



Board of Directors
Agenda

October 19, 2023 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. Roll Call

2. Public Comments

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. Approval of Minutes

Approve

Action would approve the September 14, 2023 Board of Directors meeting minutes.

4. Mid-Coast Bridges – Property Insurance

Approve

Action would authorize the Chief Executive Officer (CEO) to purchase stand-alone Engineered Risk Property insurance coverage for the MTS Mid-Coast bridges with Chubb, effective November 1, 2023 through March 31, 2025, for a total premium of \$334,274.00 with a \$100,000,000.00 per occurrence property damage sub-limit and a coverage deductible of \$1,000,000.00.

5. Variable Message Signs (VMS) Displays Procurement – Contract Award

Approve

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2687.0-23, with Global Display Solutions, Inc. (GDS) for the purchase of VMS displays, for five (5) years, in the amount of \$6,681,992.78.

6. Operations Budget Status Report for August 2023

Informational

7. For-Hire Vehicle Regulation Agreement with City of Oceanside – Memorandum of Understanding (MOU)

Approve

Action would 1) Authorize the Chief Executive Officer (CEO) to enter into an agreement for For-Hire Vehicle Regulation with the City of Oceanside; 2) Adopt the proposed revisions to MTS Board Policy No. 34, For-Hire Vehicle Services



; 3) Adopt the proposed amendments to MTS Ordinance No. 11, an Ordinance Providing for the Licensing and the Regulating of Transportation Services within the City by the adoption of a Uniform Paratransit Ordinance; 4) Waive the requirements of MTS Board Policy No. 22, Section 22.4.3 stating all ordinance 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 5) Upon adoption of the proposed amendments, authorize the CEO the discretion to enforce MTS Ordinance No. 11 in its amended form.

- 8. Iris Rapid Transit Center Fencing – Work Order Agreements** Approve
Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC347-22 under Job Order Contract (JOC) MTS Doc. No. PWG347.0-22 with ABC General Contracting, Inc. (ABCGC), in the amount of \$278,517.25, for fabrication and installation of custom station fencing to match and extend the existing Iris Transit Center fencing for pedestrian safety.
- 9. El Cajon Third Track Construction Management Services – Work Order Amendment** Approve
Action would authorize the Chief Executive Officer (CEO) to execute Work Order Amendment No. WOA2498-CM02.01 under MTS Doc. No. G2498.0-21 with Kleinfelder Construction Services Inc. (Kleinfelder) for the El Cajon Third Track and El Cajon Third Track – Interlocking E26 Construction Management (CM) Services in the amount of \$498,790.77.
- 10. Orange Line Improvement Project - Phase 2 – Work Order Amendment** Approve
Action would 1) Ratify Work Order Amendment No. WOA356-AE-06.01 under MTS Doc No. PWL356.0-22 with Pacific Rail Enterprises, Inc. (PRE), a Disadvantaged Business Enterprise (DBE) totaling \$25,250.30, for additional survey services along rail on curves #4 #5 and #8; 2) Ratify Work Order Amendment No. WOA356-AE-06.02 under MTS Doc No. PWL356.0-22 (Attachment B) with PRE for the reallocation of hours and funds totaling \$36,537.46 from Task 2, Signal Design, to Task 4, Survey, for additional field surveys and field visits; and 3) Authorize the Chief Executive Officer (CEO) to execute Work Order Amendment No. WOA356-AE-06.03 under MTS Doc. No. PWL356.0-22, with PRE, in the amount of \$2,533,199.09 to prepare plans, specifications, and estimate (PS&E) for Phase 2 Orange Line Improvement Project.
- 11. South Bay Zero Emission Bus (ZEB) Overhead (OH) Charging Infrastructure Construction – Change Order** Approve
Action would authorize the Chief Executive Officer (CEO) to: authorize the CEO to expend up to an additional \$200,000.00 in contingency for new amendments or change orders under MTS Doc. NO. PWB333.0-21 with Palm Engineering Construction Company, Inc. (Palm Engineering) on the South Bay ZEB OH Infrastructure Construction Project, bringing total expenditure authority to \$9,438,067.21.

- 12. Actuarial Services for San Diego Transit Corporation (SDTC) Pension Plan – Contract Award** Approve
Action would 1) Execute MTS Doc. No. G2734.0-23, with Cheiron, Inc. (Cheiron), for Actuarial Services for the SDTC Pension Plan for a five (5) year base period in the amount of \$313,700.00 plus five (5) 1-year options in the amount of \$356,900.00 for a total contract amount of \$670,600.00; and 2) Exercise the option years at the CEO’s discretion.
- 13. Fuel Card Services for Non-Revenue Vehicles, Machinery and Equipment – Contract Award** Approve
Action would 1) Execute MTS Doc. No. G2752.0-23, with Cardlock Fuel System, LLC, dba SC Fuels, for the purchase of Fuel Card Services and Pass-Through Fuel Costs for Non-Revenue Vehicles, Machinery and Equipment, for five (5) base years and two (2) option years, for a total of seven (7) years, in an estimated amount of \$2,335,408.26; and 2) Exercise the option years at the CEO’s discretion.
- 14. Drug and Alcohol Testing and Administration Services – Contract Award** Approve
Action would 1) Execute MTS Doc. No. G2757.0-23, with Drug Testing Network Inc. (Drug Testing Network), for Drug and Alcohol Collection, Testing, and Administration Services for a five (5) year base period with five (5) 1-year options for a total cost of \$1,036,516.00; and 2) Exercise the option years at the CEO’s discretion.
- 15. Track Geometry Testing Services – Contract Award** Approve
Action would 1) Execute MTS L1645.0-23, (in substantially the same format as Attachment A) with Holland, L.P. (Holland) for the provision of track geometry testing for five (5) base years with one (1), three (3)-year option, for a total of \$379,458.00; and 2) Exercise the option years at the CEO’s discretion.
- 16. Imperial Avenue Division (IAD) Underground Storage Tanks (UST) Removal – Contract Award** Approve
Action would 1) Execute MTS Doc. No. PWB376.0-23, with Western Pump Inc., for IAD UST Removal in the amount of \$2,209,593.92; and 2) Authorize the CEO to execute amendments or change orders up to a 15% contingency (\$331,439.09) for this construction contract, bringing total expenditure authority to \$2,541,033.01.
- 17. Uninterruptible Power Supply (UPS) Maintenance and Information Technology (IT) Asset Inventory Assessment Report – Contract Amendment** Approve
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2009.6-17, with Schneider Electric IT Corporation (Schneider), increasing the contract value in the amount of \$177,593.00, bringing the contract total to \$1,595,856.76.

- 18. Imperial Avenue Division (IAD) Generator Upgrades – Contract Award** Approve
Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. PWB371.0-23, with Global Power Group, Inc., for IAD Generator Upgrades in the amount of \$584,000.00; and 2) Authorize the CEO to execute amendments or change orders up to a 15% contingency (\$87,600.00) for this construction contract, bringing total expenditure authority to \$671,600.00.
- 19. Fiscal Year (FY) 2022-2023 California Senate Bill (SB) 1 State of Good Repair (SGR) Funding Adjustment** Approve
Action would approve Resolution No. 23-11 in order to Approve the revised FY 2022-23 SB1-SGR funding amount to \$5,084,971.02.
- 20. Ordinance No. 14, An Ordinance to Adopt the California Building Code and Delegation of Authority for Capital Projects** Approve
Action would 1) Waive the requirements of MTS Board Policy No. 22, 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 2) Adopt the ordinance entitled “MTS Ordinance No. 14, an Ordinance to Adopt the California Building Code and Delegation of Authority for Capital Projects”.

PUBLIC HEARING

- 21. Public Hearing for Sorrento Valley Coaster Connection Service Discontinuation (Denis Desmond)** Approve
Action would 1) Receive public testimony; 2) Approve discontinuation Sorrento Valley Coaster Connection (SVCC) services (Routes 972, 973, 974, 978, and 979), effective on or before the June 2024 service change; and 3) Authorize the Chief Executive Officer (CEO) to transfer six (6) 2014 El Dorado National AeroElite 320 minibuses to the North County Transit District (NCTD) for the value of certain equipment remaining on the buses (estimated at \$72,000 for all six buses), if NCTD and/or its designee assume management and operation of a Sorrento Valley Coaster Station (SVCS) shuttle service within 30 days of MTS’ discontinuation of the SVCC service. (Requires 2/3 approval.)

DISCUSSION AND REPORT ITEMS

- 22. Spring Street Station Transit-Oriented Development (Karen Landers and Sean Myott)** Approve
Action would authorize the Chief Executive Officer to: 1) Determine that the Spring Street Station Transit-Oriented Development is exempt from environmental review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, sections 15268, 15378, 15332 and Government Code section 65913.4; 2) Authorize the Chief Executive Officer to execute a Disposition and Development Agreement with Spring Street Family Housing L.P. for a Spring Street Transit-Oriented Development Project (DDA); and 3) Authorize the Chief Executive Officer to take all actions

necessary to fulfill MTS’s obligations under the DDA, including, but not limited to, executing a Ground Lease and related regulatory agreements for the project.

- 23. **Grants Administration Report (Kena Teon and Julia Tuer)** Informational
- 24. **Senate Bill (SB) 125 Funding Update (Sharon Cooney)** Informational

OTHER ITEMS Informational

- 25. **Chair’s Report** Informational
- 26. **Chief Executive Officer’s Report** Informational
- 27. **Board Member Communications** Informational

- 28. **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

- 29. **CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8** Possible Action

Three Properties (Clean Transit Advancement Campus Project):

4506-4520 Federal Boulevard, San Diego, CA (APN 541-611-04)

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.; David Skinner, Meyers Nave

Negotiating Parties: H&H Investments Company, LLC

Under Negotiation: Price and Terms of Payment

4576-4588 Federal Boulevard, San Diego, CA (APN 541-611-34 and 541-611-35)

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.; David Skinner, Meyers Nave

Negotiating Parties: H&H Investments Company (an undivided 1/3 interest); Robert L. Little, Sir, Trustee of the Robert L. Little Sr. and Charlene D. Little Trust dated November 12, 1986; Little Family Trust (an undivided 1/3 interest);

and Dean N. Ninteman, Trustee of the Dean N. Ninteman Trust dated May 18, 2010 (an undivided 1/3 interest)

Under Negotiation: Price and Terms of Payment

4550 Federal Boulevard, San Diego, CA (APN 541-611-31)

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.; David Skinner, Meyers Nave

Negotiating Parties: Bayshore Group, a general partnership

Under Negotiation: Price and Terms of Payment

ADJOURNMENT

30. Next Meeting Date

The next Board of Director's meeting is scheduled for November 9, 2023 at 9:00 a.m.

31. Adjournment