



**Metropolitan
Transit
System**

REVISED Agenda

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

February 10, 2022

9:00 a.m.

Meeting will be held via webinar

To request an agenda in an alternative format or to request accommodations to facilitate meeting participation, please email the Clerk of the Board, ClerkoftheBoard@sdmts.com at least two working days prior to the meeting. Meeting webinar/teleconference instructions can be accessed under '[Meeting Link and Webinar Instructions](#).' Click the following link to access the meeting: <https://zoom.us/j/98288032362>

Para solicitar la agenda en un formato alternativo o para solicitar acomodaciones de participación, por favor mande un correo a la Secretaria de la Junta, ClerkoftheBoard@sdmts.com al menos dos días hábiles antes de la reunión. Instrucciones para ingresar a la junta virtual están disponibles bajo '[Meeting Link and Webinar Instructions](#).' Use este enlace para acceder la reunión virtual: <https://zoom.us/j/98288032362>

ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - January 20, 2022 Approve
3. Public Comments - Limited to five speakers with three 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

6. Authorization of Remote Teleconferenced Meetings Approve
Action would authorize remote teleconferenced meetings for any public meetings held by MTS, including all Brown Act committees, for the next thirty (30) days pursuant to Assembly Bill (AB) 361 and make the following findings: 1) The MTS Board has considered the current circumstances of the COVID-19 pandemic and its impact in San Diego County; and 2) State or local officials continue to recommend measures to promote social distancing. On September 23, 2021, County of San Diego Public Health Officer, Wilma J. Wooten, M.D., M.P.H., issued a recommendation supporting the use of teleconferencing for attendance at public meetings as “a social distancing measure that may help control transmission of the SARS-CoV-2 virus.”
7. Investment Report – Quarter Ending December 31, 2021 Informational
8. MTS Excess Liability and Workers’ Compensation Insurance Renewals Approve
Action would 1) Authorize the Chief Executive Officer (CEO) to purchase an Excess Liability Program, effective March 1, 2022, that results in a not to exceed amount of \$2,938,804 based on the expiring coverage structure of \$70M excess of a \$5M Self Insured Retention (SIR). (See Discussion); and 2) Approve a new two-year rate commitment from Arch Insurance for MTS Excess Workers’ Compensation program, effective March 1, 2022 for a first-year premium of \$253,211.

CLOSED SESSION

24. a) CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8 – TWO PROPERTIES Possible Action
- Property 1:** 9805 Prospect Avenue and 8547 Cuyamaca Street, Santee, CA (APNs 384-190-44 and 384-190-74)
Agency Negotiators: Sharon Cooney, Chief Executive Officer; Karen Landers, General Counsel; Heather Furey, Director of Capital Projects; Sean Myott, Manager of Real Estate Assets; Chip Willett, Bender Rosenthal Inc.
Negotiating Parties: Creighton Companies, LLC (represented by Wendell Hindley, RetailSiteExperts)
Under Negotiation: Price and Terms of Payment and
- Property 2:** 8606 Cuyamaca Street, Santee, CA (APN 384-311-38-00) (Vacant Land)
Agency Negotiators: Sharon Cooney, Chief Executive Officer; Karen Landers, General Counsel; Heather Furey, Director of Capital Projects; Sean Myott, Manager of Real Estate Assets; Chip Willett, Bender Rosenthal Inc.
Negotiating Parties: KMSP Inc (represented by Matt LoPiccolo, CBRE); and Fred A Jajou (represented by Aidan James, Inland Pacific)
Under Negotiation: Price and Terms of Payment

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| b) | CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL –
EXISTING LITIGATION Pursuant to California Government Code Section
54956.9(d)(1)
<u>One Case:</u> Anna Avenue Associates, LLC, et al., v. SANDAG, et al., San
Diego Superior Court Case No. 37-2018-00000231-CU-EI-CTL
(Consolidated with Case No. 37-2016-00009321-CU-EI-CTL) | Possible
Action |
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NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

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| 30. | <u>San Diego Transit Corporation (SDTC) Pension Investment Status (Jeremy Miller, Representative with RVK Inc. and Larry Marinesi)</u> | Informational |
| 31. | <u>San Diego Transit Corporation (SDTC) Employee Retirement Plan's Actuarial Valuation as Of July 1, 2021 (Anne Harper And Alice Alsberghe With Cheiron Inc. And Larry Marinesi)</u>
Action would receive the SDTC Employee Retirement Plan's (Plan) Actuarial Valuation as of July 1, 2021 (Attachment A), and adopt the pension contribution amount of \$17,901,804 for fiscal year 2023. | Approve |
| 32. | <u>Social Equity Listening Tour – Contract Award (Stacie Bishop)</u>
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2529.0-22 (in substantially the same format as Attachment A) with Pueblo Planning, LLC (Pueblo Planning) for the purposes of a Social Equity Listening Tour for a one (1) year base period for \$186,275.00. | Approve |

REPORT ITEMS

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| 45. | <u>MTS Safety Performance Annual Review (David Bagley And Jared Garcia)</u> | Informational |
| 46. | <u>Fiscal Year (FY) 2022 Mid-Year Performance Monitoring Report (Denis Desmond)</u> | Informational |
| 47. | <u>Operations Budget Status Report for December 2021 (Gordon Meyer)</u> | Informational |

OTHER ITEMS

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| 60. | <u>Chair Report</u> | Informational |
| 61. | <u>Chief Executive Officer's Report</u> | Informational |
| 62. | <u>Board Member Communications</u> | Informational |

63. Additional Public Comments Not on the Agenda
If the limit of 5 speakers is exceeded under No. 3 (Public Comments) on this agenda, additional speakers will be taken at this time. If you have a report to present, please furnish a copy to the Clerk of the Board. Subjects of previous hearings or agenda items may not again be addressed under Public Comments.
64. Next Meeting Date: March 10, 2022.
65. Adjournment