

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

October 19, 2023

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. The full comment can be heard by reviewing the recording at the [MTS website](#).]

**1. Roll Call**

Chair Whitburn called the Board meeting to order at 9:03 a.m. A roll call sheet listing Board member attendance is attached.

**2. Public Comment**

David Roger – Provided a verbal statement to the Board during the meeting. Roger expressed dissatisfaction with the cleanliness and safety of the Fifth Avenue Trolley Station.

Truth – Provided a verbal statement to the Board during the meeting. Truth expressed concern about safety on the trolley.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original DRA asked that improvements be made to the system and did not believe that zero carbon emission was possible.

**CONSENT ITEMS:**

**3. Approval of Minutes**

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

**4. Mid-Coast Bridges – Property Insurance**

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**

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**

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

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**

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**

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**

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**

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**

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**

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**

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**

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**

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**

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**

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**

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**

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 Comment for Item 5**

David Rogers – Provided a verbal statement to the Board during the meeting. Rogers was dissatisfied with the project cost for VMS signs and found them unreliable and outdated.

### **Public Comment on Various Consent Items**

Truth – Provided a verbal statement to the Board during the meeting. Truth provided comments on item 3, 5, 6, 7, 9, 10, 11, 13, 17, 18, 19, 20. Truth expressed dissatisfaction with: (5) the cost of VMS signs, (6) the negative unfavorable variance, (7) paratransit service in Oceanside, (9) shuttle service, (10) limited trolley speed, (11) concern about geotechnical report on boulder findings and bus battery and quietness of the bus, (13) fuel car monitoring, (17) (18) emergency generators for fleet support during power outages (19) state debt forgiveness to MTS, (20) the ICC.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original DRA expressed dissatisfaction with the cost of VMS signs, the deployment of an electric fleet due to safety concerns, the purchase of fuel vehicles, safety hazards for underground storage tanks, and the purchase of generators.

### **Action on Recommended Consent Items 3-20**

Board Member Hall moved to approve Consent Agenda Item Nos. 3 to 20. Board Member McCann seconded the motion, and the vote was 14 to 0 in favor with Board Member Vargas absent.

## **NOTICED PUBLIC HEARINGS**

### **21. Public Hearing for Sorrento Valley Coaster Connection Service Discontinuation (Denis Desmond)**

Denis Desmond, MTS Director of Planning, presented on the Sorrento Valley Coaster Connection. He outlined the following information: background, current service, ridership, performance, next steps and staff's recommendation.

#### **Public Comment**

Seo Hyungseok – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Rosalie Rodriguez – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

George Baumbach – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Cheryl Farrar – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Olga Salcido – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Erik Larsen – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Margaret Finley-Sabir – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Peter Philp – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Marisela Guaderrama – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Nick Palermino – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

John Eldon – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Lorilee Kanner – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Shirley – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Norienne Saign – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Amber Khan – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Yoshael-Reuben Fujikawa – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Laura Ross – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Seth Cohen – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Chris Cate – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Zaohua Huang – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Christina Resendiz – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Kristina Castro – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Will Moore – Provided a written statement to the Board prior to the meeting. The written comment is provided in the October 19, 2023 Final Meeting Packet.

Truth – Provided a verbal statement to the Board during the meeting. Truth expressed dissatisfaction with: the low ridership on the system, use of the Title VI and encouraged NCTD to fund connections.

Chris Cate – Representing the Mira Mesa Community Planning Group, made a verbal statement to the Board during the meeting. Cate opposed the discontinuation of the route due to recent job and housing growth in the area. He noted that he did not have prior notification of this service discontinuation.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original Dra did not agree with the per passenger operating cost and encouraged that the service continue.

Melanie Cohn – Representing Biocom California made a verbal statement to the Board during the meeting. Cohn noted that they were not aware of the discontinuation of the service.

Nathan Ortiz – A choice rider, provided a verbal statement to the Board during the meeting. They discouraged the Board to discontinue the service and believed there would be more ridership in the future.

### **Committee Comment**

Board Member Elo-Rivera was concerned that he did not have the full understanding of the impacts of the route discontinuation. He believed that if the route was more known to the community, that it would be ridden more. He was concerned that NCTD would not guarantee the service and asked staff to explain the potential solutions. Mr. Desmond noted that NCTD operates first and last mile services in other stations and that they could extend service to cover the SVCC service. He added that MTS could offer the existing buses so that NCTD operate the service. He noted the challenges for MTS to staff the route with drivers. A dedicated bus route may not be the most effective transit service and that they may look at additional micro transit options. Board Member Elo-Rivera asked about the advantages and disadvantages of NCTD operating a micro transit option. Mr. Desmond explained that NCTD can more easily tailor the service to the COASTER since the service schedule is different between agencies. Board Member Elo-Rivera asked if the route was a sole conduit to connect with other MTS services. Mr. Desmond replied that the SVCC does connect to the Blue Line Trolley service but noted the low ridership numbers. Board Member Elo-Rivera added a fourth motion to direct MTS staff to work with SANDAG, NCTD and other stakeholders in the area on a plan to ensure connection opportunities between NCTD and MTS service areas. He believed it was a high-density area under growth that would benefit from transit. He supported the discontinuation of service, knowing there would be other transit options. Mr. Desmond added that there were additional routes that serviced the area and clarified that the discontinuation would only affect connectivity to the COASTER, but would not impact Rapids or other routes. Mr. Desmond assured the Board that there were other existing bus routes in the area that do connect to the Blue Line.

Board Member Moreno supported the discontinuation of services that were not justified by ridership figures or social equity concerns. She had previously asked staff how much money the agency had invested into the system over the course of the 28 years the line was in service. Mr. Desmond noted approximately 9.5 million dollars in subsidies and 13 million spent on gross operating costs. Board Member Moreno confirmed that approximately 60 passengers used the system each day. Mr. Desmond noted that the average was likely between 60-75 individuals. Board Member Moreno noted that the funding allocation for that line could be re-allocated to other parts of the system. She was grateful that infrastructure funding such as a gondola to the Sorrento Valley Coaster Station was not invested in the region. She supported exploring additional opportunities to connect high demand locations to the trolley system. She suggested

minibus service from Cross Border Express (CBX) to the Iris Rapid and supported staff's recommendation.

Board Member Bush did not believe there was enough outreach to the community and asked what staff did to notice the public. Mr. Desmond noted that the item was noticed since the beginning of October with information on the busses and the station. He noted that the public comment turnout was the most MTS had seen for the discontinuation of a route, which is evidence that the public was noticed. He noted that Biocom was notified that the hearing would be occurring. Board Member Bush asked if the hearing was discussed with community-based organizations or council member representatives in the area. Mr. Desmond confirmed that staff had spoken to both Councilmember Lee and Councilmember LaCava's office. Board Member Bush asked if the Councilmembers had any concerns. Mr. Desmond noted that at first there was apprehension, but when the cost and rider frequencies were presented, they understood staff's recommendation. Ms. Cooney added that the agency also reached out to UCSD and they understood the recommendation that the service be discontinued. She added that UCSD also ended their financial support of the route to the COASTER connection due to low ridership. Board Member Bush asked if it was a large cost difference compared to some of the other things the agency subsidizes. Ms. Cooney noted that it could be more cost effective to give free rideshare vouchers to the 60 passengers utilizing the route. Board Member Bush wished there could have been additional public outreach for the service.

Board Member Hall listed the various companies that were alerted to the discontinuation. He suggested that the Board move forward with the staff recommendation. At a later time, staff could work with the institutions to negotiate service.

Vice Chair Goble asked if employers had provided reasons for the lack of use. Mr. Desmond noted that working from home opportunities and employee turnover contributed to decreased ridership.

Chair Whitburn clarified that the issue with the service was not a lack of value, but rather that the bus and driver resources that it takes to operate the service is too expensive and could be used more effectively in larger parts of the community. Chair Whitburn noted that it was initially envisioned that employers in the area would support the service for their employees. He added that employers still have an opportunity to participate and hoped to see support in the future. Chair Whitburn asked Dalia Gonzalez, MTS Clerk of the Board, to read the recommendation addition. Ms. Gonzalez read 4) Direct MTS staff to work with NCTD, SANDAG and stakeholders to ensure that there is a connection to NCTD services.

Board Member Bush asked to revise the amendment and asked that staff organize a public workshop to notify the community by December 2023. Ms. Cooney cautioned the Board about the difficulties to meet the timeline, but assured the Board that MTS wanted to help NCTD succeed. Board Member Bush asked what a realistic timeline would be for the agency. Mr. Desmond added that NCTD is currently working on a plan to backfill the service with a survey and noted that December could be a realistic timeline for MTS, but NCTD was on a different timeline to capture results to take to their Board.

Board Member Donovan expressed concern over the assurance of transit service connectivity that the current motion read. He asked for language substitution that would make the recommendation less definitive.

Chair Whitburn asked Board Member Elo-Rivera if he agreed with the language change and added that connectivity would be done with various transit options. He asked that existing riders continue to have an opportunity to be connected to MTS.

Board Member Hall suggested that MTS survey current riders to understand what employers they are working for to facilitate employee pass access. Ms. Cooney replied that NCTD's survey will reveal that information.

Ms. Landers clarified that the fourth recommendation addition would not act as a trigger to undo the previous three recommendations. MTS will participate in the strategy of options as a report for the Board with potential solutions. If no solutions are found, the fourth addition would not undo the action taken today.

Board Member Bush asked to modify the amendment to include the major employers and any other stakeholders to organize a public workshop informing the public of the actions taken today to facilitate a discussion on replacement options by December 2023.

Board Member Elo-Rivera supported public participation, but did not believe that MTS would be able to meet the December deadline. Ms. Cooney believed that the fourth recommendation addition was enough to give staff clear direction. Board Member Bush asked if item 4 would include a public workshop. Ms. Cooney noted that MTS would need to work with NCTD, and stated that public workshops were a typical part of the planning process.

Board Member Moreno asked if there was enough ridership to justify a workshop. She reminded the Board that the money to service this route could be re-allocated to another type of service or project that could impact more riders.

Board Member Gastil disagreed that the cost was the most critical element because there are riders using the system. He asked that the Public Hearing be closed before continuing onto the vote.

### **Action Taken**

Board Member Elo-Rivera moved to 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; 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.); and 4) Direct MTS staff to work with NCTD, SANDAG and other stakeholders to facilitate a connection to transit services. Board Member Bush seconded the motion, and the vote was 14 to 0 in favor with Board Member Vargas absent.

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

#### **22. Spring Street Station Transit-Oriented Development (Karen Landers and Sean Myott)**

Sean Myott, MTS Manager of Real Estate Assets, and Ms. Landers presented on Spring Street Station Transit-Oriented Development (TOD). They outlined: the current property area, transit-oriented development project, affordable housing, parking, amenities, renderings, DDA and



ground lease process, DDA and ground lease material terms, timeline, staff recommendation and overview of the transit-oriented development program.

### **Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth explained that TOD was a term coined by the United Nations. They did not believe that government should be involved in the real estate market but believed that every unit should be entitled to at least one parking space allocation.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original DRA believed that Affordable Housing was not truly affordable. They expressed dissatisfaction with the parking allocations per unit.

### **Committee Comment**

Board Member Arapostathis asked if the project qualified for the state's density bonus. Ms. Landers believed that it did. Board Member Arapostathis asked if a traffic study would be conducted so that an additional residential entrance can be included to the design. Ms. Landers noted that the existing entrance would be used. He expressed concern about the existing traffic swell that the entry point causes and asked for the study to be reassessed to relieve congestion. Ms. Landers explained the project phasing and assured Board Member Arapostathis that the agency would note the concern to the developers.

Board Member Gastil asked if the Spring Street TOD parking availability would impact the development of a TOD at the Massachusetts Ave Trolley Station. Mr. Myott assured the Board that the agency would be able to provide housing at that station.

Board Member Hall asked how parking types would be differentiated. Ms. Landers noted that the agency is assessing operational solutions that could include the scanning of a PRONTO card. Ms. Landers explained that the agency did not want to commit to additional residential parking spaces so that the developer doesn't promise parking to its residents. Ms. Landers also noted that giving up 159 transit parking spaces would not increase density. If the 159 transit spaces go unused, the agency may want to repurpose the space to host micro mobility options or other transit amenities. Board Member Hall replied that the spaces could also be given to residents for their vehicles.

Board Member Chavez asked staff to clarify if public restrooms would be available at the site. Ms. Landers confirmed that the developer has agreed to provide and maintain a public restroom. Board Member Chavez listed restroom access as a TOD priority.

Board Member Montgomery Steppe asked if there are prospects of subsidized passes to increase ridership. Ms. Landers replied that the developers are working on marketing efforts to encourage riders to buy fares. She also noted grant programs that could fund transit passes for an initial period of time when they open the development. She cautioned the Board that if the agency requires this as part of a deal term, then it becomes an operating cost.

### **Action Taken**

Board Member Arapostathis moved 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), in substantially the same format as Attachment A; 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. Board Member McCann seconded the motion, and the vote was 14 to 0 in favor with Board Member Vargas absent.

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

Kena Teon, MTS Grants Administrator, and Julia Tuer, Manager of Government Affairs presented on the Grants Administration Report. They provided details on: the grants team, overview of grants administration, formula grants, competitive federal and state grants, housing and community development partnerships, grant reporting and audits, and upcoming grant opportunities.

**Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth did not support the grant program.

The Original DRA – Provided a verbal statement to the Board during the meeting. They expressed difficulty listening in to the meeting and did not support the grant program.

**Action Taken**

Informational item only. No action taken.

**24. Senate Bill (SB) 125 Funding Update (Sharon Cooney)**

Sharon Cooney, MTS Chief Executive Officer, presented on the SB 125 Funding Update. She provided details on: SB 125 background and guidelines, funding allocation recommendations, and impact of funding allocation proposal on budget forecast.

**Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth did not support the projects that would be funded by SB 125.

Guadalupe Rojas – With Mid City CAN provided a verbal statement to the Board during the meeting. Rojas advocated for youth opportunity passes and urged the board to fund a permanent program.

Keara O'Laughlin – With the Center on Policy Initiatives provided a verbal statement to the Board during the meeting. O'Laughlin supported the program funding for environmental justice communities, youth opportunity passes and the expansion to ages 24 and under, 10-minute frequencies, 24-hour service and the acceleration of bus electrification.

The Original DRA – Provided a verbal statement to the Board during the meeting. The Original Dra did not support the projects that would be funded by SB 125.

**Committee Comment**

Board Member Moreno expressed gratitude for attaining funding and the various tools to understand the agency's priority list. She was excited to know that this was a living document that could change along with the agency's priorities. Board Member Moreno supported the funding of transit amenities at bus stops, youth opportunity passes and a CBX and Iris Avenue connection. She encouraged public participation at the November 2<sup>nd</sup>, 9am meeting.

Vice Chair Goble asked if additional vehicles would need to be procured with the projected increased frequencies. Ms. Cooney clarified that additional service would be covered with the existing fleet vehicles since the additional frequency would run off peak hours. She did note that additional vehicles might be necessary to support service during peak hours. Vice Chair Goble noted that the useful life of vehicles would decrease more rapidly with additional frequency.

Board Member Elo-Rivera asked that the PRONTO Extend Program be incorporated into the list of priorities. This program allows foster youth to receive PRONTO passes between the ages of 19 and 24. Ms. Cooney noted that the PRONTO Extend Program is included in MTS's current operating budget assumptions.

Board Member Montgomery Steppe asked that Bus Route 4 and 961 have increased frequencies. She asked if the TDA Task Force has any additional feedback or solutions. Ms. Cooney noted that the Task Force had yet to be formed, but that the Board would be updated accordingly. She also noted that Youth Opportunity Passes were a priority and that SANDAG was slated to fund the program. Board Member Montgomery Steppe asked what was the process to revisit the priority list in case SANDAG is not able to attain funding for the program. Ms. Cooney listed various MTS committees and frequencies that the item could be brought back to for revision. Board Member Montgomery Steppe deferred to the Chair of the BDC and the Board.

Board Member Chavez agreed with additional service to CBX.

Board Member Gastil noted that the improvements to the Orange Line are important.

Board Member Hall asked about the transit security fiscal allocation. Ms. Cooney noted that there was only a partial allocation. Board Member Hall cautioned the Board about the revised forecast and the upcoming deficit.

Board Member Montgomery Steppe asked about bringing bus drivers on as employees and suggested that the allocated funding could do that.

Chair Whitburn encouraged public participation at the November 2<sup>nd</sup>, 9am meeting.

#### **Action Taken**

No action taken. Informational item only.

#### **CLOSED SESSION (ITEMS TAKEN OUT OF ORDER):**

The Board convened to Closed Session at 11:43 a.m.

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

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

**Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth did not believe that government should be involved in the real estate market, but believed that every unit should be entitled to at least one parking space allocation.

**Action Taken**

Ms. Landers reported the following oral report of final actions taken in Closed Session: The Board received a report from negotiators and gave instructions.

**OTHER ITEMS (ITEMS TAKEN OUT OF ORDER):**

**25. Chair Report**

Chair Whitburn thanked Al Stiehler, Retiring Director of Transit Security and Passenger Safety, for his leadership and time at MTS. Mr. Stiehler commended the Security department and leadership at MTS. Chair Whitburn introduced Tim Curran as the new Director of Transit Security and Passenger Safety.

Board Member Leyba-Gonzalez expressed constituent concerns over the 60-foot buses and route details being used for Rapid 227. He asked if the route could be changed and when ridership data could be provided.

**Public Comment**

David Roger – Provided a verbal statement to the Board during the meeting. Roger expressed dissatisfaction with the customer feedback outlet and the security team.

Truth – Provided a verbal statement to the Board during the meeting. Truth listed various anecdotes about their negative experience on the system.

**26. Chief Executive Officer's Report**

There was no Chief Executive Officer's Report.

**27. Board Member Communications**

Vice Chair Goble acknowledged the El Cajon and La Mesa fare compliance efforts. Of those that did not purchase a fare, El Cajon police arrested one parolee at large, and one person of interest for homicide. He supported the Security team's efforts.

**Public Comment**

Truth – Provided a verbal statement to the Board during the meeting. Truth believed that the fare compliance operation should have been advertised to warn passengers.

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

There were no additional public comments.

**ADJOURNMENT**

**29. Next Meeting Date**

The next regularly scheduled Board meeting is November 9, 2023 at 9am.

**30. Adjournment**

The meeting was adjourned at 12:11 p.m.

/S/ Stephen Whitburn

Chairperson

San Diego Metropolitan Transit System

Filed by:

Approved as to form:

/S/ Dalia Gonzalez

Clerk of the Board

San Diego Metropolitan Transit System

/S/ Karen Landers

General Counsel

San Diego Metropolitan Transit  
System

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS  
ROLL CALL

MEETING OF (DATE): October 19, 2023 CALL TO ORDER (TIME): 9:03am  
 ORDINANCES ADOPTED: 9:17am  
 PUBLIC HEARING: 9:18am RECONVENE: 10:15am  
 CLOSED SESSION: 11:43am RECONVENE: 11:52am  
 ADJOURN: 12:11pm

JURISDICTION	BOARD MEMBER		ALTERNATE		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
City of Chula Vista	Chavez	<input checked="" type="checkbox"/>	Cardenas	<input type="checkbox"/>	9:03am	12:11pm
City of Chula Vista	McCann	<input checked="" type="checkbox"/>	Cardenas	<input type="checkbox"/>	9:11am	11:43am
City of Coronado	Donovan	<input checked="" type="checkbox"/>	Duncan	<input type="checkbox"/>	9:03am	12:11pm
County of San Diego	Vacant	<input type="checkbox"/>	Vargas	<input type="checkbox"/>	ABSENT	ABSENT
City of El Cajon	Goble (Vice-Chair)	<input checked="" type="checkbox"/>	Ortiz	<input type="checkbox"/>	9:03am	12:11pm
City of Imperial Beach	Leyba-Gonzalez	<input checked="" type="checkbox"/>	Aguirre	<input type="checkbox"/>	9:03am	12:11pm
City of La Mesa	Dillard	<input type="checkbox"/>	Arapostathis	<input checked="" type="checkbox"/>	9:03am	11:52am
City of Lemon Grove	Gastil	<input checked="" type="checkbox"/>	Mendoza	<input type="checkbox"/>	9:03am	12:11pm
City of National City	Bush	<input checked="" type="checkbox"/>	Rodriguez	<input type="checkbox"/>	9:03am	11:40am
City of Poway	Frank	<input checked="" type="checkbox"/>	Pepin	<input type="checkbox"/>	9:03am	10:53am
City of San Diego	Montgomery Steppe	<input checked="" type="checkbox"/>	Von Wilpert	<input type="checkbox"/>	9:11am	12:02pm
City of San Diego	Elo-Rivera	<input checked="" type="checkbox"/>	LaCava	<input type="checkbox"/>	9:03am	12:11pm
City of San Diego	Gloria	<input type="checkbox"/>	Moreno	<input checked="" type="checkbox"/>	9:05aM	11:43am
City of San Diego	Whitburn (Chair)	<input checked="" type="checkbox"/>	Campillo	<input type="checkbox"/>	9:03am	12:11pm
City of Santee	Hall	<input checked="" type="checkbox"/>	Koval Minto	<input type="checkbox"/> <input type="checkbox"/>	9:03am	12:11pm

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