern portions of San Diego County. MTS' service area is approximately 570 square miles of the urbanized areas of San Diego County as well as the rural parts of East County. Our total jurisdiction is 3240 total square miles, serving nearly 3 million people in San Diego County.

MTS can trace its roots back to 1886, when private companies began providing various rail transit services in San Diego. The current organization was created by the passage of California Senate Bill 101 and came into existence in January 1976 as the Metropolitan Transit Development Board (MTDB). In 2002, Senate Bill 1703 merged MTDB's long-range planning, financial programming, project development and construction functions into the regional metropolitan planning organization, the San Diego Association of Governments (SANDAG). In 2005, MTDB changed its name to MTS.

MTS directly or through private contractors operates 95 fixed bus routes, 4 light rail lines, and an Americans with Disabilities Act (ADA) complementary paratransit service. All services are coordinated by MTS, which determines the routes, stops, frequencies and hours of operation. Light rail infrastructure includes 54 stations and 102.6 miles of rail. Various modes of bus routes are operated, including local, urban, express, Rapid, Rapid Express, and rural services.

Federal Transit Administration (FTA) Circular 4702.1B requires that operators receiving federal financial assistance have policies ensuring the equitable distribution of vehicles and amenities as part of their compliance with Title VI of the Civil Rights Act of 1964.

This policy is established to ensure the equitable distribution of amenities across the MTS transit network. Details on amenities provided by mode follow below. It has been provided to MTS' outside contractors that install and maintain amenities.

This policy applies to amenities funded by or constructed by or at the direction of MTS. This policy does not limit or restrict outside parties from funding and constructing infrastructure improvements at or near MTS transit stations/stops for the benefit of MTS passengers.

## 2.0 Bus Stops

***The installation of bus stop amenities is prioritized based on the number of passenger boardings at stops and stations along those routes.*** This prioritization can be adjusted by site constraints which may prevent installation of an amenity. MTS also works with local communities to ensure that installed amenities are an asset rather than nuisance, and may adjust siting and installations on a case-by-case basis accordingly.

For purposes of increasing equity in the delivery of public transit services, MTS has established goals for the improvement of bus stops in communities of concern. In cases of stops that warrant amenities based on ridership, MTS will also consider if a stop is located in a disadvantaged community, as defined by a state agency or local jurisdiction.

### 2.1 Seating

MTS provides four (4) types of seating at bus stops:

- 2.1.A Stand-alone benches: MTS maintains a contract with a vendor to install benches at bus stop locations within jurisdictions that have an agreement with MTS for bus stop furniture. Installation can be based on passenger volume or upon request. Space constraints on city sidewalks often limit the ability to install a bench. Some cities in MTS' service area install their own bus stop benches; While MTS works closely with the local jurisdictions, MTS does not have the ultimate authority over the placement, design, or location of these benches.
- 2.1.B Shelter benches: MTS maintains a contract with a vendor to install shelters and benches at bus stop locations within jurisdictions that have an agreement with MTS for bus stop furniture.. Typically, a bench is installed at each shelter location, but MTS occasionally omits or removes the bench to increase circulation and queuing space for passengers, or when working with local communities to resolve loitering issues.
- 2.1.C Rapid/TransNet station benches: MTS maintains benches at Rapid and SuperLoop bus stops/stations with TransNet reimbursement for operating expenses.
- 2.1.D Transit Center benches: Off-street transit centers maintained by MTS and shared with Trolley service have benches located at or near the bus stops for use by bus passengers.

Outside entities such as nearby institutions, cities, business improvement districts, and adjacent property owners sometimes install their own furniture at or near bus stops. MTS maintains some control of the immediate bus stop area for safety and ADA compliance, but the local jurisdiction has the ultimate authority over furniture placed within its right-of-way.

## 2.2 Shelters

MTS provides three (3) kinds of shelters at its bus stops:

- 2.2.A Stand-alone shelters: MTS maintains a contract with a vendor to install shelters at bus stop locations within jurisdictions that have an agreement with MTS for bus stop furniture. Placement is based primarily on passenger volume. MTS' current shelter design includes solar-powered lighting that does not require an external power source. This model is the latest generation of MTS shelter, and replaced all of MTS' original shelters by 2020.

Potential locations require sufficient space for the shelter and suitable electrical conditions (sufficient lighting for solar generation, or a nearby power source and ability to ground the equipment). Space constraints on city sidewalks often limit the ability to install a shelter. MTS offers two lengths of stand-alone shelters to accommodate smaller spaces where possible, or to provide more shelter area at busier stops, space permitting.

MTS' shelter contractor uses a digital advertising panel in some locations. This affects the advertising panel only; passenger amenities are not affected and do not differ on shelters with digital versus static advertising panels.

- 2.2.B Rapid/TransNet station shelters: MTS maintains shelters at Rapid and SuperLoop bus stops/stations with TransNet reimbursement for operating expenses. These shelters were all included as part of each Rapid project's planning process, led by the San Diego Association of Governments. Therefore, the design of these shelters vary by project.
- 2.2.C Transit Center shelters: Off-street transit centers maintained by MTS and shared with Trolley service have shelters located at or near the bus stops for use by bus passengers.

Some cities in MTS' service area install their own bus stop shelters and other furniture. While MTS works closely with these local jurisdictions, MTS does not have the ultimate authority over the placement, design, or location of these shelters.

Other outside entities, such as nearby institutions, business improvement districts, and adjacent property owners, sometimes install their own furniture at or near bus stops. MTS maintains some control of the immediate bus stop area for safety and ADA compliance, but the local jurisdiction has the ultimate authority over furniture placed within its right-of-way.

## 2.3 Passenger Information

### 2.3.A Static Displays

Each bus stop blade includes the following information: MTS logo, bus icon, list of routes serving the stop, and the individual stop number, allowing passengers to access stop-specific information on the internet or via smartphone. Blades installed at transit centers, major transfer points, and significant destinations include larger route decals with each route's destination also provided.

Bus stop pole displays showing the schedule for the route(s) serving the stop are installed at transit centers, major transfer points, significant destinations, and some locations with high numbers of boardings.

Information kiosks are installed at off-street transit centers, selected busy on-street transfer locations, Rapid stations, and at some stops along Broadway in Downtown San Diego. The information provided is customized to the location, but may include routes and destinations, fare information, local area maps, route maps, and "How to Ride" information.

Most shelters provided and serviced by MTS' vendor include an information panel for a schedule, route map, or other information, depending on the service and location.

### 2.3.B Variable Message Signs

Variable message signs (VMS), or "next-arrival" displays, are provided at Rapid and SuperLoop bus stops/stations with TransNet reimbursement for operating expenses. These are installed as part of the capital project, and maintained through the operating agreement with SANDAG.

## 2.4 Elevators/Escalators

2.4.A Elevators: Due to maintenance, security, and cleaning costs, elevators are only considered at locations where a fixed ramp could not meet ADA requirements.

Currently, elevators are provided at only two bus stop locations (four platforms) apart from Trolley stations: the City Heights and Boulevard Transit Plazas in Mid-City San Diego. The elevators connect freeway level platforms with the surface street overpasses. Fixed ramps at these stations would not meet ADA requirements. Each of the two stations has two platforms, each with two elevators, for a total of eight elevators.

One other passenger facility with an MTS-owned elevator not also served by Trolley is the parking structure at the Sabre Springs/Peñasquitos Transit Station.

2.4.B Escalators: There are no escalators at any bus-only location.

## 2.5 Trash Receptacles

MTS provides or contracts for trash and recycling receptacles at the following bus stop locations:

2.5.A Transit centers served by both buses and Trolleys

2.5.B Rapid stations with TransNet reimbursement for operating expenses

2.5.C MTS-contracted bus shelter locations

At all other locations, trash receptacles (if provided) are installed, serviced, and controlled by an outside entity, typically a city, business improvement district, or adjacent property owner. These may or may not include adjacent recycling receptacles.

## 2.6 Restrooms

Passenger restrooms are available at a limited number of transit centers with rail service. These are covered in Section 3.6. MTS does not currently provide public or passenger restrooms at any bus-only facilities.

MTS provides secured restrooms for employees only at various bus route terminal locations. At some bus route terminals, MTS has an agreement with a nearby business to allow MTS bus drivers to use their restroom.

## 2.7 Ticket Vending Machines

There are four (4) bus stop locations with ticket vending machines (TVMs) apart from Trolley stations: the two (2) terminals at San Diego International Airport, the Virginia Avenue Transit Center at the San Ysidro International Border, and the Otay Mesa Transit Center at the Otay Mesa International Border. These locations all have high

volumes of cash riders and the TVMs are located on off-street sites in controlled right-of-way.

## 2.8 Fare Validators

There are no PRONTO fare validators at any bus-only location.

## 3.0 Rail Stations

***Trolley station amenities, except where noted below, are generally standardized at all Trolley stations throughout the Trolley network.*** This standardization ensures equal distribution to all users, regardless of the location of the station. Quantities and siting of amenities are dependent on level of boardings and site-specific conditions.

### 3.1 Seating

MTS provides seating at all Trolley stations. Quantity and placement of benches is dependent on location, number of boardings, and station design and layout.

### 3.2 Shelters

MTS provides two kinds of shelters at its Trolley stations:

3.2.A Large canopies: Most Trolley stations have one large canopy, located on the platform with the most open area.

3.2.B Small canopies: Most Trolley stations have one or more small canopies, located on the narrower platform.

### 3.3 Passenger Information

3.3.A Static Displays: Each Trolley platform includes signage along its length indicating the station name, line of service, and terminal destination.

Information kiosks are installed on the platforms of all Trolley stations. The information provided includes Trolley schedules, fare information, local area maps, and “How to Ride” information. Bus transfer information is also included at busy transfer centers with bus service.

3.3.B Variable Message Signs: Variable message signs (VMS), or “next-arrival” displays, are provided above all Trolley platforms. These indicate the line of service and the estimated time of arrival for subsequent trains.

### 3.4 Elevators/Escalators

3.4.A Elevators: Provided only at locations where a fixed ramp could not meet ADA requirements. Currently, MTS provides and maintains elevators at the following MTS Trolley stations: Fashion Valley Transit Center, Stadium Trolley Station, Grantville Transit Center, SDSU Transit Center, Grossmont Transit Center, Nobel Drive Trolley Station, UC San Diego Central Campus Station, UC San

Diego Health La Jolla Station, Executive Drive Trolley Station, and the UTC Transit Center.

3.4.B Escalators: The only MTS stop/station with escalators is the SDSU Transit Center, where peak volumes would exceed the capacity of the elevators. No other escalators are planned for the system at this time.

3.5 Trash and Recycling Receptacles

MTS installs and services trash and recycling receptacles at all Trolley stations.

3.6 Restrooms

Four locations have MTS-owned restrooms available for passenger use: 12<sup>th</sup> & Imperial Transit Center, Old Town Transit Center, E Street Transit Center, and El Cajon Transit Center. All four locations have an outside vendor that maintains the restroom and controls access. Restroom hours correspond with the vendor's business hours. Other Trolley stations have nearby restrooms that can be used by passengers, but MTS does not reimburse the owner nor have any control over access.

3.7 Ticket Vending Machines (TVMs)

At least two (2) TVMs are provided at every Trolley station. Each TVM accepts credit cards and dispenses tickets. All PRONTO machines at each Trolley station have the ability to dispense PRONTO Cards and load passes on PRONTO cards. Each station will have at least one (1) Credit Card-only TVM.

3.8 Fare Validators

To validate a PRONTO pass or to deduct fare prior to boarding a Trolley, passengers may tap or scan their PRONTO card or mobile application at a Fare Validator, which are installed at all Trolley stations.

3.8 Trolley System Map:





# **Title VI Policies Vehicle Assignment Transit Amenities**

MTS Board of Directors

# Title VI of the Civil Rights Act of 1964

- “Provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”
- FTA issues guidance for agencies to comply with Title VI; FTA Circular 4702.1B issued in 2012 included requirements for two administrative policies:
  - **Vehicle Assignment**
  - **Transit Amenities**
- Policies are monitored at least every three years
- Policies and monitoring results submitted as part of MTS’ triennial FTA Title VI Program update (next update May 2024)
- Board interest in reviewing policies prior to next monitoring report (July 2024)

# Vehicle Assignment Policy

## BUSES

- Description of bus types
- Chart of amenities by bus type
- Bus assignments by route
  - Capacity needs
  - Route type
- Route assignments by division
- Vehicle assignments by division
- ADA Paratransit vehicle assignments
- Discussion of Zero Emissions Buses (ZEBs)
- Fleet list

## LIGHT RAIL VEHICLES (LRVs)

- Description of LRV types
- Chart of amenities by LRV type
- LRV assignments by line
  - Infrastructure limitations
  - Vintage LRVs
- Fleet list

# Transit Amenities Policy

- Seating
- Shelters
- Information displays
- Elevators/Escalators
- Trash/Recycling Receptacles
- Restrooms
- Ticket vending machines
- Fare validators

# Transit Amenities Policy

- Trolley station amenities are mostly standardized throughout the system (62 Trolley stations)
  - Elevators only at selected stations where needed
  - Escalators only at SDSU
  - MTS-provided restrooms at selected stations
- Bus stop amenities vary among 4,500 bus stops in system
  - Amenities prioritized by ridership (boardings)
  - In 2021, added an equity component to consider disadvantaged communities
  - MTS authorized to add shelters & benches in some jurisdictions; some install their own
  - Many bus stop shelters and benches installed/maintained by others (cities, BIDs, developers, HOAs, etc.)
  - Infrastructure is unable to accommodate shelters or benches in many locations
    - Narrow or missing sidewalks, insufficient ROW, poor condition sidewalks
    - MTS CIP project upgrades locations; priority is ADA accessibility in disadvantaged communities

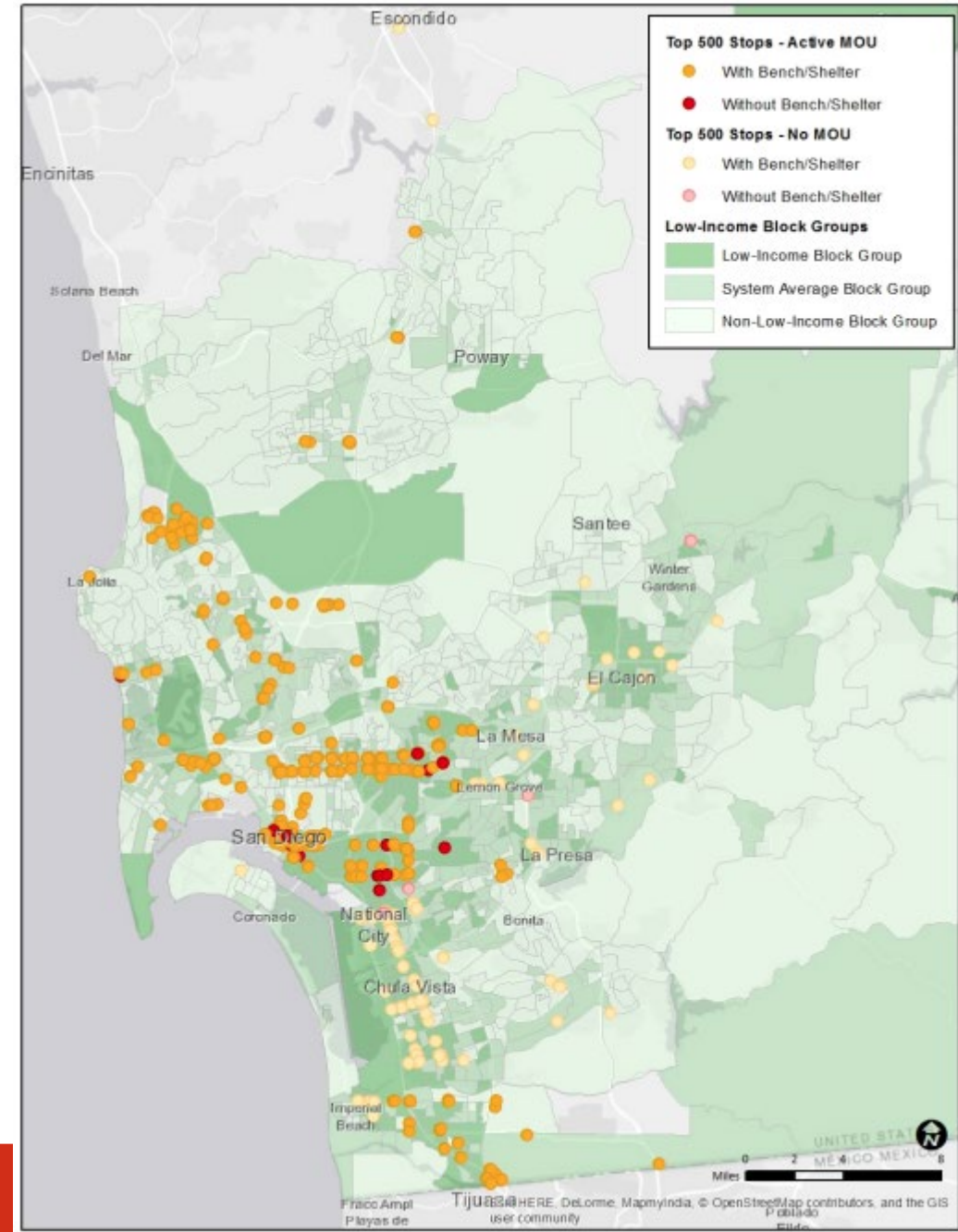
# Transit Amenities Policy

- Current Initiatives
  - Procurement underway for additional bus shelters
  - Procurement this year for installation & maintenance of added shelters
  - CIP project for bus stop ADA accessibility improvements
    - Repairs and upgrades sidewalk area for ADA bus stop compliance
    - Adds sidewalk space for bench and/or shelter where feasible
    - Focus on disadvantaged communities
    - 9 stops currently in permitting process
  - MTS requests ADA compliant stop area, with space for bench/shelter, at new bus stop-adjacent developments
  - Adding restrooms
    - Re-open existing closed restrooms (24<sup>th</sup> St. in National City, Lemon Grove Depot, SDSU)
    - Include restrooms for riders in new TOD projects at MTS stations
  - Other CIP projects:
    - Upgrade VMS signs at Rapid and Trolley stations
    - Station upgrades & repairs: 12<sup>th</sup> & Imperial, El Cajon, Rio Vista

# Monitoring of Policies

- Required minimum of every three years
- Monitoring report requires Board approval
- Last report approved by MTS Board in July 2021
  - To be included with this year's Title VI Program Update

Sample map of bus stop amenities overlaid with low-income tracts →



# Executive Committee Feedback

- Need focus on ensuring enough funding towards amenities.
- Identification of bus stops that don't have a shelter/bench, though warranted by ridership
  - Identify costs for adding amenities to these bus stops
- An aspirational 'transit amenities plan' could supplement the Transit Amenities Policy
  - What are wants/needs regardless of cost?
- Identification of holes in our system without access to restrooms
- Should identify the appropriate number of fare validators for each Trolley station (e.g., min. of 3)
  - Park & Market Station mentioned specifically.
- Consideration of the impacts of alcohol advertising on bus benches/shelters, particularly in low-income communities.
- Add an equity priority metric, such as using Cal EnviroScreen, instead of number of boardings as the only metric.



# Next Steps

- Policies updated with current information (fleet, PRONTO, etc.) for 2024 Title VI Program Update
  - Board approval in May 2024
- Next policies monitoring report due in July 2024
  - Board approval in July 2024
  - Report could incorporate new policy revisions with any changes desired by MTS Board
  - Would be utilized for period of 2024-2027
    - Could still be amended at any time to incorporate updates

# Questions/Comments



**Metropolitan  
Transit  
System**

## Agenda Item No. 24

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS

March 14, 2024

SUBJECT:

Chief Executive Officer's Report

INFORMATIONAL

In accordance with Board Policy No. 52, "Procurement of Goods and Services", attached are listings of contracts, purchase orders, and work orders that have been approved within the CEO's authority (up to and including \$150,000) for the period January 31, 2024 – March 5, 2024.

Also attached is a report of non-competitive contract award under the "immediate remedial measures" exception.

CEO TRAVEL REPORT (since last Board meeting)

February 5 – 7	Capitol Hill and White House Visit	Baltimore, MD & Washington, DC
----------------	------------------------------------	-----------------------------------

February 29	California Transit Transformation Task Force	Sacramento, CA
-------------	--	----------------

BOARD MEMBER TRAVEL REPORT (since last Board meeting)

N/A





DATE: March 8, 2024

TO: Board of Directors

FROM: Sharon Cooney, Chief Executive Officer

SUBJECT: MTS Property Related Flooding: Immediate Remedial Measures for January 22, 2024

---

### **Authority**

Per MTS's enabling legislation at Public Utilities Code Section 120224.1, and per MTS Board Policy No 52, "Procurement of Goods and Services", Section 52.2 (F) (v):

Upon determining that immediate remedial measures to avert or alleviate damage to, or to repair or restore damaged or destroyed MTS property are necessary in order to ensure that MTS facilities are available to serve the transportation needs of the general public, and upon determining that compliance with competitive solicitation requirements would result in an impermissible delay, the CEO may authorize the expenditure of money for the direct purchases of goods and services. The CEO, after the expenditure authorized under immediate remedial measures has been made, shall submit to the board a full report explaining the necessity for that action.

### **Background**

On January 22, 2024, there was a significant rain event that resulted in extensive flooding along MTS property. This rain event caused substantial damage to MTS's rail infrastructure, MTS's rail equipment, MTS's operation and administrative buildings, and other MTS real property. This damage impacted MTS's ability to continue some of its programs and services, including operation of a portion of MTS' trolley service. Since providing trolley service is an essential public service, immediate action was necessary to mitigate the damage and bring back full operations to the trolley service. Compliance with MTS's standard competitive bidding requirements would have resulted in an impermissible delay. Therefore, on January 23, 2024, the CEO authorized staff to conduct the necessary work to remediate the damages immediately, without compliance with standard competitive procurement requirements.

Under these emergency remedial measures, the CEO instructed staff to identify contractors to conduct the necessary work, with a focus on contractors that (1) had the necessary expertise and experience for the work in question, and (2) were ready and available to start work as soon as possible and complete the work in an expeditious manner. The following work has been authorized by the CEO to date, with work still on-going. Please note, this list is not the complete list of repairs necessary as a result of the flooding event; the rows in gray have been disclosed as part of the CEO Report in previous Board meetings. This only reflects the work that has been authorized by the CEO to start. Other work is still pending as staff continues to identify the appropriate firms and necessary scope of work to make the repairs. Contractors were selected based on their ability to quickly mobilize and complete work at each location; many of the contractors were doing similar work or had recently done similar work for MTS under a competitively bid contract.

**CEO Authorized Emergency Work from January 23, 2024 - present**

<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Contractor</b>	<b>Description of Work</b>	<b>Contractor Selection Justification</b>	<b>Projected Competitive Procurement Timeline</b>	<b>Projected Emergency Procurement Timeline</b>	<b>Location</b>
\$2,500,000	Not yet finalized	DRS Contracting	Track reconstruction and drainage repair	DRS Contracting Inc. was selected because their sister company Veteran's Engineering Inc. had an existing railroad Job Order Contract in place and had crews and equipment available for immediate mobilization.	Construction IFB, process of 6 months	Ability to immediately commence services	Orange Line: Massachusetts to Euclid
\$2,500,000	Not yet finalized	Balfour Beatty	Track reconstruction and drainage repair	MTS turned to Balfour Beatty to authorize them to perform this work on 1/24/24, this was the earliest possible time. They had an existing contract in place with MTS for trackwork in other areas, therefore, they had crews and equipment available for immediate mobilization.	Construction IFB, process of 6 months	Ability to immediately commence services	Orange Line: Massachusetts to Euclid
\$65,251.97	Not yet finalized	PGH Wong	Inspection and construction management for track reconstruction	Firm currently under contract as an on-call consultant for Construction Management (CM) Services	Mini RFP through on-call construction management services agreements, process of 4 months	Ability to immediately commence services	Orange Line: Massachusetts to Euclid

**CEO Authorized Emergency Work from January 23, 2024 - present**

<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Contractor</b>	<b>Description of Work</b>	<b>Contractor Selection Justification</b>	<b>Projected Competitive Procurement Timeline</b>	<b>Projected Emergency Procurement Timeline</b>	<b>Location</b>
\$1,500,000	Not yet finalized	Blue Iron	Shoring	MTS met with 3 shoring contractors. Blue Iron was the only firm that had materials on-hand and could start right away. The other two contractors had a 3-month lead time.	Construction IFB, process of 6 months	Ability to immediately commence services	Orange Line: Near 65th crossing
\$100,000	Not yet finalized	HMS	Overhead catenary system repairs	Firm currently under contract as an on-call consultant for JOC Overhead Catenary System (OCS)	JOC process of 3 months	Ability to immediately commence services	Orange Line: Near 65th
\$140,570.00	Not yet finalized	AECOM	Inspection and construction management for shoring and system/signals	Firm currently under contract as an on-call consultant for CM Services	Mini RFP through on-call CM services agreements, process of 4 months	Ability to immediately commence services	Orange Line: Near 65th
\$5,961	Not yet finalized	Overhead Door Company of Southern California	Purchase and install roll up door	Firm specializes in providing roll up door products and services	RFQ process of 1-2 months	Services scheduled to commence on 3.6.24. Contractor had to first order the replacement door.	Pyramid Building, Bay 3
\$58,800	Not yet finalized	National Electrical Testing and Engineering, LLC (NETE)	Testing and repairs prior to regeneration of substations	Previous experience on testing and commissioning of substations for both the Mid Coast and Blue/Green lines.	RFQ process of 1-2 months	Ability to immediately start repairs	Green Line: San Altos Substation
\$250,000	Not yet finalized	Clean Harbor	Trolley Building Pump-out	Personnel availability, immediate mobilization, and past work performance.	Formal IFB, process of 4-6 months	Ability to immediately commence services	LRV Maintenance Facility (Building C)

**CEO Authorized Emergency Work from January 23, 2024 - present**

<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Contractor</b>	<b>Description of Work</b>	<b>Contractor Selection Justification</b>	<b>Projected Competitive Procurement Timeline</b>	<b>Projected Emergency Procurement Timeline</b>	<b>Location</b>
\$27,093	Not yet finalized	Badger Day Lighting	Clean-out LRV Maintenance pits	Prompt mobilization and prior work performance	RFQ process of 1-2 months	Ability to immediately start repairs	LRV Maintenance Facility (Building C)
\$1,250,000	Not yet finalized	Balfor Property Restoration	Rebuilding/restorations of Building C	Personnel availability, immediate mobilization, and past work performance.	Formal RFP, process of six months	Ability to immediately commence services	LRV Maintenance Facility (Building C)
\$19,668.53	Not yet finalized	NMS Management , Inc.	Strip and waxing of Building C Shop Floors for proper sanitation of shop floors	Janitorial expertise, personnel availability, immediate mobilization, and past work performance	RFQ process of 1-2 months	Ability to immediately start repairs	LRV Maintenance Facility (Building C)
\$14,484.17	Not yet finalized	National Business Furniture (NBF)	Replace office furniture for SDTI staff (manager, project coordinator and shop supervisor)	Staff attempted to receive quotes from National Business Furniture, Madison Liquidators and Office Depot, Items are readily available for shipment and assembled, MTS chose NBF	RFQ process of 1-2 months	Ability to immediately ship furniture	LRV Maintenance Facility (Building C)
\$5,039.04	Not yet finalized	National Business Furniture	Replace office furniture for SDTI LRV Director	Staff attempted to receive quotes from National business Furniture, Madison Liquidators and Office Depot, Items are readily available for shipment and assembled, MTS chose NBF	RFQ process of 1-2 months	Ability to immediately ship furniture	LRV Maintenance Facility (Building C)

CEO Authorized Emergency Work from January 23, 2024 - present							
Estimated Cost	Actual Cost	Contractor	Description of Work	Contractor Selection Justification	Projected Competitive Procurement Timeline	Projected Emergency Procurement Timeline	Location
\$14,769.07	Not yet finalized	Gillig LLC	Purchase exterior mirrors (inventory item) for LRVs that were ripped off/damaged during storm	Staff attempted to attain quotes, received two from Gillig and Siemens. Gillig was the lowest bidder.	RFQ for inventory item, process of 7 days	Ability to immediately ship equipment/materials	LRV Maintenance Facility (Building C)
<b>\$6,943,960.60</b>	<b>\$ 0.00</b>	<b>Total (as of 3/8/2024)</b>					



**EXPENSE CONTRACTS**

<b>Doc #</b>	<b>Organization</b>	<b>Subject</b>	<b>Amount</b>	<b>Day</b>
PWL375.1-23	BAKER ELECTRIC	NO COST TIME EXT CCO 01	\$43,297.00	1/31/2024
G2719.0-23.1	NUFFER SMITH TUCKER	CRISIS COMM TO 1	\$21,600.00	2/1/2024
PWG324.0-21JOC324-47	ABCGC	TICKET BOOTH REMOVAL	\$9,995.82	2/2/2024
G2494.3-21	GIRO	GO LIVE SUPPORT	\$10,264.47	2/7/2024
G2836.0-24	PACIFIC STAR	JANITORIAL SUPPLIES	\$61,020.06	2/22/2024
G2645.2-22	SEGAL ADVISORS	ADD FORM 700	\$37,500.00	2/23/2024
G2835.0-24	INTERBORO	JANITORIAL SUPPLIES	\$17,305.15	2/26/2024
G2871.0-24	GOTCHA MEDIA	COLLEGE PASS KIOSKS	\$4,979.00	2/28/2024
G2449.3-21	JAMISON	REV PRICING YR 4	\$117,326.80	3/5/2024

<b>REVENUE CONTRACTS AND MOUs</b>				
<b>Doc #</b>	<b>Organization</b>	<b>Subject</b>	<b>Amount</b>	<b>Day</b>
S200-24-842	EPC SERVICES	SAMPSON UG TRANSMISSION LINE ROE	\$1,041.45	2/1/2024
G2828.1-24	HA BUILDERS	AMD 1 ROE PERMIT	\$1,863.74	2/8/2024
S200-23-825	WEST COAST GENERAL	BAYSHORE BIKEWAY PROJECT ROE PERMIT	\$1,295.61	2/14/2024
L6859.0-24	PALM ENG	JOINT ROE PERMIT	\$750.00	2/21/2024
M6802.0-24	COX COMM	RAILROAD RIGHT OF WAY LEASE	\$1,500.00	2/27/2024
G2814.0-24	CCO	MASTER LEASE	\$247,603.00	2/28/2024
L5862.0-24	HP COMM	OH LINE RIGHT OF WAY	\$1,500.00	2/28/2024
G2806.0-24	OUTFRONT MEDIA	MASTER LEASE	\$210,954.00	2/29/2024
L6851.0-24	IN MOTION EVENTS	SD HALF ROE	\$750.00	3/1/2024
S200-24-848	BLUE PAC ENG	ROE PERMIT	\$1,041.45	3/4/2024

## Purchase Orders

PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4400002737	2/2/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 472.92	\$ -	\$ -
4400002738	2/2/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 123.16	\$ -	\$ -
4400002739	2/2/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 152.40	\$ -	\$ -
4400002740	2/2/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 624.33	\$ -	\$ -
4400002741	2/2/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 1,283.51	\$ -	\$ -
4400002742	2/2/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 131.94	\$ -	\$ -
4400002743	2/2/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 1,225.76	\$ -	\$ -
4400002744	2/6/2024	W.W. Grainger Inc		G200-OFFICE SUPPLIES	\$ 75.24	\$ -	\$ -
4400002745	2/6/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 365.62	\$ -	\$ -
4400002746	2/6/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 440.45	\$ -	\$ -
4400002747	2/7/2024	W.W. Grainger Inc		G180-JANITORIAL SUPPLIES	\$ 303.04	\$ -	\$ -
4400002748	2/7/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 139.56	\$ -	\$ -
4400002749	2/8/2024	Mcmaster-Carr Supply Co		G150-FASTENERS	\$ 387.36	\$ -	\$ -
4400002750	2/8/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 712.28	\$ -	\$ -
4400002751	2/8/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 111.22	\$ -	\$ -
4400002752	2/8/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 77.41	\$ -	\$ -
4400002753	2/8/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 57.17	\$ -	\$ -
4400002754	2/9/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 77.67	\$ -	\$ -
4400002755	2/12/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 346.98	\$ -	\$ -
4400002756	2/12/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 202.23	\$ -	\$ -
4400002757	2/12/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 59.98	\$ -	\$ -
4400002758	2/12/2024	W.W. Grainger Inc		G190-SAFETY/MED SUPPLIES	\$ 123.76	\$ -	\$ -
4400002759	2/12/2024	Mcmaster-Carr Supply Co		R230-RAIL/LRV MECHANICAL	\$ 387.46	\$ -	\$ -
4400002760	2/13/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 1,008.41	\$ -	\$ -
4400002761	2/14/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 225.54	\$ -	\$ -
4400002762	2/14/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 690.14	\$ -	\$ -
4400002763	2/15/2024	Mcmaster-Carr Supply Co		R230-RAIL/LRV MECHANICAL	\$ 653.22	\$ -	\$ -
4400002764	2/16/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 297.27	\$ -	\$ -
4400002765	2/20/2024	W.W. Grainger Inc		R230-RAIL/LRV MECHANICAL	\$ 479.10	\$ -	\$ -
4400002766	2/20/2024	W.W. Grainger Inc		G160-PAINTS & CHEMICALS	\$ 1,293.77	\$ -	\$ -
4400002767	2/21/2024	Mcmaster-Carr Supply Co		G130-SHOP TOOLS	\$ 2,879.93	\$ -	\$ -
4400002768	2/21/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 289.56	\$ -	\$ -
4400002769	2/21/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 39.17	\$ -	\$ -
4400002770	2/21/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 526.29	\$ -	\$ -
4400002771	2/27/2024	Mcmaster-Carr Supply Co		G130-SHOP TOOLS	\$ 271.42	\$ -	\$ -
4400002772	2/29/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 189.34	\$ -	\$ -
4400002773	2/29/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 119.85	\$ -	\$ -
4400002774	2/29/2024	W.W. Grainger Inc		G200-OFFICE SUPPLIES	\$ 675.79	\$ -	\$ -
4400002775	2/29/2024	W.W. Grainger Inc		G200-OFFICE SUPPLIES	\$ 891.61	\$ -	\$ -
4400002776	2/29/2024	W.W. Grainger Inc		G160-PAINTS & CHEMICALS	\$ 335.32	\$ -	\$ -
4400002777	2/29/2024	Mcmaster-Carr Supply Co		R230-RAIL/LRV MECHANICAL	\$ 609.67	\$ -	\$ -
4400002778	3/4/2024	W.W. Grainger Inc		G190-SAFETY/MED SUPPLIES	\$ 104.04	\$ -	\$ -
4400002779	3/4/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 48.70	\$ -	\$ -
4400002780	3/4/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 283.15	\$ -	\$ -
4400002781	3/4/2024	W.W. Grainger Inc		M180-STATION ELECTRICAL	\$ 98.29	\$ -	\$ -
4400002782	3/5/2024	W.W. Grainger Inc		G200-OFFICE SUPPLIES	\$ 436.06	\$ -	\$ -
4400002783	3/5/2024	Mcmaster-Carr Supply Co		G130-SHOP TOOLS	\$ 296.19	\$ -	\$ -
4400002784	3/5/2024	W.W. Grainger Inc		G140-SHOP SUPPLIES	\$ 578.73	\$ -	\$ -
4500059283	1/31/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 14.91	\$ -	\$ -
4500059284	1/31/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 7,349.25	\$ -	\$ -
4500059285	1/31/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 33.29	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059286	1/31/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 56.31	\$ -	\$ -
4500059287	1/31/2024	Transit Holdings Inc		B130-BUS BODY	\$ 7,863.27	\$ -	\$ -
4500059288	1/31/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 227.12	\$ -	\$ -
4500059289	1/31/2024	Transit Holdings Inc		B130-BUS BODY	\$ 108.18	\$ -	\$ -
4500059290	1/31/2024	San Diego Friction Products, Inc.		B250-BUS REPAIR PARTS	\$ 555.29	\$ -	\$ -
4500059291	1/31/2024	Cummins Inc		B250-BUS REPAIR PARTS	\$ 8,868.39	\$ -	\$ -
4500059292	1/31/2024	Waxie's Enterprises, LLC		G180-JANITORIAL SUPPLIES	\$ 6,911.09	\$ -	\$ -
4500059293	1/31/2024	Harbor Diesel & Equipment, Inc		B200-BUS PWR TRAIN EQUIP	\$ 17,148.74	\$ -	\$ -
4500059294	1/31/2024	Waxie's Enterprises, LLC		G180-JANITORIAL SUPPLIES	\$ 1,684.57	\$ -	\$ -
4500059295	1/31/2024	VGP Holdings LLC		B200-BUS PWR TRAIN EQUIP	\$ 1,235.62	\$ -	\$ -
4500059296	1/31/2024	Brady Industries of California, LLC		G180-JANITORIAL SUPPLIES	\$ 283.95	\$ -	\$ -
4500059297	1/31/2024	Mcmaster-Carr Supply Co		F110-SHOP/BLDG MACHINERY	\$ 43.53	\$ -	\$ -
4500059298	1/31/2024	TK Services Inc		B110-BUS HVAC SYSTEMS	\$ 207.32	\$ -	\$ -
4500059299	1/31/2024	Matthew Bender & Company Inc		P340-LEGAL	\$ 3,000.00	\$ -	\$ -
4500059300	1/31/2024	Fastenal Company		R230-RAIL/LRV MECHANICAL	\$ 3,638.33	\$ -	\$ -
4500059301	1/31/2024	Professional Contractors Supplies		G190-SAFETY/MED SUPPLIES	\$ 208.17	\$ -	\$ -
4500059302	1/31/2024	Fastenal Company		G190-SAFETY/MED SUPPLIES	\$ 646.50	\$ -	\$ -
4500059303	1/31/2024	Carmine Bausone DVM Inc.		G120-SECURITY	\$ 2,000.90	\$ -	\$ -
4500059304	1/31/2024	W.W. Grainger Inc		G160-PAINTS & CHEMICALS	\$ 665.58	\$ -	\$ -
4500059305	1/31/2024	Inter. Assoc. for Public Trans.		P450-PERSONNEL SVCS	\$ 28,739.00	\$ -	\$ -
4500059306	2/1/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 2,535.53	\$ -	\$ -
4500059307	2/1/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 435.51	\$ -	\$ -
4500059308	2/1/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 369.26	\$ -	\$ -
4500059309	2/1/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 614.43	\$ -	\$ -
4500059310	2/1/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 101.79	\$ -	\$ -
4500059311	2/1/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,476.90	\$ -	\$ -
4500059312	2/1/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 865.92	\$ -	\$ -
4500059313	2/1/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 85.95	\$ -	\$ -
4500059314	2/1/2024	ABC General Contractor, Inc.		C110-GENERAL CONTRACTORS	\$ 102,809.93	\$ -	\$ 78,906.62
4500059315	2/1/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 2,681.78	\$ -	\$ -
4500059316	2/1/2024	ODP Business Solutions, LLC		G280-FARE MATERIALS	\$ 96.76	\$ -	\$ -
4500059317	2/1/2024	Hitachi Rail STS USA, Inc.		M150-PWR SWITCHES/LOCKS	\$ 1,644.44	\$ -	\$ -
4500059318	2/1/2024	W.W. Grainger Inc		G180-JANITORIAL SUPPLIES	\$ 520.97	\$ -	\$ -
4500059319	2/1/2024	Winzer Franchise Company		G130-SHOP TOOLS	\$ 1,576.86	\$ -	\$ -
4500059320	2/1/2024	CDW LLC		I110-INFORMATION TECH	\$ 1,173.00	\$ -	\$ -
4500059321	2/1/2024	W.W. Grainger Inc		I110-INFORMATION TECH	\$ 798.00	\$ -	\$ -
4500059322	2/2/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 370.77	\$ -	\$ -
4500059323	2/2/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 1,337.64	\$ -	\$ -
4500059324	2/2/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 953.07	\$ -	\$ -
4500059325	2/2/2024	Mohammad Karimi		C120-SPECIALTY CONTRACTOR	\$ 588.87	\$ -	\$ -
4500059326	2/2/2024	ON-LINE STAMPCO INC	Small Business	G230-PRINTED MATERIALS	\$ 373.35	\$ -	\$ -
4500059327	2/2/2024	The Gordian Group, Inc.		C130-CONSTRUCTION SVCS	\$ 1,809.45	\$ -	\$ -
4500059328	2/2/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,476.90	\$ -	\$ -
4500059329	2/4/2024	Jamaica Bearings Co Inc		R220-RAIL/LRV TRUCKS	\$ 149,202.34	\$ -	\$ -
4500059330	2/4/2024	Gillig LLC		B200-BUS PWR TRAIN EQUIP	\$ 3,748.64	\$ -	\$ -
4500059331	2/4/2024	Siemens Mobility, Inc.		M130-CROSSING MECHANISM	\$ 11,686.57	\$ -	\$ -
4500059332	2/4/2024	Mouser Electronics Inc		R170-RAIL/LRV HVAC	\$ 1,448.22	\$ -	\$ -
4500059333	2/4/2024	Facility Solutions Group, Inc.		M140-WAYSIDE SIGNALS	\$ 3,879.00	\$ -	\$ -
4500059334	2/4/2024	Total Filtration Services Inc		F120-BUS/LRV PAINT BOOTHS	\$ 183.82	\$ -	\$ -
4500059335	2/4/2024	Init Innovations in Transportation		G290-FARE REVENUE EQUIP	\$ 290.93	\$ -	\$ -
4500059336	2/4/2024	Grah Safe & Lock Inc	Small Business	G120-SECURITY	\$ 2,100.00	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059337	2/4/2024	W.W. Grainger Inc		G170-LUBRICANTS	\$ 653.01	\$ -	\$ -
4500059338	2/4/2024	Fastenal Company		G130-SHOP TOOLS	\$ 3,063.35	\$ -	\$ -
4500059339	2/4/2024	Gillig LLC		B160-BUS ELECTRICAL	\$ 1,153.63	\$ -	\$ -
4500059340	2/4/2024	Transit Holdings Inc		B130-BUS BODY	\$ 10,603.32	\$ -	\$ -
4500059341	2/4/2024	Transit Holdings Inc		B130-BUS BODY	\$ 4,062.56	\$ -	\$ -
4500059342	2/4/2024	San Diego Friction Products, Inc.		B110-BUS HVAC SYSTEMS	\$ 3,736.94	\$ -	\$ -
4500059343	2/4/2024	R.S. Hughes Co Inc		G140-SHOP SUPPLIES	\$ 1,756.73	\$ -	\$ -
4500059344	2/4/2024	AirSupply Tools, Inc		G140-SHOP SUPPLIES	\$ 390.17	\$ -	\$ -
4500059345	2/4/2024	Genfare, LLC		G290-FARE REVENUE EQUIP	\$ 1,743.66	\$ -	\$ -
4500059346	2/4/2024	Gillig LLC		B120-BUS MECHANICAL PARTS	\$ 3,297.79	\$ -	\$ -
4500059347	2/4/2024	Cummins Inc		B250-BUS REPAIR PARTS	\$ 1,027.56	\$ -	\$ -
4500059348	2/4/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 15,144.10	\$ -	\$ -
4500059349	2/4/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 221.17	\$ -	\$ -
4500059350	2/4/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 162.60	\$ -	\$ -
4500059351	2/4/2024	San Diego Community		P540-MAINTENANCE TRAINING	\$ 400.00	\$ -	\$ -
4500059352	2/4/2024	Allied Refrigeration Inc		F110-SHOP/BLDG MACHINERY	\$ 4,598.24	\$ -	\$ -
4500059353	2/4/2024	San Diego Community		P540-MAINTENANCE TRAINING	\$ 1,269.30	\$ -	\$ -
4500059354	2/4/2024	Ahlee Backflow Service, Inc	Small Business	P280-GENERAL SVC AGRMNTS	\$ 439.20	\$ -	\$ -
4500059355	2/4/2024	Harbor Diesel & Equipment, Inc		B250-BUS REPAIR PARTS	\$ 73.66	\$ -	\$ -
4500059356	2/4/2024	Don Oleson Inc	Small Business	B120-BUS MECHANICAL PARTS	\$ 2,901.32	\$ -	\$ -
4500059357	2/5/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 22.85	\$ -	\$ -
4500059358	2/5/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 2,963.07	\$ -	\$ -
4500059359	2/5/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 5,219.32	\$ -	\$ -
4500059360	2/5/2024	Zen Industrial Services LLC	DBE	B160-BUS ELECTRICAL	\$ 41.70	\$ -	\$ -
4500059361	2/5/2024	California Transit Association		P280-GENERAL SVC AGRMNTS	\$ 52,000.00	\$ -	\$ -
4500059362	2/5/2024	Motion Industries, Inc.		B120-BUS MECHANICAL PARTS	\$ 699.82	\$ -	\$ -
4500059363	2/5/2024	Transit Holdings Inc		B120-BUS MECHANICAL PARTS	\$ 3,139.45	\$ -	\$ -
4500059364	2/5/2024	Transit Holdings Inc		B130-BUS BODY	\$ 11,533.55	\$ -	\$ -
4500059365	2/5/2024	Parts Authority, LLC		B160-BUS ELECTRICAL	\$ 3,853.01	\$ -	\$ -
4500059366	2/5/2024	VGP Holdings LLC		B120-BUS MECHANICAL PARTS	\$ 7,977.81	\$ -	\$ -
4500059367	2/5/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 2,860.56	\$ -	\$ -
4500059368	2/5/2024	Supreme Oil Co.		A120-AUTO/TRUCK GASOLINE	\$ 11,351.48	\$ -	\$ -
4500059369	2/5/2024	Midwest Bus Corporation		B130-BUS BODY	\$ 1,072.12	\$ -	\$ -
4500059370	2/5/2024	San Diego Housing Federation		P280-GENERAL SVC AGRMNTS	\$ 800.00	\$ -	\$ -
4500059371	2/5/2024	Siemens Mobility, Inc.		R190-RAIL/LRV PANTOGRAPH	\$ 48,325.88	\$ -	\$ -
4500059372	2/5/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 88.69	\$ -	\$ -
4500059373	2/5/2024	Gillig LLC		B160-BUS ELECTRICAL	\$ 3,486.33	\$ -	\$ -
4500059374	2/5/2024	Pacific Rigging Loft Inc		G130-SHOP TOOLS	\$ 692.97	\$ -	\$ -
4500059375	2/5/2024	The Sherwin-Williams Company		F120-BUS/LRV PAINT BOOTHS	\$ 1,798.85	\$ -	\$ -
4500059376	2/5/2024	Gotcha Media Holdings LLC		G260-MEDIA	\$ 4,979.00	\$ -	\$ -
4500059377	2/5/2024	711 Print Enterprises Inc		G230-PRINTED MATERIALS	\$ 4,470.56	\$ -	\$ -
4500059378	2/5/2024	Dimensional Silk Screen Inc		G230-PRINTED MATERIALS	\$ 219.81	\$ -	\$ -
4500059379	2/5/2024	DigitalPro, Inc.		G230-PRINTED MATERIALS	\$ 11,955.77	\$ -	\$ -
4500059380	2/6/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 161.36	\$ -	\$ -
4500059381	2/6/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 1.68	\$ -	\$ -
4500059382	2/6/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 171.00	\$ -	\$ -
4500059383	2/6/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 645.86	\$ -	\$ -
4500059384	2/6/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 7.87	\$ -	\$ -
4500059385	2/6/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 1,714.31	\$ -	\$ -
4500059386	2/6/2024	Siemens Mobility, Inc.		R120-RAIL/LRV CAR BODY	\$ 12,070.16	\$ -	\$ -
4500059387	2/6/2024	Gillig LLC		R120-RAIL/LRV CAR BODY	\$ 14,769.07	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059388	2/6/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 77.74	\$ -	\$ -
4500059389	2/6/2024	VGP Holdings LLC		B120-BUS MECHANICAL PARTS	\$ 6,648.18	\$ -	\$ -
4500059390	2/6/2024	3rd Generation Embroidery, Inc.		P540-MAINTENANCE TRAINING	\$ 292.11	\$ -	\$ -
4500059391	2/6/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 208.16	\$ -	\$ -
4500059392	2/6/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 570.33	\$ -	\$ -
4500059393	2/6/2024	Waxie's Enterprises, LLC		G180-JANITORIAL SUPPLIES	\$ 1,683.62	\$ -	\$ -
4500059394	2/6/2024	Professional Contractors Supplies		G190-SAFETY/MED SUPPLIES	\$ 779.84	\$ -	\$ -
4500059395	2/6/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 10,942.88	\$ -	\$ -
4500059396	2/6/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 309.94	\$ -	\$ -
4500059397	2/6/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 632.26	\$ -	\$ -
4500059398	2/6/2024	Bob Turner's Crane Service Inc		P160-EQUIPMENT RENTALS	\$ 2,228.80	\$ -	\$ -
4500059399	2/6/2024	Business Office Outfitters		G210-OFFICE FURNITURE	\$ 20,552.24	\$ -	\$ -
4500059400	2/7/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 1,841.71	\$ -	\$ -
4500059401	2/7/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 2,670.47	\$ -	\$ -
4500059402	2/7/2024	Willy's Electronic Supply Co Inc	Small Business	G130-SHOP TOOLS	\$ 408.38	\$ -	\$ -
4500059403	2/7/2024	Siemens Mobility, Inc.		R120-RAIL/LRV CAR BODY	\$ 33,779.63	\$ -	\$ -
4500059404	2/7/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 2,548.39	\$ -	\$ -
4500059405	2/7/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 857.33	\$ -	\$ -
4500059406	2/7/2024	Waxie's Enterprises, LLC		G140-SHOP SUPPLIES	\$ 3,401.67	\$ -	\$ -
4500059407	2/7/2024	Professional Contractors Supplies		G190-SAFETY/MED SUPPLIES	\$ 249.80	\$ -	\$ -
4500059408	2/7/2024	Mott MacDonald Group Inc		C130-CONSTRUCTION SVCS	\$ 21,142.87	\$ -	\$ 18,261.10
4500059409	2/7/2024	Init Innovations in Transportation		B190-BUS FARE EQUIP	\$ 1,528.98	\$ -	\$ -
4500059412	2/7/2024	Aztec Fire & Safety, Inc.		B250-BUS REPAIR PARTS	\$ 1,120.60	\$ -	\$ -
4500059413	2/7/2024	Levac Specialties Inc		G130-SHOP TOOLS	\$ 955.84	\$ -	\$ -
4500059414	2/7/2024	Fastenal Company		G180-JANITORIAL SUPPLIES	\$ 1,447.52	\$ -	\$ -
4500059415	2/7/2024	Airgas Inc		G190-SAFETY/MED SUPPLIES	\$ 4,231.42	\$ -	\$ -
4500059416	2/7/2024	Uline Inc		P280-GENERAL SVC AGRMNTS	\$ 237.24	\$ -	\$ -
4500059417	2/7/2024	Uline Inc		P280-GENERAL SVC AGRMNTS	\$ 2,344.48	\$ -	\$ -
4500059418	2/7/2024	Transit Holdings Inc		B130-BUS BODY	\$ 2,865.02	\$ -	\$ -
4500059419	2/7/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 4,303.50	\$ -	\$ -
4500059420	2/7/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 222.19	\$ -	\$ -
4500059421	2/7/2024	W.W. Grainger Inc		G140-SHOP SUPPLIES	\$ 946.72	\$ -	\$ -
4500059422	2/7/2024	Ace Uniforms LLC	Small Business	C120-SPECIALTY CONTRACTOR	\$ 169.16	\$ -	\$ -
4500059423	2/7/2024	All The King's Flags		M200-YARD FACILITIES	\$ 980.53	\$ -	\$ -
4500059424	2/7/2024	Home Depot USA Inc		G200-OFFICE SUPPLIES	\$ 32.31	\$ -	\$ -
4500059425	2/7/2024	General Signals Inc		M130-CROSSING MECHANISM	\$ 7,977.19	\$ -	\$ -
4500059426	2/7/2024	Graybar Electric Co Inc		G140-SHOP SUPPLIES	\$ 501.55	\$ -	\$ -
4500059427	2/7/2024	Reid and Clark Screen Arts Co		R120-RAIL/LRV CAR BODY	\$ 549.99	\$ -	\$ -
4500059428	2/7/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 164.46	\$ -	\$ -
4500059429	2/7/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 632.26	\$ -	\$ -
4500059430	2/7/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 561.48	\$ -	\$ -
4500059431	2/7/2024	National Carwash Solutions Inc		G180-JANITORIAL SUPPLIES	\$ 1,300.36	\$ -	\$ -
4500059432	2/7/2024	Waxie's Enterprises, LLC		G140-SHOP SUPPLIES	\$ 1,345.30	\$ -	\$ -
4500059433	2/7/2024	W.W. Grainger Inc		G190-SAFETY/MED SUPPLIES	\$ 74.00	\$ -	\$ -
4500059434	2/7/2024	Charter Industrial Supply Inc	Small Business	G150-FASTENERS	\$ 129.59	\$ -	\$ -
4500059435	2/8/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 176.28	\$ -	\$ -
4500059436	2/8/2024	Transit Holdings Inc		B120-BUS MECHANICAL PARTS	\$ 436.63	\$ -	\$ -
4500059437	2/8/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 8,577.64	\$ -	\$ -
4500059438	2/8/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 428.66	\$ -	\$ -
4500059439	2/8/2024	Siemens Mobility, Inc.		R120-RAIL/LRV CAR BODY	\$ 144.81	\$ -	\$ -
4500059440	2/8/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 628.27	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059441	2/8/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 374.41	\$ -	\$ -
4500059443	2/8/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 3,694.69	\$ -	\$ -
4500059444	2/8/2024	Transit Holdings Inc		B130-BUS BODY	\$ 4,341.10	\$ -	\$ -
4500059445	2/8/2024	Init Innovations in Transportation		G290-FARE REVENUE EQUIP	\$ 145.68	\$ -	\$ -
4500059446	2/8/2024	W.W. Grainger Inc		G140-SHOP SUPPLIES	\$ 465.67	\$ -	\$ -
4500059447	2/8/2024	Genfare, LLC		B250-BUS REPAIR PARTS	\$ 977.50	\$ -	\$ -
4500059448	2/8/2024	Cummins Inc		B250-BUS REPAIR PARTS	\$ 33.14	\$ -	\$ -
4500059449	2/8/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 103.20	\$ -	\$ -
4500059450	2/8/2024	Quality Logo Products, Inc.		G250-NOVELTIES & AWARDS	\$ 2,478.91	\$ -	\$ -
4500059451	2/8/2024	W.W. Grainger Inc		R120-RAIL/LRV CAR BODY	\$ 1,229.44	\$ -	\$ -
4500059455	2/8/2024	Motion Industries, Inc.		G140-SHOP SUPPLIES	\$ 200.96	\$ -	\$ -
4500059456	2/8/2024	Staples Contract & Commercial LLC		G200-OFFICE SUPPLIES	\$ 2,303.59	\$ -	\$ -
4500059457	2/9/2024	Siemens Mobility, Inc.		R120-RAIL/LRV CAR BODY	\$ 321.10	\$ -	\$ -
4500059458	2/9/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 6,033.52	\$ -	\$ -
4500059459	2/9/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 2,633.84	\$ -	\$ -
4500059460	2/9/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 7,205.26	\$ -	\$ -
4500059461	2/9/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 537.65	\$ -	\$ -
4500059462	2/9/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 300.76	\$ -	\$ -
4500059463	2/9/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 103.65	\$ -	\$ -
4500059464	2/9/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 3,331.28	\$ -	\$ -
4500059465	2/9/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 36.38	\$ -	\$ -
4500059466	2/9/2024	Women's Transportation Seminar		G260-MEDIA	\$ 525.00	\$ -	\$ -
4500059467	2/9/2024	L&W Industries LLC		M130-CROSSING MECHANISM	\$ 9,812.29	\$ -	\$ -
4500059468	2/9/2024	Vern Rose Inc		G140-SHOP SUPPLIES	\$ 411.00	\$ -	\$ -
4500059469	2/9/2024	Citywide Auto Glass Inc		G140-SHOP SUPPLIES	\$ 545.70	\$ -	\$ -
4500059471	2/12/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 3,502.55	\$ -	\$ -
4500059472	2/12/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 4,343.84	\$ -	\$ -
4500059473	2/12/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,135.79	\$ -	\$ -
4500059474	2/12/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 4.91	\$ -	\$ -
4500059475	2/12/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 1,389.33	\$ -	\$ -
4500059476	2/12/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 35.25	\$ -	\$ -
4500059477	2/12/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 955.00	\$ -	\$ -
4500059478	2/12/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 3,249.77	\$ -	\$ -
4500059479	2/12/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 263.06	\$ -	\$ -
4500059480	2/12/2024	Hi-Tec Enterprises		R160-RAIL/LRV ELECTRICAL	\$ 4,040.63	\$ -	\$ -
4500059481	2/12/2024	Peachez Inc		F120-BUS/LRV PAINT BOOTHS	\$ 1,240.00	\$ -	\$ -
4500059482	2/12/2024	Jamaica Bearings Co Inc		R220-RAIL/LRV TRUCKS	\$ 4,309.46	\$ -	\$ -
4500059483	2/12/2024	OneSource Distributors, LLC		G130-SHOP TOOLS	\$ 568.38	\$ -	\$ -
4500059484	2/12/2024	Team One Repair Inc		G290-FARE REVENUE EQUIP	\$ 14,500.00	\$ -	\$ -
4500059485	2/12/2024	Staples Contract & Commercial LLC		G200-OFFICE SUPPLIES	\$ 76.68	\$ -	\$ -
4500059486	2/12/2024	ODP Business Solutions, LLC		G280-FARE MATERIALS	\$ 243.95	\$ -	\$ -
4500059487	2/12/2024	CRH California Water, Inc.		M140-WAYSIDE SIGNALS	\$ 56.57	\$ -	\$ -
4500059488	2/12/2024	Schunk Carbon Technology LLC		R190-RAIL/LRV PANTOGRAPH	\$ 4,133.83	\$ -	\$ -
4500059489	2/12/2024	Winzer Franchise Company		G150-FASTENERS	\$ 33.84	\$ -	\$ -
4500059490	2/12/2024	National Business Furniture LLC		G210-OFFICE FURNITURE	\$ 4,346.79	\$ -	\$ -
4500059491	2/12/2024	Dimensional Silk Screen Inc		G230-PRINTED MATERIALS	\$ 2,241.72	\$ -	\$ -
4500059492	2/12/2024	San Diego East County		G260-MEDIA	\$ 399.00	\$ -	\$ -
4500059493	2/12/2024	Home Depot USA Inc		G140-SHOP SUPPLIES	\$ 110.42	\$ -	\$ -
4500059494	2/12/2024	Professional Contractors Supplies		G180-JANITORIAL SUPPLIES	\$ 401.17	\$ -	\$ -
4500059495	2/12/2024	David Bond		P490-MANAGEMENT TRAINING	\$ 270.00	\$ -	\$ -
4500059496	2/12/2024	Annex Warehouse Company, Inc		R240-RAIL/LRV REPR PARTS	\$ 868.48	\$ -	\$ -

## Purchase Orders

PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059497	2/12/2024	Siemens Mobility, Inc.		R120-RAIL/LRV CAR BODY	\$ 2,295.40	\$ -	\$ -
4500059498	2/12/2024	Supreme Oil Co.		A120-AUTO/TRUCK GASOLINE	\$ 17,378.48	\$ -	\$ -
4500059499	2/12/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 1,644.82	\$ -	\$ -
4500059500	2/12/2024	Magaldi & Magaldi Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,711.30	\$ -	\$ -
4500059501	2/12/2024	Mohawk Mfg & Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 276.58	\$ -	\$ -
4500059502	2/12/2024	Vern Rose Inc		G140-SHOP SUPPLIES	\$ 294.98	\$ -	\$ -
4500059503	2/12/2024	Airgas Inc		G190-SAFETY/MED SUPPLIES	\$ 1,271.06	\$ -	\$ -
4500059504	2/12/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 3,380.69	\$ -	\$ -
4500059505	2/12/2024	Romaine Electric Corporation	Small Business	B160-BUS ELECTRICAL	\$ 2,470.00	\$ -	\$ -
4500059506	2/12/2024	AirSupply Tools, Inc		G150-FASTENERS	\$ 258.99	\$ -	\$ -
4500059507	2/12/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 886.13	\$ -	\$ -
4500059508	2/12/2024	Romaine Electric Corporation	Small Business	B160-BUS ELECTRICAL	\$ 3,561.49	\$ -	\$ -
4500059509	2/12/2024	Cummins Inc		B120-BUS MECHANICAL PARTS	\$ 489.13	\$ -	\$ -
4500059510	2/12/2024	Shilpark Paint Corporation		F180-BUILDING MATERIALS	\$ 619.20	\$ -	\$ -
4500059511	2/12/2024	R.S. Hughes Co Inc		G140-SHOP SUPPLIES	\$ 1,831.54	\$ -	\$ -
4500059512	2/12/2024	Siemens Mobility, Inc.		R220-RAIL/LRV TRUCKS	\$ 688.53	\$ -	\$ -
4500059513	2/12/2024	W.W. Grainger Inc		P280-GENERAL SVC AGRMNTS	\$ 222.09	\$ -	\$ -
4500059514	2/12/2024	W.W. Grainger Inc		F110-SHOP/BLDG MACHINERY	\$ 226.49	\$ -	\$ -
4500059515	2/12/2024	Home Depot USA Inc		F110-SHOP/BLDG MACHINERY	\$ 304.30	\$ -	\$ -
4500059516	2/12/2024	Arts Lawnmower and Repairs LLC		F190-LANDSCAPING MAT'LS	\$ 969.74	\$ -	\$ -
4500059517	2/12/2024	White Cap, LP		F180-BUILDING MATERIALS	\$ 2,549.43	\$ -	\$ -
4500059518	2/12/2024	Dimensional Silk Screen Inc		G110-BUS/TROLLEY SIGNAGE	\$ 693.91	\$ -	\$ -
4500059519	2/12/2024	David Corbin		P440-CATERING SERVICES	\$ 93.35	\$ -	\$ -
4500059520	2/12/2024	NS Corporation		F110-SHOP/BLDG MACHINERY	\$ 2,803.71	\$ -	\$ -
4500059521	2/12/2024	W.W. Grainger Inc		F110-SHOP/BLDG MACHINERY	\$ 82.06	\$ -	\$ -
4500059522	2/12/2024	Midwest Motor Supply Co. Inc		G200-OFFICE SUPPLIES	\$ 268.43	\$ -	\$ -
4500059523	2/12/2024	Gillig LLC		B120-BUS MECHANICAL PARTS	\$ 4,267.60	\$ -	\$ -
4500059524	2/12/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 201.00	\$ -	\$ -
4500059525	2/13/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 51.25	\$ -	\$ -
4500059526	2/13/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 447.60	\$ -	\$ -
4500059527	2/13/2024	Jamison Professional Services, LLC	DBE	G170-LUBRICANTS	\$ 1,794.81	\$ -	\$ -
4500059528	2/13/2024	Transit Holdings Inc		B110-BUS HVAC SYSTEMS	\$ 245.93	\$ -	\$ -
4500059529	2/13/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 5,394.43	\$ -	\$ -
4500059530	2/13/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 7.55	\$ -	\$ -
4500059531	2/13/2024	Transit Holdings Inc		B110-BUS HVAC SYSTEMS	\$ 605.08	\$ -	\$ -
4500059532	2/13/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 159.60	\$ -	\$ -
4500059533	2/13/2024	W.W. Grainger Inc		G140-SHOP SUPPLIES	\$ 57.00	\$ -	\$ -
4500059534	2/13/2024	Harbor Diesel & Equipment, Inc		G170-LUBRICANTS	\$ 9,865.43	\$ -	\$ -
4500059535	2/13/2024	CDW LLC		I110-INFORMATION TECH	\$ 1,394.07	\$ -	\$ -
4500059536	2/14/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 17.03	\$ -	\$ -
4500059537	2/14/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,694.07	\$ -	\$ -
4500059538	2/14/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 304.60	\$ -	\$ -
4500059539	2/14/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 428.66	\$ -	\$ -
4500059540	2/14/2024	Transit Holdings Inc		G140-SHOP SUPPLIES	\$ 267.20	\$ -	\$ -
4500059541	2/14/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,074.53	\$ -	\$ -
4500059542	2/14/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 125.20	\$ -	\$ -
4500059543	2/14/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 1,375.60	\$ -	\$ -
4500059544	2/14/2024	Graybar Electric Co Inc		I110-INFORMATION TECH	\$ 4,999.49	\$ -	\$ -
4500059545	2/14/2024	Dellner Inc		R130-RAIL/LRV COUPLER	\$ 47,477.34	\$ -	\$ -
4500059546	2/14/2024	Siemens Mobility, Inc.		R220-RAIL/LRV TRUCKS	\$ 32,341.17	\$ -	\$ -
4500059547	2/14/2024	No-Spill Systems Inc		B120-BUS MECHANICAL PARTS	\$ 113.34	\$ -	\$ -



Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059548	2/14/2024	USSC Acquisition Corp		B130-BUS BODY	\$ 660.53	\$ -	\$ -
4500059549	2/14/2024	Sid Tool Co., Inc.		G180-JANITORIAL SUPPLIES	\$ 535.57	\$ -	\$ -
4500059550	2/14/2024	Fastenal Company		G190-SAFETY/MED SUPPLIES	\$ 302.04	\$ -	\$ -
4500059551	2/14/2024	D's Kustom Sales & Services, LLC		T110-TRACK, RAIL	\$ 327.29	\$ -	\$ -
4500059552	2/14/2024	Muncie Reclamation and Supply Co		B160-BUS ELECTRICAL	\$ 40.77	\$ -	\$ -
4500059553	2/14/2024	Kurt Morgan		G200-OFFICE SUPPLIES	\$ 1,609.52	\$ -	\$ -
4500059554	2/14/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 2,581.96	\$ -	\$ -
4500059555	2/14/2024	Gillig LLC		B150-BUS COMM EQUIP.	\$ 4,140.49	\$ -	\$ -
4500059556	2/14/2024	Transit Holdings Inc		B130-BUS BODY	\$ 2,712.54	\$ -	\$ -
4500059557	2/14/2024	Freeby Signs		B130-BUS BODY	\$ 157.43	\$ -	\$ -
4500059558	2/14/2024	Siemens Mobility, Inc.		R160-RAIL/LRV ELECTRICAL	\$ 7,621.46	\$ -	\$ -
4500059559	2/14/2024	Romaine Electric Corporation	Small Business	B160-BUS ELECTRICAL	\$ 2,470.00	\$ -	\$ -
4500059560	2/14/2024	Prochem Specialty Products Inc	Small Business	G180-JANITORIAL SUPPLIES	\$ 2,148.27	\$ -	\$ -
4500059561	2/14/2024	W.W. Grainger Inc		B130-BUS BODY	\$ 841.69	\$ -	\$ -
4500059562	2/15/2024	Waxie's Enterprises, LLC		G140-SHOP SUPPLIES	\$ 4,520.76	\$ -	\$ -
4500059563	2/15/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 280.04	\$ -	\$ -
4500059564	2/15/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 2,425.54	\$ -	\$ -
4500059565	2/15/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 3,009.45	\$ -	\$ -
4500059566	2/15/2024	National Business Furniture LLC		G210-OFFICE FURNITURE	\$ 859.85	\$ -	\$ -
4500059567	2/16/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 952.52	\$ -	\$ -
4500059568	2/16/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 6,790.40	\$ -	\$ -
4500059569	2/16/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 90.04	\$ -	\$ -
4500059570	2/16/2024	SDREADER Inc		G260-MEDIA	\$ 3,100.00	\$ -	\$ -
4500059571	2/16/2024	Transit Holdings Inc		B130-BUS BODY	\$ 381.72	\$ -	\$ -
4500059572	2/16/2024	Siemens Mobility, Inc.		R230-RAIL/LRV MECHANICAL	\$ 1,329.85	\$ -	\$ -
4500059573	2/16/2024	Cleverbridge, Inc.		I140-IT CAPITAL SOFTWARE	\$ 20.00	\$ -	\$ -
4500059574	2/16/2024	Neyenesch Printers Inc	Small Business	G230-PRINTED MATERIALS	\$ 29,705.19	\$ -	\$ -
4500059575	2/16/2024	BriceHouse Outdoor Inc.		G230-PRINTED MATERIALS	\$ 2,600.00	\$ -	\$ -
4500059576	2/16/2024	Siemens Mobility, Inc.		R190-RAIL/LRV PANTOGRAPH	\$ 293.09	\$ -	\$ -
4500059577	2/16/2024	Clearpath Marketing Group LLC		G230-PRINTED MATERIALS	\$ 135.71	\$ -	\$ -
4500059578	2/16/2024	ON-LINE STAMPCO INC	Small Business	G230-PRINTED MATERIALS	\$ 103.89	\$ -	\$ -
4500059579	2/16/2024	Emilia P. Ringpis		P160-EQUIPMENT RENTALS	\$ 703.00	\$ -	\$ -
4500059580	2/16/2024	El Tigre Enterprise Inc		P440-CATERING SERVICES	\$ 1,600.00	\$ -	\$ -
4500059581	2/16/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 2,805.55	\$ -	\$ -
4500059582	2/16/2024	Governmentjobs.com, Inc		P450-PERSONNEL SVCS	\$ 4,757.09	\$ -	\$ -
4500059583	2/16/2024	Tacos and Gorditas		P440-CATERING SERVICES	\$ 4,997.07	\$ -	\$ -
4500059584	2/19/2024	DIRECTV, LLC		G260-MEDIA	\$ 3,328.00	\$ -	\$ -
4500059585	2/20/2024	Siemens Mobility, Inc.		R120-RAIL/LRV CAR BODY	\$ 1,777.88	\$ -	\$ -
4500059586	2/20/2024	Genuine Parts Company Inc		R180-RAIL/LRV LIGHTING	\$ 1,129.18	\$ -	\$ -
4500059587	2/20/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 428.50	\$ -	\$ -
4500059588	2/20/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 2,414.35	\$ -	\$ -
4500059589	2/20/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 4,998.98	\$ -	\$ -
4500059590	2/20/2024	Home Depot USA Inc		F180-BUILDING MATERIALS	\$ 821.76	\$ -	\$ -
4500059591	2/20/2024	San Diego Friction Products, Inc.		G140-SHOP SUPPLIES	\$ 626.73	\$ -	\$ -
4500059592	2/20/2024	Fastenal Company		G140-SHOP SUPPLIES	\$ 2,139.66	\$ -	\$ -
4500059593	2/20/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 6.68	\$ -	\$ -
4500059594	2/20/2024	Quadient, Inc.		G220-OFFICE EQUIPMENT	\$ 2,500.00	\$ -	\$ -
4500059595	2/20/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 740.72	\$ -	\$ -
4500059596	2/20/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 3,252.77	\$ -	\$ -
4500059597	2/20/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 2.80	\$ -	\$ -
4500059598	2/20/2024	Ahlee Backflow Service, Inc	Small Business	F110-SHOP/BLDG MACHINERY	\$ 1,286.60	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059599	2/20/2024	Winzer Franchise Company		G150-FASTENERS	\$ 93.75	\$ -	\$ -
4500059600	2/20/2024	Genfare, LLC		B250-BUS REPAIR PARTS	\$ 3,909.98	\$ -	\$ -
4500059601	2/20/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 1,988.86	\$ -	\$ -
4500059602	2/20/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 103.20	\$ -	\$ -
4500059603	2/20/2024	TK Services Inc		B250-BUS REPAIR PARTS	\$ 797.90	\$ -	\$ -
4500059604	2/20/2024	Annex Warehouse Company, Inc		R240-RAIL/LRV REPR PARTS	\$ 1,312.46	\$ -	\$ -
4500059605	2/20/2024	Genfare, LLC		G290-FARE REVENUE EQUIP	\$ 451.12	\$ -	\$ -
4500059606	2/20/2024	Supreme Oil Co.		A120-AUTO/TRUCK GASOLINE	\$ 10,774.45	\$ -	\$ -
4500059607	2/20/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 2,632.46	\$ -	\$ -
4500059608	2/20/2024	Badger Daylighting Corp.		P280-GENERAL SVC AGRMNTS	\$ 27,093.10	\$ -	\$ -
4500059609	2/20/2024	Shilpark Paint Corporation		G160-PAINTS & CHEMICALS	\$ 662.02	\$ -	\$ -
4500059610	2/20/2024	Rambuilt Glass LLC		F180-BUILDING MATERIALS	\$ 1,300.00	\$ -	\$ -
4500059611	2/20/2024	Home Depot USA Inc		G130-SHOP TOOLS	\$ 4,914.49	\$ -	\$ -
4500059612	2/20/2024	Shilpark Paint Corporation		F180-BUILDING MATERIALS	\$ 231.85	\$ -	\$ -
4500059613	2/20/2024	Nexus Holding Inc		F150-DOORS, OVERHEAD	\$ 1,861.58	\$ -	\$ -
4500059614	2/20/2024	Arts Lawnmower and Repairs LLC		F190-LANDSCAPING MAT'LS	\$ 1,961.01	\$ -	\$ -
4500059615	2/20/2024	JKL Cleaning Systems	Small Business	P130-EQUIP MAINT REPR SVC	\$ 570.61	\$ -	\$ -
4500059616	2/20/2024	Continental Locks		F150-DOORS, OVERHEAD	\$ 733.75	\$ -	\$ -
4500059617	2/20/2024	Shilpark Paint Corporation		G160-PAINTS & CHEMICALS	\$ 727.98	\$ -	\$ -
4500059618	2/20/2024	Home Depot USA Inc		G130-SHOP TOOLS	\$ 110.91	\$ -	\$ -
4500059619	2/20/2024	W.W. Grainger Inc		F180-BUILDING MATERIALS	\$ 603.13	\$ -	\$ -
4500059620	2/20/2024	Arts Lawnmower and Repairs LLC		P130-EQUIP MAINT REPR SVC	\$ 546.37	\$ -	\$ -
4500059621	2/20/2024	Cembre Inc		M170-IMPEDANCE BOND	\$ 639.39	\$ -	\$ -
4500059622	2/20/2024	Louis Sardo Upholstery Inc		B250-BUS REPAIR PARTS	\$ 2,292.32	\$ -	\$ -
4500059623	2/20/2024	Robcar Corporation	oman Owned Business	P280-GENERAL SVC AGRMNTS	\$ 451.48	\$ -	\$ -
4500059624	2/20/2024	National Business Furniture LLC		G210-OFFICE FURNITURE	\$ 286.14	\$ -	\$ -
4500059625	2/20/2024	Mohammad Karimi		C120-SPECIALTY CONTRACTOR	\$ 206.31	\$ -	\$ -
4500059626	2/20/2024	Ahlee Backflow Service, Inc	Small Business	P280-GENERAL SVC AGRMNTS	\$ 350.00	\$ -	\$ -
4500059627	2/20/2024	Mcmaster-Carr Supply Co		F110-SHOP/BLDG MACHINERY	\$ 311.26	\$ -	\$ -
4500059628	2/21/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 125.70	\$ -	\$ -
4500059629	2/21/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 1,228.86	\$ -	\$ -
4500059630	2/21/2024	Cummins Inc		B250-BUS REPAIR PARTS	\$ 217.17	\$ -	\$ -
4500059631	2/21/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 1,289.58	\$ -	\$ -
4500059632	2/21/2024	Hitachi Rail STS USA, Inc.		M140-WAYSIDE SIGNALS	\$ 19,302.38	\$ -	\$ -
4500059633	2/21/2024	Genfare, LLC		G290-FARE REVENUE EQUIP	\$ 33.99	\$ -	\$ -
4500059634	2/21/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 243.48	\$ -	\$ -
4500059635	2/21/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 7.87	\$ -	\$ -
4500059636	2/21/2024	Transit Holdings Inc		B130-BUS BODY	\$ 4,630.27	\$ -	\$ -
4500059637	2/21/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 428.66	\$ -	\$ -
4500059638	2/21/2024	Annex Warehouse Company, Inc		F120-BUS/LRV PAINT BOOTHS	\$ 7,687.14	\$ -	\$ -
4500059639	2/21/2024	Siemens Mobility, Inc.		R160-RAIL/LRV ELECTRICAL	\$ 172.36	\$ -	\$ -
4500059640	2/21/2024	Health and Human Resource Center In		P280-GENERAL SVC AGRMNTS	\$ 96,084.00	\$ -	\$ -
4500059641	2/21/2024	Marco's Canopies Inc	Small Business	G140-SHOP SUPPLIES	\$ 2,194.50	\$ -	\$ -
4500059642	2/21/2024	Dellner Inc		R130-RAIL/LRV COUPLER	\$ 4,687.13	\$ -	\$ -
4500059643	2/21/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 3,210.48	\$ -	\$ -
4500059644	2/21/2024	San Diego Community		P540-MAINTENANCE TRAINING	\$ 344.80	\$ -	\$ -
4500059645	2/21/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 501.80	\$ -	\$ -
4500059646	2/21/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 113.40	\$ -	\$ -
4500059647	2/21/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 3,251.46	\$ -	\$ -
4500059648	2/21/2024	MJP Enterprises		P210-NON-REV VEH REPAIRS	\$ 3,992.79	\$ -	\$ -
4500059649	2/21/2024	MJP Enterprises		P210-NON-REV VEH REPAIRS	\$ 4,763.61	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059650	2/21/2024	Cummins Inc		B250-BUS REPAIR PARTS	\$ 2,188.37	\$ -	\$ -
4500059651	2/21/2024	Hitachi Rail STS USA, Inc.		M140-WAYSIDE SIGNALS	\$ 14,524.58	\$ -	\$ -
4500059652	2/21/2024	Gillig LLC		B140-BUS CHASSIS	\$ 4,536.34	\$ -	\$ -
4500059653	2/21/2024	Staples Contract & Commercial LLC		P280-GENERAL SVC AGRMNTS	\$ 293.28	\$ -	\$ -
4500059654	2/21/2024	Professional Contractors Supplies		G130-SHOP TOOLS	\$ 1,063.24	\$ -	\$ -
4500059655	2/21/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 385.05	\$ -	\$ -
4500059656	2/21/2024	Staples Contract & Commercial LLC		G200-OFFICE SUPPLIES	\$ 148.18	\$ -	\$ -
4500059657	2/21/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 375.86	\$ -	\$ -
4500059658	2/21/2024	D's Kustom Sales & Services, LLC		T110-TRACK, RAIL	\$ 196.37	\$ -	\$ -
4500059659	2/21/2024	Waytek Inc		G140-SHOP SUPPLIES	\$ 130.58	\$ -	\$ -
4500059660	2/21/2024	Winzer Franchise Company		G150-FASTENERS	\$ 958.04	\$ -	\$ -
4500059661	2/21/2024	Motion Industries, Inc.		G160-PAINTS & CHEMICALS	\$ 3,894.18	\$ -	\$ -
4500059662	2/21/2024	Transit Holdings Inc		B130-BUS BODY	\$ 1,997.30	\$ -	\$ -
4500059663	2/21/2024	San Diego Friction Products, Inc.		B110-BUS HVAC SYSTEMS	\$ 2,324.54	\$ -	\$ -
4500059664	2/21/2024	R.S. Hughes Co Inc		G140-SHOP SUPPLIES	\$ 572.90	\$ -	\$ -
4500059665	2/21/2024	Transit Holdings Inc		B120-BUS MECHANICAL PARTS	\$ 3,139.45	\$ -	\$ -
4500059666	2/21/2024	San Diego Friction Products, Inc.		B120-BUS MECHANICAL PARTS	\$ 3,531.11	\$ -	\$ -
4500059667	2/21/2024	National Business Furniture LLC		G210-OFFICE FURNITURE	\$ 5,384.47	\$ -	\$ -
4500059668	2/21/2024	Airgas Inc		G140-SHOP SUPPLIES	\$ 296.72	\$ -	\$ -
4500059669	2/21/2024	National Business Furniture LLC		G210-OFFICE FURNITURE	\$ 14,484.17	\$ -	\$ -
4500059670	2/21/2024	AirSupply Tools, Inc		B130-BUS BODY	\$ 39.19	\$ -	\$ -
4500059671	2/21/2024	W.W. Grainger Inc		G140-SHOP SUPPLIES	\$ 2,055.34	\$ -	\$ -
4500059672	2/21/2024	Don Oleson Inc	Small Business	G140-SHOP SUPPLIES	\$ 135.77	\$ -	\$ -
4500059673	2/21/2024	Ahlee Backflow Service, Inc	Small Business	F110-SHOP/BLDG MACHINERY	\$ 295.98	\$ -	\$ -
4500059674	2/21/2024	Siemens Mobility, Inc.		R220-RAIL/LRV TRUCKS	\$ 99,377.51	\$ -	\$ -
4500059675	2/21/2024	W.W. Grainger Inc		G190-SAFETY/MED SUPPLIES	\$ 3,196.43	\$ -	\$ -
4500059676	2/21/2024	ODP Business Solutions, LLC		G200-OFFICE SUPPLIES	\$ 179.84	\$ -	\$ -
4500059677	2/21/2024	Ahlee Backflow Service, Inc	Small Business	P280-GENERAL SVC AGRMNTS	\$ 850.00	\$ -	\$ -
4500059678	2/21/2024	Inland Kenworth (US) Inc		B250-BUS REPAIR PARTS	\$ 171.02	\$ -	\$ -
4500059679	2/21/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 241.60	\$ -	\$ -
4500059680	2/21/2024	Vern Rose Inc		G160-PAINTS & CHEMICALS	\$ 710.69	\$ -	\$ -
4500059681	2/21/2024	Fastenal Company		G190-SAFETY/MED SUPPLIES	\$ 2,634.29	\$ -	\$ -
4500059682	2/21/2024	Gillig LLC		B130-BUS BODY	\$ 1,971.57	\$ -	\$ -
4500059683	2/21/2024	DK Sandler Brothers		G180-JANITORIAL SUPPLIES	\$ 1,770.22	\$ -	\$ -
4500059684	2/21/2024	Inland Kenworth (US) Inc		B200-BUS PWR TRAIN EQUIP	\$ 476.74	\$ -	\$ -
4500059685	2/21/2024	Cummins Inc		B250-BUS REPAIR PARTS	\$ 142.99	\$ -	\$ -
4500059686	2/21/2024	NMS Management Inc	DBE	P280-GENERAL SVC AGRMNTS	\$ 151.44	\$ -	\$ -
4500059687	2/21/2024	E W Truck & Equipment Co Inc		B120-BUS MECHANICAL PARTS	\$ 1,209.66	\$ -	\$ -
4500059688	2/21/2024	Muncie Reclamation and Supply Co		B120-BUS MECHANICAL PARTS	\$ 500.44	\$ -	\$ -
4500059689	2/21/2024	Southern Counties Lubricants LLC		G170-LUBRICANTS	\$ 2,311.24	\$ -	\$ -
4500059690	2/21/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 15,144.10	\$ -	\$ -
4500059691	2/21/2024	Kurt Morgan		G200-OFFICE SUPPLIES	\$ 2,707.20	\$ -	\$ -
4500059692	2/21/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 1,503.46	\$ -	\$ -
4500059693	2/21/2024	Waxie's Enterprises, LLC		G180-JANITORIAL SUPPLIES	\$ 1,081.55	\$ -	\$ -
4500059694	2/21/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 2,775.90	\$ -	\$ -
4500059695	2/21/2024	Harbor Diesel & Equipment, Inc		G170-LUBRICANTS	\$ 6,576.95	\$ -	\$ -
4500059696	2/22/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 129.43	\$ -	\$ -
4500059697	2/22/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 3,452.66	\$ -	\$ -
4500059698	2/22/2024	Siemens Mobility, Inc.		R150-RAIL/LRV COMM EQUIP	\$ 1,970.21	\$ -	\$ -
4500059699	2/22/2024	Siemens Mobility, Inc.		R120-RAIL/LRV CAR BODY	\$ 45,039.50	\$ -	\$ -
4500059700	2/22/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 250.41	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059701	2/22/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 1,032.97	\$ -	\$ -
4500059702	2/22/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 144.14	\$ -	\$ -
4500059703	2/22/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,165.26	\$ -	\$ -
4500059704	2/22/2024	Albertsons Companies, Inc.		P440-CATERING SERVICES	\$ 114.98	\$ -	\$ -
4500059705	2/22/2024	Fastenal Company		G140-SHOP SUPPLIES	\$ 878.98	\$ -	\$ -
4500059706	2/22/2024	Airgas Inc		G140-SHOP SUPPLIES	\$ 220.32	\$ -	\$ -
4500059707	2/22/2024	Uline Inc		G140-SHOP SUPPLIES	\$ 771.92	\$ -	\$ -
4500059708	2/22/2024	M Power Truck & Diesel		P210-NON-REV VEH REPAIRS	\$ 1,645.78	\$ -	\$ -
4500059709	2/22/2024	Railroad Tools & Solutions LLC		T140-TRACK, TURNOUTS	\$ 1,262.33	\$ -	\$ -
4500059710	2/22/2024	M Power Truck & Diesel		P130-EQUIP MAINT REPR SVC	\$ 2,446.40	\$ -	\$ -
4500059711	2/22/2024	Alpine Fence Inc.		F190-LANDSCAPING MAT'LS	\$ 2,253.21	\$ -	\$ -
4500059712	2/22/2024	M Power Truck & Diesel		P210-NON-REV VEH REPAIRS	\$ 1,645.78	\$ -	\$ -
4500059713	2/22/2024	Arts Lawnmower and Repairs LLC		F180-BUILDING MATERIALS	\$ 366.34	\$ -	\$ -
4500059714	2/23/2024	Siemens Mobility, Inc.		R230-RAIL/LRV MECHANICAL	\$ 6,142.34	\$ -	\$ -
4500059715	2/23/2024	Muncie Reclamation and Supply Co		B250-BUS REPAIR PARTS	\$ 18.73	\$ -	\$ -
4500059716	2/23/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 4,671.97	\$ -	\$ -
4500059717	2/23/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 64.26	\$ -	\$ -
4500059718	2/23/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 281.23	\$ -	\$ -
4500059719	2/23/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 1,463.45	\$ -	\$ -
4500059720	2/23/2024	Midwest Motor Supply Co. Inc		G180-JANITORIAL SUPPLIES	\$ 1,302.05	\$ -	\$ -
4500059721	2/25/2024	Willy's Electronic Supply Co Inc	Small Business	M180-STATION ELECTRICAL	\$ 1,752.13	\$ -	\$ -
4500059722	2/25/2024	Mcmaster-Carr Supply Co		R140-RAIL/LRV DOORS/RAMP	\$ 276.01	\$ -	\$ -
4500059723	2/25/2024	Professional Contractors Supplies		G140-SHOP SUPPLIES	\$ 243.39	\$ -	\$ -
4500059724	2/25/2024	Professional Contractors Supplies		G180-JANITORIAL SUPPLIES	\$ 90.74	\$ -	\$ -
4500059725	2/25/2024	OneSource Distributors, LLC		G180-JANITORIAL SUPPLIES	\$ 1,896.06	\$ -	\$ -
4500059726	2/25/2024	Home Depot USA Inc		F180-BUILDING MATERIALS	\$ 1,878.34	\$ -	\$ -
4500059727	2/25/2024	Annex Warehouse Company, Inc		R240-RAIL/LRV REPR PARTS	\$ 3,225.49	\$ -	\$ -
4500059728	2/25/2024	Dimensional Silk Screen Inc		R120-RAIL/LRV CAR BODY	\$ 932.04	\$ -	\$ -
4500059729	2/25/2024	Facility Solutions Group, Inc.		R160-RAIL/LRV ELECTRICAL	\$ 1,378.13	\$ -	\$ -
4500059730	2/25/2024	Winzer Franchise Company		G270-ELECTRICAL/LIGHTING	\$ 1,123.97	\$ -	\$ -
4500059731	2/25/2024	W.W. Grainger Inc		G170-LUBRICANTS	\$ 1,118.72	\$ -	\$ -
4500059732	2/25/2024	Schunk Carbon Technology LLC		R190-RAIL/LRV PANTOGRAPH	\$ 3,834.88	\$ -	\$ -
4500059733	2/25/2024	Jamison Professional Services, LLC	DBE	G170-LUBRICANTS	\$ 200.93	\$ -	\$ -
4500059734	2/25/2024	Robcar Corporation	Woman Owned Business	G190-SAFETY/MED SUPPLIES	\$ 1,530.06	\$ -	\$ -
4500059735	2/25/2024	Waxie's Enterprises, LLC		G140-SHOP SUPPLIES	\$ 3,437.12	\$ -	\$ -
4500059736	2/25/2024	Reid and Clark Screen Arts Co		M130-CROSSING MECHANISM	\$ 4,237.27	\$ -	\$ -
4500059737	2/26/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 119.40	\$ -	\$ -
4500059738	2/26/2024	Jamison Professional Services, LLC	DBE	G170-LUBRICANTS	\$ 567.89	\$ -	\$ -
4500059739	2/26/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 2,482.86	\$ -	\$ -
4500059740	2/26/2024	Transit Holdings Inc		B110-BUS HVAC SYSTEMS	\$ 1,101.25	\$ -	\$ -
4500059741	2/26/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 42.30	\$ -	\$ -
4500059742	2/26/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 848.44	\$ -	\$ -
4500059743	2/26/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 746.11	\$ -	\$ -
4500059744	2/26/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 3,225.90	\$ -	\$ -
4500059745	2/26/2024	Transit Holdings Inc		B120-BUS MECHANICAL PARTS	\$ 1,026.91	\$ -	\$ -
4500059746	2/26/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 878.57	\$ -	\$ -
4500059747	2/26/2024	Genuine Parts Company Inc		R180-RAIL/LRV LIGHTING	\$ 1,129.18	\$ -	\$ -
4500059748	2/26/2024	Gillig LLC		R120-RAIL/LRV CAR BODY	\$ 14,769.07	\$ -	\$ -
4500059749	2/26/2024	VGP Holdings LLC		B200-BUS PWR TRAIN EQUIP	\$ 1,647.50	\$ -	\$ -
4500059750	2/26/2024	Supreme Oil Co.		A120-AUTO/TRUCK GASOLINE	\$ 13,441.76	\$ -	\$ -
4500059751	2/26/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 201.25	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059752	2/26/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 2,706.44	\$ -	\$ -
4500059753	2/26/2024	Harbor Diesel & Equipment, Inc		B250-BUS REPAIR PARTS	\$ 808.08	\$ -	\$ -
4500059754	2/26/2024	Arenson Office Furniture, Inc.	Small Business	G210-OFFICE FURNITURE	\$ 12,013.05	\$ -	\$ -
4500059755	2/26/2024	Electric Motor Services, Inc.		M150-PWR SWITCHES/LOCKS	\$ 925.00	\$ -	\$ -
4500059756	2/26/2024	Reid and Clark Screen Arts Co		R120-RAIL/LRV CAR BODY	\$ 1,018.24	\$ -	\$ -
4500059757	2/26/2024	Init Innovations in Transportation		B190-BUS FARE EQUIP	\$ 457.94	\$ -	\$ -
4500059758	2/26/2024	Staples Contract & Commercial LLC		G200-OFFICE SUPPLIES	\$ 66.78	\$ -	\$ -
4500059759	2/26/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,931.71	\$ -	\$ -
4500059760	2/27/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 187.46	\$ -	\$ -
4500059761	2/27/2024	Siemens Mobility, Inc.		R230-RAIL/LRV MECHANICAL	\$ 1,437.09	\$ -	\$ -
4500059762	2/27/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 422.59	\$ -	\$ -
4500059763	2/27/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 517.31	\$ -	\$ -
4500059764	2/27/2024	Motion Industries, Inc.		B130-BUS BODY	\$ 123.44	\$ -	\$ -
4500059765	2/27/2024	Charter Industrial Supply Inc	Small Business	B120-BUS MECHANICAL PARTS	\$ 215.47	\$ -	\$ -
4500059766	2/27/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 2,734.82	\$ -	\$ -
4500059767	2/27/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 832.59	\$ -	\$ -
4500059768	2/27/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 6.57	\$ -	\$ -
4500059769	2/27/2024	Siemens Mobility, Inc.		M130-CROSSING MECHANISM	\$ 3,507.27	\$ -	\$ -
4500059770	2/27/2024	Brown & Bigelow Inc		G220-OFFICE EQUIPMENT	\$ 293.35	\$ -	\$ -
4500059771	2/27/2024	W.W. Grainger Inc		I110-INFORMATION TECH	\$ 487.57	\$ -	\$ -
4500059772	2/27/2024	Mcmaster-Carr Supply Co		G300-GENERAL CAPITAL EQP	\$ 163.64	\$ -	\$ -
4500059773	2/27/2024	Uline Inc		G200-OFFICE SUPPLIES	\$ 428.77	\$ -	\$ -
4500059774	2/27/2024	Trolley Support LLC		B130-BUS BODY	\$ 6,949.88	\$ -	\$ -
4500059775	2/27/2024	Siemens Mobility, Inc.		R160-RAIL/LRV ELECTRICAL	\$ 104,372.50	\$ -	\$ -
4500059776	2/27/2024	Hitachi Rail STS USA, Inc.		M140-WAYSIDE SIGNALS	\$ 4,310.00	\$ -	\$ -
4500059777	2/27/2024	Freeby Signs		B130-BUS BODY	\$ 238.18	\$ -	\$ -
4500059778	2/27/2024	Transit Holdings Inc		B160-BUS ELECTRICAL	\$ 4,302.22	\$ -	\$ -
4500059779	2/27/2024	Uline Inc		G140-SHOP SUPPLIES	\$ 137.92	\$ -	\$ -
4500059780	2/27/2024	DK Sandler Brothers		G180-JANITORIAL SUPPLIES	\$ 1,011.55	\$ -	\$ -
4500059783	2/27/2024	Inland Kenworth (US) Inc		B120-BUS MECHANICAL PARTS	\$ 8,757.75	\$ -	\$ -
4500059784	2/27/2024	TK Services Inc		B250-BUS REPAIR PARTS	\$ 915.88	\$ -	\$ -
4500059785	2/27/2024	CRH California Water, Inc.		M140-WAYSIDE SIGNALS	\$ 67.89	\$ -	\$ -
4500059786	2/27/2024	Mcmaster-Carr Supply Co		F110-SHOP/BLDG MACHINERY	\$ 8.09	\$ -	\$ -
4500059787	2/27/2024	Home Depot USA Inc		F110-SHOP/BLDG MACHINERY	\$ 29.02	\$ -	\$ -
4500059788	2/27/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,517.48	\$ -	\$ -
4500059789	2/27/2024	Neopart Transit LLC		B250-BUS REPAIR PARTS	\$ 23.17	\$ -	\$ -
4500059790	2/27/2024	Steven R Timme		G230-PRINTED MATERIALS	\$ 253.88	\$ -	\$ -
4500059791	2/27/2024	Steven R Timme		G230-PRINTED MATERIALS	\$ 68.00	\$ -	\$ -
4500059792	2/27/2024	All The King's Flags		G230-PRINTED MATERIALS	\$ 2,562.30	\$ -	\$ -
4500059793	2/28/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 47.30	\$ -	\$ -
4500059794	2/28/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 6,538.70	\$ -	\$ -
4500059795	2/28/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 3.37	\$ -	\$ -
4500059796	2/28/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 3,159.63	\$ -	\$ -
4500059797	2/28/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 600.11	\$ -	\$ -
4500059798	2/28/2024	Muncie Reclamation and Supply Co		B120-BUS MECHANICAL PARTS	\$ 82.10	\$ -	\$ -
4500059799	2/28/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 15,066.70	\$ -	\$ -
4500059800	2/28/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 807.16	\$ -	\$ -
4500059801	2/28/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 366.62	\$ -	\$ -
4500059802	2/28/2024	Jamison Professional Services, LLC	DBE	G170-LUBRICANTS	\$ 709.85	\$ -	\$ -
4500059803	2/28/2024	Transit Holdings Inc		B130-BUS BODY	\$ 40.95	\$ -	\$ -
4500059804	2/28/2024	Charter Industrial Supply Inc	Small Business	F110-SHOP/BLDG MACHINERY	\$ 268.73	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059805	2/28/2024	Transit Holdings Inc		B120-BUS MECHANICAL PARTS	\$ 637.26	\$ -	\$ -
4500059806	2/28/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 1,135.79	\$ -	\$ -
4500059807	2/28/2024	Norman Industrial Materials Inc.		G140-SHOP SUPPLIES	\$ 217.99	\$ -	\$ -
4500059808	2/28/2024	Mcmaster-Carr Supply Co		B250-BUS REPAIR PARTS	\$ 23.48	\$ -	\$ -
4500059809	2/28/2024	Annex Warehouse Company, Inc		G160-PAINTS & CHEMICALS	\$ 4,424.77	\$ -	\$ -
4500059810	2/28/2024	Home Depot USA Inc		R230-RAIL/LRV MECHANICAL	\$ 1,476.81	\$ -	\$ -
4500059811	2/28/2024	Siemens Mobility, Inc.		R160-RAIL/LRV ELECTRICAL	\$ 13,361.69	\$ -	\$ -
4500059812	2/28/2024	American Battery Corporation	Small Business	P280-GENERAL SVC AGRMNTS	\$ 5,210.79	\$ -	\$ -
4500059813	2/28/2024	Muncie Reclamation and Supply Co		B120-BUS MECHANICAL PARTS	\$ 197.01	\$ -	\$ -
4500059814	2/28/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 55.46	\$ -	\$ -
4500059815	2/28/2024	Staples Contract & Commercial LLC		G200-OFFICE SUPPLIES	\$ 1,145.30	\$ -	\$ -
4500059816	2/28/2024	Waxie's Enterprises, LLC		G140-SHOP SUPPLIES	\$ 2,422.55	\$ -	\$ -
4500059817	2/28/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 221.98	\$ -	\$ -
4500059818	2/28/2024	Genfare, LLC		G290-FARE REVENUE EQUIP	\$ 33.99	\$ -	\$ -
4500059819	2/28/2024	San Diego Friction Products, Inc.		B120-BUS MECHANICAL PARTS	\$ 3,531.11	\$ -	\$ -
4500059820	2/28/2024	AirSupply Tools, Inc		G150-FASTENERS	\$ 412.51	\$ -	\$ -
4500059821	2/28/2024	Westinghouse Air Brake		B250-BUS REPAIR PARTS	\$ 454.98	\$ -	\$ -
4500059822	2/28/2024	Mouser Electronics Inc		B160-BUS ELECTRICAL	\$ 17.25	\$ -	\$ -
4500059823	2/28/2024	R.S. Hughes Co Inc		G140-SHOP SUPPLIES	\$ 1,677.45	\$ -	\$ -
4500059824	2/28/2024	Vern Rose Inc		G140-SHOP SUPPLIES	\$ 539.84	\$ -	\$ -
4500059825	2/28/2024	Fastenal Company		G140-SHOP SUPPLIES	\$ 562.00	\$ -	\$ -
4500059827	2/28/2024	W.W. Grainger Inc		B130-BUS BODY	\$ 2,663.29	\$ -	\$ -
4500059828	2/28/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 172.73	\$ -	\$ -
4500059829	2/28/2024	Mouser Electronics Inc		B250-BUS REPAIR PARTS	\$ 16.17	\$ -	\$ -
4500059830	2/28/2024	CDW LLC		I110-INFORMATION TECH	\$ 4,965.09	\$ -	\$ -
4500059831	2/29/2024	Mohawk Mfg & Supply Co		B120-BUS MECHANICAL PARTS	\$ 20.04	\$ -	\$ -
4500059832	2/29/2024	Gillig LLC		B160-BUS ELECTRICAL	\$ 4,314.85	\$ -	\$ -
4500059833	2/29/2024	Jamison Professional Services, LLC	DBE	G170-LUBRICANTS	\$ 1,538.41	\$ -	\$ -
4500059834	2/29/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 901.51	\$ -	\$ -
4500059835	2/29/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 20.51	\$ -	\$ -
4500059836	2/29/2024	Muncie Reclamation and Supply Co		B160-BUS ELECTRICAL	\$ 524.61	\$ -	\$ -
4500059837	2/29/2024	Muncie Reclamation and Supply Co		B120-BUS MECHANICAL PARTS	\$ 82.10	\$ -	\$ -
4500059838	2/29/2024	Transit Holdings Inc		B120-BUS MECHANICAL PARTS	\$ 436.63	\$ -	\$ -
4500059839	2/29/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 6,438.71	\$ -	\$ -
4500059840	2/29/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 239.40	\$ -	\$ -
4500059841	2/29/2024	Daily Journal Corporation	Small Business	P310-ADVERTISING SERVICES	\$ 3,208.00	\$ -	\$ -
4500059842	2/29/2024	Rush Truck Centers of California		B120-BUS MECHANICAL PARTS	\$ 494.58	\$ -	\$ -
4500059843	2/29/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 56.31	\$ -	\$ -
4500059844	2/29/2024	ABC General Contractor, Inc.		C110-GENERAL CONTRACTORS	\$ 9,995.82	\$ -	\$ -
4500059845	2/29/2024	The Gordian Group, Inc.		C130-CONSTRUCTION SVCS	\$ 175.93	\$ -	\$ -
4500059846	2/29/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 56.73	\$ -	\$ -
4500059847	2/29/2024	Transit Holdings Inc		B130-BUS BODY	\$ 3,023.60	\$ -	\$ -
4500059848	2/29/2024	Morrison Metalweld Process Corp	Small Business	G130-SHOP TOOLS	\$ 3,545.83	\$ -	\$ -
4500059849	2/29/2024	Shilpark Paint Corporation		F180-BUILDING MATERIALS	\$ 68.88	\$ -	\$ -
4500059850	2/29/2024	Drake Integrations LLC	Small Business	P280-GENERAL SVC AGRMNTS	\$ 2,790.73	\$ -	\$ -
4500059851	2/29/2024	OneSource Distributors, LLC		G130-SHOP TOOLS	\$ 1,364.47	\$ -	\$ -
4500059852	2/29/2024	Western-Cullen-Hayes Inc		G130-SHOP TOOLS	\$ 844.11	\$ -	\$ -
4500059853	2/29/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 1,264.73	\$ -	\$ -
4500059854	2/29/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 1,524.50	\$ -	\$ -
4500059855	2/29/2024	Inland Kenworth (US) Inc		B250-BUS REPAIR PARTS	\$ 48.54	\$ -	\$ -
4500059856	2/29/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 1,992.42	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059857	2/29/2024	Overhead Door Corporation		C120-SPECIALTY CONTRACTOR	\$ 5,961.00	\$ -	\$ -
4500059858	2/29/2024	Fastenal Company		R230-RAIL/LRV MECHANICAL	\$ 3,585.92	\$ -	\$ -
4500059859	2/29/2024	Gillig LLC		B130-BUS BODY	\$ 4,081.26	\$ -	\$ -
4500059861	2/29/2024	Superior Printing Inc.		P400-FINANCIAL & AUDIT	\$ 608.19	\$ -	\$ -
4500059862	3/1/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 2,503.57	\$ -	\$ -
4500059863	3/1/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 16.60	\$ -	\$ -
4500059864	3/1/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 123.19	\$ -	\$ -
4500059865	3/1/2024	Cummins Inc		B160-BUS ELECTRICAL	\$ 6,076.84	\$ -	\$ -
4500059866	3/1/2024	Muncie Reclamation and Supply Co		B140-BUS CHASSIS	\$ 19.50	\$ -	\$ -
4500059867	3/1/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 2,965.32	\$ -	\$ -
4500059868	3/1/2024	Day Management Corp		B150-BUS COMM EQUIP.	\$ 2,710.55	\$ -	\$ -
4500059869	3/1/2024	Cummins Inc		B120-BUS MECHANICAL PARTS	\$ 132.62	\$ -	\$ -
4500059870	3/1/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 15.09	\$ -	\$ -
4500059871	3/1/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 2,918.73	\$ -	\$ -
4500059872	3/1/2024	Daniels Tire Service, Inc		P210-NON-REV VEH REPAIRS	\$ 208.91	\$ -	\$ -
4500059873	3/1/2024	Daniels Tire Service, Inc		P210-NON-REV VEH REPAIRS	\$ 47.50	\$ -	\$ -
4500059874	3/1/2024	Annex Warehouse Company, Inc		F120-BUS/LRV PAINT BOOTHS	\$ 30,998.80	\$ -	\$ -
4500059875	3/1/2024	Annex Warehouse Company, Inc		F120-BUS/LRV PAINT BOOTHS	\$ 30,998.80	\$ -	\$ -
4500059876	3/1/2024	Annex Warehouse Company, Inc		F120-BUS/LRV PAINT BOOTHS	\$ 21,289.25	\$ -	\$ -
4500059877	3/3/2024	Gillig LLC		B130-BUS BODY	\$ 4,209.16	\$ -	\$ -
4500059878	3/3/2024	Motion Industries, Inc.		G170-LUBRICANTS	\$ 4,546.98	\$ -	\$ -
4500059879	3/3/2024	Gillig LLC		B130-BUS BODY	\$ 6,050.80	\$ -	\$ -
4500059880	3/3/2024	Init Innovations in Transportation		G290-FARE REVENUE EQUIP	\$ 2,408.35	\$ -	\$ -
4500059881	3/3/2024	Init Innovations in Transportation		G290-FARE REVENUE EQUIP	\$ 134.69	\$ -	\$ -
4500059882	3/3/2024	Brady Industries of California, LLC		G180-JANITORIAL SUPPLIES	\$ 407.55	\$ -	\$ -
4500059883	3/4/2024	Shilpark Paint Corporation		G160-PAINTS & CHEMICALS	\$ 819.23	\$ -	\$ -
4500059884	3/4/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 452.68	\$ -	\$ -
4500059885	3/4/2024	Shilpark Paint Corporation		G160-PAINTS & CHEMICALS	\$ 157.09	\$ -	\$ -
4500059886	3/4/2024	Arts Lawnmower and Repairs LLC		F180-BUILDING MATERIALS	\$ 445.97	\$ -	\$ -
4500059887	3/4/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 5,221.94	\$ -	\$ -
4500059888	3/4/2024	Transit Holdings Inc		B130-BUS BODY	\$ 972.18	\$ -	\$ -
4500059889	3/4/2024	Parts Authority, LLC		B160-BUS ELECTRICAL	\$ 3,853.01	\$ -	\$ -
4500059890	3/4/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 3,895.75	\$ -	\$ -
4500059891	3/4/2024	Muncie Reclamation and Supply Co		B160-BUS ELECTRICAL	\$ 20.67	\$ -	\$ -
4500059892	3/4/2024	Transit Holdings Inc		B140-BUS CHASSIS	\$ 2,492.58	\$ -	\$ -
4500059893	3/4/2024	ODP Business Solutions, LLC		G210-OFFICE FURNITURE	\$ 2,943.38	\$ -	\$ -
4500059894	3/4/2024	JKL Cleaning Systems	Small Business	P130-EQUIP MAINT REPR SVC	\$ 570.61	\$ -	\$ -
4500059895	3/4/2024	Norman Industrial Materials Inc.		B250-BUS REPAIR PARTS	\$ 447.72	\$ -	\$ -
4500059896	3/4/2024	Norman Industrial Materials Inc.		G140-SHOP SUPPLIES	\$ 353.56	\$ -	\$ -
4500059897	3/4/2024	Fastenal Company		G140-SHOP SUPPLIES	\$ 2,139.66	\$ -	\$ -
4500059898	3/4/2024	Waxie's Enterprises, LLC		G180-JANITORIAL SUPPLIES	\$ 8,638.86	\$ -	\$ -
4500059899	3/4/2024	J. J. Keller & Associates Inc		P490-MANAGEMENT TRAINING	\$ 2,003.34	\$ -	\$ -
4500059900	3/4/2024	W.W. Grainger Inc		G150-FASTENERS	\$ 947.67	\$ -	\$ -
4500059901	3/4/2024	Mohawk Mfg & Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 493.71	\$ -	\$ -
4500059902	3/4/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 1,583.75	\$ -	\$ -
4500059903	3/4/2024	Sportworks Global LLC		B130-BUS BODY	\$ 538.75	\$ -	\$ -
4500059904	3/4/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 4,034.26	\$ -	\$ -
4500059905	3/4/2024	Muncie Reclamation and Supply Co		B200-BUS PWR TRAIN EQUIP	\$ 12.93	\$ -	\$ -
4500059906	3/4/2024	Home Depot USA Inc		F110-SHOP/BLDG MACHINERY	\$ 146.87	\$ -	\$ -
4500059907	3/4/2024	W.W. Grainger Inc		P280-GENERAL SVC AGRMNTS	\$ 378.74	\$ -	\$ -
4500059908	3/4/2024	Alliant Insurance Services, Inc.		P370-RISK MANAGEMENT	\$ 1,101.24	\$ -	\$ -

Purchase Orders							
PO Number	PO Date	Name	Prime Business Certification	Material Group	PO Value	DBE Subcontracted Amount	Non DBE Subcontracted Amount
4500059909	3/4/2024	Alliant Insurance Services, Inc.		P370-RISK MANAGEMENT	\$ 1,491.70	\$ -	\$ -
4500059910	3/4/2024	Supreme Oil Co.		A120-AUTO/TRUCK GASOLINE	\$ 14,273.54	\$ -	\$ -
4500059911	3/4/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 2,805.08	\$ -	\$ -
4500059912	3/4/2024	Quality Logo Products, Inc.		G250-NOVELTIES & AWARDS	\$ 181.17	\$ -	\$ -
4500059913	3/4/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 4,315.15	\$ -	\$ -
4500059914	3/4/2024	Inland Kenworth (US) Inc		B250-BUS REPAIR PARTS	\$ 816.51	\$ -	\$ -
4500059915	3/4/2024	Airgas Inc		G140-SHOP SUPPLIES	\$ 163.18	\$ -	\$ -
4500059916	3/4/2024	Ascendancy Corp		R230-RAIL/LRV MECHANICAL	\$ 3,511.90	\$ -	\$ -
4500059917	3/4/2024	Gillig LLC		B250-BUS REPAIR PARTS	\$ 1,906.15	\$ -	\$ -
4500059918	3/4/2024	Mcmaster-Carr Supply Co		B130-BUS BODY	\$ 123.10	\$ -	\$ -
4500059919	3/4/2024	Tribologik Corporation		G140-SHOP SUPPLIES	\$ 3,431.78	\$ -	\$ -
4500059920	3/4/2024	Kurt Morgan		G200-OFFICE SUPPLIES	\$ 1,290.79	\$ -	\$ -
4500059921	3/4/2024	The Sherwin-Williams Company		F120-BUS/LRV PAINT BOOTHS	\$ 1,548.89	\$ -	\$ -
4500059922	3/4/2024	San Diego Friction Products, Inc.		G140-SHOP SUPPLIES	\$ 856.62	\$ -	\$ -
4500059923	3/4/2024	Harbor Diesel & Equipment, Inc		B200-BUS PWR TRAIN EQUIP	\$ 316.68	\$ -	\$ -
4500059924	3/4/2024	Charter Industrial Supply Inc	Small Business	B250-BUS REPAIR PARTS	\$ 148.70	\$ -	\$ -
4500059925	3/4/2024	CDW LLC		B150-BUS COMM EQUIP.	\$ 785.11	\$ -	\$ -
4500059926	3/4/2024	Clarran Inc.	DBE	G150-FASTENERS	\$ 488.03	\$ -	\$ -
4500059927	3/4/2024	Siemens Mobility, Inc.		R220-RAIL/LRV TRUCKS	\$ 47,415.39	\$ -	\$ -
4500059928	3/5/2024	Hitachi Rail STS USA, Inc.		M140-WAYSIDE SIGNALS	\$ 1,282.98	\$ -	\$ -
4500059929	3/5/2024	ODP Business Solutions, LLC		G210-OFFICE FURNITURE	\$ 4,796.73	\$ -	\$ -
4500059930	3/5/2024	Mohawk Mfg & Supply Co		B140-BUS CHASSIS	\$ 33.29	\$ -	\$ -
4500059931	3/5/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 5,605.00	\$ -	\$ -
4500059932	3/5/2024	Transit Holdings Inc		B130-BUS BODY	\$ 19.40	\$ -	\$ -
4500059933	3/5/2024	Siemens Mobility, Inc.		R160-RAIL/LRV ELECTRICAL	\$ 565.69	\$ -	\$ -
4500059934	3/5/2024	Cummins Inc		B200-BUS PWR TRAIN EQUIP	\$ 243.48	\$ -	\$ -
4500059935	3/5/2024	Transit Holdings Inc		B200-BUS PWR TRAIN EQUIP	\$ 2,935.76	\$ -	\$ -
4500059936	3/5/2024	Hitachi Rail STS USA, Inc.		M140-WAYSIDE SIGNALS	\$ 10,384.73	\$ -	\$ -
4500059938	3/5/2024	International Critical Incident		P280-GENERAL SVC AGRMNTS	\$ 576.00	\$ -	\$ -
4500059939	3/5/2024	California Air Compressor Company		F170-MATL HANDLING EQUIP	\$ 574.41	\$ -	\$ -
4500059940	3/5/2024	Home Depot USA Inc		G130-SHOP TOOLS	\$ 601.96	\$ -	\$ -
4500059941	3/5/2024	SC Commercial, LLC		A120-AUTO/TRUCK GASOLINE	\$ 7,809.00	\$ -	\$ -
4500059942	3/5/2024	Staples Contract & Commercial LLC		G200-OFFICE SUPPLIES	\$ 262.34	\$ -	\$ -
4500059943	3/5/2024	Prochem Specialty Products Inc	Small Business	G180-JANITORIAL SUPPLIES	\$ 859.31	\$ -	\$ -
4500059944	3/5/2024	Trolley Support LLC		B250-BUS REPAIR PARTS	\$ 45,093.38	\$ -	\$ -
4500059945	3/5/2024	Siemens Mobility, Inc.		R190-RAIL/LRV PANTOGRAPH	\$ 111.42	\$ -	\$ -
4500059946	3/5/2024	Team One Repair Inc		G290-FARE REVENUE EQUIP	\$ 185.87	\$ -	\$ -
4500059947	3/5/2024	Custom Glass Solutions		R120-RAIL/LRV CAR BODY	\$ 19,627.74	\$ -	\$ -
4500059948	3/5/2024	Transit Holdings Inc		B250-BUS REPAIR PARTS	\$ 100,760.83	\$ -	\$ -