



Board of Directors Agenda

December 14, 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 Action would approve the November 9, 2023 Board of Directors meeting minutes.	Approve
4.	San Diego and Arizona Eastern (SD&AE) Railway Company Board of Directors Meeting on October 17, 2023 – Report Update Action would receive the reports to the SD&AE Board of Directors at its meeting on October 17, 2023 for the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association (Museum), and Desert Line activities for information.	Approve
5.	PRONTO Extend Pilot Program – Pilot Extension Action would approve a six-month extension of the PRONTO Extend Pilot Program, extending the pilot until June 30, 2024.	Approve
6.	Approve the Fiscal Year (FY) 2023-24 State Transit Assistance (STA) Claim and STA Interest Claim Action would adopt Resolution No. 23-12 approving the FY 2023-24 STA claim.	Approve



- 7. Clean California Local Grant Program (Cycle 2) Beyer Blvd Pathway Beautification –Grant Project Funding Determination Project is Exempt from Environmental Review under the California Environmental Quality Act and approval of Project** Approve

Action would approve Resolution No. 23-13 in order to: 1) Authorize the use of FY 2023-24 Clean California grant funding in the amount of, \$1,604,000 for the Beyer Blvd Pathway Beautification Project; and 2) Authorize \$535,000 in local match funding for the Beyer Blvd Pathway Beautification Project and 3) Determine that Project is exempt from environmental review under the California Environmental Quality Act; and 4) Approve the Project.
- 8. Clean California Local Grant Program (District Transit Partnership Program) South Bay Transit Beautification – Grant Project Funding** Approve

Action would approve Resolution No. 23-14 in order to authorize the use of FY 2023-24 Clean California grant funding in the amount of \$1,001,000 for the South Bay Transit Beautification Project.
- 9. SD100 Light Rail Vehicle (LRV) Replacement Project – Funds Transfer** Approve

Action would 1) Approve the transfer of Federal Transit Administration (FTA) Section 5337 funding in the amount of \$2,640,000 from the Downtown Parallel Cable Project to the SD100 LRV Replacement Project; and 2) Approve the transfer of FTA Section 5337 funding in the amount of \$851,766 from the A-Yard Catenary Replacement Project to the SD100 LRV Replacement Project to continue the 47 Siemens SD10 LRV vehicle replacement.
- 10. Amendments to County and MTS Sublease (Mills Building)** Approve

Action would authorize the Chief Executive Officer (CEO) to execute an Amendment to Sublease between MTS and the County of San Diego (County) related to the Mills Building located at 1255 Imperial Avenue in San Diego.
- 11. Addition of Six (6) Full Time Equivalent Positions: Capital Projects, Procurement and Human Resources Departments – Additional Staffing** Approve

Action would authorize the Chief Executive Officer (CEO) to add two (2) Project Managers, two (2) Procurement Specialists and two (2) Talent Acquisition Specialists to the position tables previously approved in the Fiscal Year 2024 budget.
- 12. Addition of One (1) Full Time Equivalent Position: Information Technology (IT) Department – Additional Staffing** Approve

Action would authorize the Chief Executive Officer (CEO) to add one (1) ETL Developer to the position tables for the IT Department previously approved in the Fiscal Year 2024 budget.
- 13. Addition of Four (4) Full Time Equivalent Positions and Conversion of Five (5) Part Time Positions to Full Time Status: San Diego Trolley Inc. (MTS Rail Division) – Additional Staffing** Approve

Action would approve the creation of Four (4) Roadway Worker Supervisor positions and Conversion of Five (5) Part-Time Train Operator positions to Full-

Time in the Rail Division position tables previously approved in the Fiscal Year 2024 budget.

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| 14. Wheel Truing Machine – Sole Source Contract Award | Approve |
| <p>Action would authorize the Chief Executive Officer (CEO) to execute MTS PWL369.0-23, with NSH USA Corporation (NSH) for the purchase and installation of a Hegenscheidt U2000-150 Under-Floor Wheel-Truing Machine in the amount of \$2,152,578.00.</p> | |
| 15. SD8 Power Axles Overhaul - Sole Source Contract Award | Approve |
| <p>Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. L1647.0-23 with Siemens Mobility, Inc. at \$15,477,856.50 (including sales tax), to overhaul two-hundred and sixty-nine (269) power axles on the entire fleet of SD8 vehicles, over the next seven (7) years; and 2) Approve a 20% Contingency of up to \$3,095,571.30 for any out of scope repair needs that are discovered during the overhaul process.</p> | |
| 16. MTS Collateral Distribution Services – Contract Award | Approve |
| <p>Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. G2840.0-24, with Certified Folder Display Service, Inc. (Certified Folder), for Collateral Distribution Services for a four (4) year base period with two (2) 1-year options for a total cost of \$182,360.16; and 2) Exercise the option years at the CEO's discretion.</p> | |
| 17. Non-Revenue Vehicles - Body Shop Repairs – Contract Award | Approve |
| <p>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc No. G2758.0-23, with Carlos Guzman, Inc. (Guzman), a Disadvantage Business Enterprise (DBE), for the provision of non-revenue vehicles body shop repairs services for five (5) years, for a total of \$623,765.24.</p> | |
| 18. A-Yard Asphalt Resurfacing and Repairs – Work Order Agreement | Approve |
| <p>Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC347-27 under Job Order Contract (JOC) to MTS Doc. No. PWG347.0-22, with ABC General Contractor, Inc. (ABCGC), in the amount of \$578,092.38 for the resurfacing and repair of the asphalt at the San Diego Trolley Inc. (SDTI) Facilities Maintenance A-Yard (A-Yard).</p> | |
| 19. Blue Line Right of Way Retaining Wall – Work Order Amendment | Approve |
| <p>Action would authorize the Chief Executive Officer (CEO) to execute Change Order (CCO) 2 to Work Order No. MTSJOC348-01.02 under Job Order Contract (JOC) MTS Doc. No. PWG348.0-22 with Veterans Engineering Inc. (Veterans) in the amount of \$865,530.74 for the additional sheet pile depth and thickness required for the installation of 550 linear feet of a new sheet pile retaining wall near Switch 85 along the Blue Line Right of way.</p> | |

- 20. Closed Circuit Television (CCTV) Maintenance Services – Contract Amendment** Approve
Action would 1) Ratify Amendment 2 to MTS Doc. No. PWG335.0-21 with Electro Specialty Systems (ESS), a Small Business (SB), in the amount of \$125,000.00; and 2) Authorize the Chief Executive Officer (CEO) to execute Amendment 3 to MTS Doc. No. PWG335.0-21 with ESS, in the amount of \$1,526,933.47, for a total of \$1,651,933.47.
- 21. Regional Transit Management System (RTMS) Mt. Soledad Radio Tower – Site Lease Amendment** Approve
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0513.7-09, with the Department of the Navy, in the amount of \$537,793.13, to exercise the final 5-year option of the Mt. Soledad Signal Station radio tower lease.
- 22. Janitorial Services Supplies – Contract Award** Approve
Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. G2835.0-24 with Interboro Packaging Corporation (Interboro) to furnish janitorial supplies for five (5) years in the amount of \$17,305.15; 2) Execute MTS Doc. No. G2836.0-24 with Pacific Star Corporation (Pacific Star) to furnish janitorial supplies for five (5) years in the amount of \$61,020.06; 3) Execute MTS Doc. No. G2837.0-24 with Supply Solutions to furnish janitorial supplies for five (5) years in the amount of \$570,710.89; 4) Execute MTS Doc. No. G2838.0-24 with Waxie Sanitary Supply (Waxie) to furnish janitorial supplies for five (5) years in the amount of \$1,873,707.02; for a grand total of \$2,718,255.71.
- 23. Disadvantaged Business Enterprise (DBE) Awards and Payments – Semiannual Uniform Report** Informational
- 24. Fixed-Route and Paratransit Bus Services – Transdev Contract Amendments** Approve
Action would authorize the Chief Executive Officer (CEO) to: 1) Execute Amendment No. 5 to MTS Doc, No. B0708.0-20 with Transdev Services, Inc., (Transdev) for fixed-route bus services to authorize \$439,946 to be allocated to additional wages and benefits provided to the East County division bus operators and South Bay division road supervisors and dispatchers represented by ATU 1309; and 2) Execute Amendment No. 11 to MTS Doc. B0703.0-19 with Transdev (as successor-in-interest to First Transit, Inc.) for fixed-route minibuses and ADA paratransit bus services, to authorize \$750,000 to be allocated to additional wages and benefits provided to the Copley Park division bus and paratransit operators represented by Teamsters Local 542.
- 25. Approve the Fiscal Year (FY) 2022-23 State Transit Assistance (STA) Claim Amendment** Approve
Action would adopt Resolution No. 23-13 approving the FY 2022-23 STA claim amendment.

- 26. Open County of San Diego Investment Account** Approve
Action would adopt Resolution No. 23-16 (Attachment A) and authorize the Chief Executive Officer (CEO) to add an MTS-owned County of San Diego investment account which will support Senate Bill (SB) 125 specific funded projects.
- 27. Project Labor Agreement (PLA) and Monitoring Support Services** Approve
Action would authorize the Chief Executive Officer (CEO) to: 1) Execute the negotiated PLA between MTS and the San Diego County Building and Construction Trades Council (Building Trades); 2) Authorize the CEO to award and execute MTS Doc. G2540.0-22 with TSG Enterprises, Inc. dba The Solis Group (TSG), a Disadvantaged Business Enterprise (DBE), for PLA Monitoring Support Services for a three (3) year-base period with two (2) optional 1-year extensions in the amount of \$1,593,484.02; and 3) At the CEO's discretion, exercise the option years in MTS Doc. No. G2540.0-22.
- 28. 2024 Legislative Program** Approve
Action would approve the 2024 Legislative Program.

DISCUSSION AND REPORT ITEMS

- 29. Senate Bill (SB) 125 Allocation Package (Denis Desmond)** Approve
Action would approve the SB 125 Allocation Package.
- 30. Palm Avenue Trolley Station Transit Oriented Development – Palm City Transit Village (Karen Landers & Sean Myott)** Approve
Action would authorize the Chief Executive Officer to: 1) Amend the approved project scope and material terms of the ground lease for the Disposition and Development Agreement with National Community Renaissance of California, a California nonprofit public benefit corporation (National CORE) for the proposed affordable housing portions of Palm City Village Transit Oriented Development Project (National CORE DDA); and 2) Amend the approved project scope and material terms of the ground lease for the Disposition and Development Agreement with Malick Infill Corp, a California corporation (Malick Infill) for the moderate income housing portions of the Palm City Village Transit Oriented Development Project (Malick Infill DDA) and; 3) Determine that the modified Palm City Village Transit Oriented Development Project is exempt from environmental review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, sections 15268, 15378, and 15332.

- OTHER ITEMS** Informational
- 31. Chair, Board Member and Chief Executive Officer's (CEO's) Communications and CEO Report** Informational

32. 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

33. 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

34. Closed Session – Conference with Real Property Negotiators Pursuant to California Government Code Section 54956.8

Possible
Action

Northwest Corner Federal Boulevard and 47th Street, San Diego, CA (APN 541-611-27)

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: Lone Oak – San Diego III, LLC

Under Negotiation: Price and Terms of Payment

35. Conference with Legal Counsel—Anticipated Litigation

Possible
Action

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and (e)(5): (1 Potential Case)

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

Possible
Action

Grecia Figueroa v Nathan Fletcher, San Diego Metropolitan Transit System, et al.

San Diego Superior Court Case No. 37-2023-00012828-CU-OE-CTL

ADJOURNMENT

37. Next Meeting Date

The next Board of Director's meeting is scheduled for January 18, 2024 at 9:00am.

38. Adjournment