

MINUTES
MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
EXECUTIVE COMMITTEE

April 10, 2025

[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 Executive Committee meeting to order at 9:03 a.m. A roll call sheet listing Executive Committee member attendance is attached as Attachment A.

2. Public Comment

Alex Wong – Provided a verbal statement to the Committee during the meeting. Wong expressed support for the airport transit project, favoring the enhanced bus concept for its lower cost, greater convenience, and ability to improve access without disrupting existing trolley service.

Timothy McLarney – Representing True North Research, made a verbal statement to the Committee during the meeting. McLarney expressed concern that the firm was excluded from MTS's recent survey RFP process, which was distributed to a limited group of firms, and requested that MTS consider reopening the process to ensure a fair and transparent selection.

3. Approval of Minutes

Board Member Hall moved to approve the minutes of the March 6, 2025, MTS Executive Committee meeting. Board Member Fernandez seconded the motion, and the vote was 5 to 0 in favor with Board Member Elo-Rivera and Vice Chair Goble absent.

DISCUSSION ITEMS

4. Fiscal Year (FY) 2026 Operating Budget Discussion (Gordon Meyer)

Gordon Meyer, MTS Manager of Financial Planning, presented on FY 2026 Operating Budget Discussion. He outlined: Budget Development process, revenue assumptions: passenger fare revenue, other operating revenue, sales tax revenues, Federal Transit Administration (FTA), Senate Bill (SB) 125, other subsidy revenue, revenue summary, service levels, expense assumptions – personnel, expense assumptions: purchased transportation, outside services, energy, other, expenses summary, consolidated revenues less expenses and Budget Development next steps.

Public Comment

There were no Public Comments.

Committee Comment

There were no Committee Comments.

Action Taken

No action taken. Informational item only.

5. Real Estate and Joint Development Program Status Update (Sean Myott and Karen Landers)

Sean Myott, MTS Manager of Real Estate Assets, presented on MTS Real Estate and Joint Development Program Status Update. He provided details on: City of San Diego TOD sites, Grantville – affordable and market, TOD & ridership – Grantville, Rancho Bernardo Transit Station, 12th & Imperial Ave Transit Center & TOD, Beyer Boulevard, Palm Avenue Station, South Bay TOD Sites, E St., East County TOD sites, Spring Street, development challenges & opportunities, publicly available data, residential home/unit totals.

Public Comment

There were no Public Comments.

Committee Comment

Board Member Montgomery Steppe acknowledged the positive results from the Grantville analysis. She asked for clarification on the usage of the parking lot at that location, specifically whether it was typically full and how its utilization was being evaluated. Mr. Myott explained that parking in the Grantville neighborhood had been challenging due to limited availability and intentionally low parking ratios aimed at encouraging transit use. He noted that some residents occasionally used transit-designated parking, prompting security to conduct outreach and, when necessary, issue citations. They added that while usage was somewhat difficult to gauge due to overflow, the lot was being used, and clear signage and markings were in place to designate transit patron parking. Ms. Cooney explained that complaints were received from people attempting to park for transit use. She mentioned that the experience was often frustrating, especially early in the morning, because residents from nearby units parked overnight, making it difficult for transit users to find available spaces.

Board Member Montgomery Steppe referred to slide 13—that covered the state budget and its potential impact on at least one of their projects. She acknowledged the general uncertainty surrounding the budget but emphasized that affordable housing remained a major priority across the state. She viewed this as an opportunity to lobby state legislative representatives for additional support. She believed it was a non-controversial issue that could unite people and attract more attention from lawmakers. Board Member Montgomery Steppe stressed the importance of communicating how the state budget might affect their projects and highlighted that the request was specific and straightforward, even if not guaranteed to succeed due to the high volume of competing requests. Board Member Montgomery Steppe concluded by encouraging the Board to stay updated on developments and offered to personally volunteer in outreach efforts, expressing confidence that their fellow Board Members would support such actions.

Chair Whitburn strongly agreed that the initiative was a top priority and described it as a significant point of pride for MTS as an agency. He highlighted that the program not only boosted transit ridership, as previously mentioned, but also benefited the environment by encouraging more transit use. Chair Whitburn further explained that the program contributed to increasing the housing supply. He emphasized that by improving supply, the balance of supply

and demand helped moderate rent increases. In some areas, they noted, rent had even stabilized or begun to decrease slightly, which they attributed to the program's effectiveness.

Chair Whitburn also shared that earlier in the week, he and Board Member Fernandez had visited Washington, D.C. with a Chamber of Commerce delegation. During the visit, they met with officials from the Department of Housing and Urban Development and used the opportunity to showcase this program as a positive example of what was happening in San Diego. He concluded by commending the work, encouraging its continuation, and requesting ongoing updates on the program's progress.

Action Taken

No action taken. Informational item only.

6. Assembly Bill (AB) 1070 Transit districts: governing boards: compensation: nonvoting members (Sharon Cooney)

Sharon Cooney, MTS Chief Executive Officer, presented on AB 1070 Transit districts: governing boards: compensation: nonvoting members. She presented on: bill overview, intent, board member compensation, adding non-voting members, bill status, possible amendments, opposition/support, possible MTS board action.

Public Comment

There were no Public Comments.

Committee Comment

Board Member Hall asked how it was planned to verify that Board Members had ridden the trolley. Ms. Cooney replied that as the bill is written, it is vague, but that Members would attest to it being truth. Board Member Hall believed the process needed to improve but acknowledged it as acceptable for the time being.

He then asked about the non-voting members, questioning whether it was possible to impose a two-year limit on their terms and inquiring about how that could be implemented. Ms. Cooney clarified that to make that change, it would require an amendment to the bill. She explained that this was the reason she supported using permissive rather than prescriptive language. She suggested that changing the wording to "may include non-voting members" would give the Board the flexibility to structure the policy in a way that best suited its specific needs and operations. Board Member Hall proposed an additional idea, suggesting that the Board could rotate the members if needed. He recommended possibly offering six-month memberships, particularly if the members were from the union, and mentioned the option of having alternates to support this approach. Ms. Cooney noted that the bill did account for the inclusion of alternates, specifying that there would be two alternates per member. She explained that a total of six alternates would be appointed, with three representing each type of stakeholder. Board Member Hall concluded by asking whether it would be possible to appoint one union representative to one committee and the other to a different committee. He added that this might be something they would need to investigate further. Ms. Cooney clarified that such a

change would require an amendment. She explained that the current language specified representation by the union with the plurality of members—specifically, the union that represented most unionized transit workers. Board Member Hall suggested that the item be forwarded to the Board for discussion.

Board Member Montgomery Steppe acknowledged that the alternate structure could represent a range of interests. She added that she was seeking more clarity around the term "by right" and what it entailed. She questioned whether it referred to public comments made outside the Board structure or if it meant non-voting members could speak or interrupt during board discussions. Ms. Cooney replied that two people would sit in the designated spot on the dais, though they'd need to work out the seating arrangement since there was only one extra seat at the dais. She noted that they could speak whenever they wanted, and the rules prohibited retaliation and ensured participation in every meeting. Board Member Montgomery Steppe asked if the same rules would apply to non-voting members under the new structure. She noted that, as a voting member, she could speak freely and questioned what the difference would be for non-voting members. Ms. Cooney asked what actions the Board as an authority to censure a member who were being abusive or making statements that negatively affected the Board's operations. Board Member Montgomery Steppe stated that she wanted the policy to ensure all members, voting or non-voting, followed the Board's conduct rules, as is common with all committees and the Boards. She also sought more clarity from the bill's author on retaliation related to union membership, suggesting they could protect rights while maintaining a functional Board. Board Member Montgomery Steppe emphasized the importance of allowing free expression, especially if the bill passed, while ensuring the Board's conduct rules were followed and first amendment rights respected, if the speech wasn't threatening.

Ms. Cooney pointed out that retaliation, legally, has a strong definition, which could lead to legal issues if someone felt they were retaliated against for their statements. She noted that elected bodies have a mechanism for removal, but this bill didn't seem to include such a process. Ms. Cooney raised concerns about a situation where an appointed member might make offensive statements based on race, ethnicity, or immigration status, and questioned how the Board could remove that person without facing legal risks, as the bill didn't address such a scenario. Ms. Landers noted that while they were addressing top-level issues, there were many detailed concerns to resolve, especially from a legal standpoint. She raised concerns about Conflict of Interest rules, recalling instances where Board appointments were blocked due to financial conflicts. She expressed concern that similar issues might arise with the proposed structure if individuals with conflicting interests were appointed for their expertise. Board Member Montgomery Steppe mentioned conflict of interest codes and the requirement for Board members to file 700 Forms to disclose financial interests. She then questioned how being a non-voting members would affect potential conflicts. Board Member Montgomery Steppe reflected on her experience dealing with offensive comments at both the County and City levels, noting that such situations were part of free speak rights. Despite this, she emphasized that there are still rules of conduct for Board Members, including non-voting ones. She concluded by raising a legal concern about how retaliation would be handled in this context.

Ms. Landers stated that the issue needed further clarification, particularly regarding what constitutes retaliation. She explained that the Board's Conflict of Interest rules prevent certain members from participating in discussions, which is why some members might have to recuse themselves. She emphasized the need to clarify what non-voting members could or couldn't do due to Conflicts of Interest, noting that preventing them from participating in certain discussions wouldn't be considered retaliation. She also pointed out that while retaliation is generally prohibited by law, it being explicitly written into the statute raised questions about whether it granted additional rights. She concluded by expressing concerns over whether non-voting members should follow the same rules as voting members, suggesting that amendments might resolve these issues. Board Member Montgomery Steppe acknowledged the points made and suggested that the Board should discuss the matter further, supporting amendments to address the lack of clarity. She expressed her support for the intent of adding more voices to the table to provide additional perspectives during decision-making and thanked everyone for the update.

Board Member Dillard noted that there's usually a protocol for making statements and has not witnessed inappropriate behavior or disruptions from non-voting members, such as herself, at SANDAG. She assumed that respect and protocol applied to non-voting members at MTS as well. Board Member Dillard suggested that there might be value in implementing an interview process for those applying to be non-voting members, like the process for other commissions, to ensure they understand the expectations for respectful participation. She also questioned whether attending all meetings should be a requirement, as it might be burdensome for individuals with full-time jobs.

Board Member Dillard raised concerns about representation from unincorporated areas, suggesting that if two representatives were required, they should communicate with each other to ensure both areas were represented. She proposed that any communication from the other representative be shared with the chair to ensure both concerns were addressed.

Board Member Dillard also questioned how individuals could prove they were using the transit system, as there is no electronic tracking or tapping system to confirm trolley or bus usage. She pointed out that there was no current way to verify use. Board Member Dillard agreed with Board Member Hall's concerns about proof of transit usage and echoed Board Member Montgomery's concerns about proper representation. She emphasized the importance of maintaining protocol and suggested that any disruptions unrelated to the agenda should be addressed in writing to prevent distractions.

Board Member Fernandez stated that he supported the item moving forward to be discussed at the Board level but indicated he would likely oppose it due to existing concerns, particularly the issue of union representation. He felt it was unreasonable to expect one union to represent the interests of all, noting that MTS had multiple union units.

Ms. Cooney asked the Committee whether staff would be bringing a recommendation outlining the amendments being considered. Chair Whitburn noted the wide range of input shared and saw no downside in using that feedback to craft possible recommendations for the Board to consider next week. He felt this approach was reasonable and more effective than leaving the

discussion open-ended, which could make it harder to form clear recommendations. The Committee recommended capturing the concerns listed as part of the recommendation.

Chair Whitburn discussed providing the same presentation to the full Board, highlighting repeated themes and gathering their input. It was hoped that if the proposal moved forward, it would be amended in the legislature. He raised concerns about why transit agencies were being singled out, as similar arguments could apply to non-voting members in City Councils or Boards of Supervisors. He stated that the Board allows public comment and values incorporating public and union feedback into decisions. Chair Whitburn noted fiscal concerns, but any additional costs were expected to be minimal. He mentioned the size of the Board and the length of meetings as concerns. Along with limited control over appointments, as the bill seemed to require appointing individuals recommended by specific groups. It was preferred that the legislation be permissive rather than prescriptive, potentially applying to non-elected boards. He assured Further discussion would take place at the next meeting.

Action Taken

No action taken. Informational item only.

OTHER ITEMS

7. Review of Draft April 17, 2025 Board Agenda

Recommended Consent Items

3. Approval of Minutes

Action would approve the March 13, 2025 Board of Director meeting minutes.

4. CEO Report

5. Traction Power Substations (TPSS) Design – Work Order Amendment

Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 1 to Work Order WOA357-AE-31.01, under MTS Doc No. PWL357.0-22, with CR Associates (CRA), a Disadvantaged Business Enterprise (DBE), in the amount of \$279,964.04 for design services to provide additional survey data and right-of-way services for future TPSS substation replacements.

6. Emergency Telecommunications System at Trolley Stations – Contract Award

Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. L1675.0-24, with Western Automated Solutions, Inc. (Western Automated), for an Emergency Telecommunications System at Trolley Stations for a three (3) year base period with three (3) 1-year options, for a total amount of \$672,140.40; and 2) Exercise the option years at the CEO's discretion.

7. Imperial Avenue Division (IAD) 2nd Floor Administration Restroom Rehabilitation – Work Order Agreement

Action would authorize the Chief Executive Officer (CEO) to execute Work Order Agreement MTSJOC324-62 under Job Order Contract (JOC) MTS Doc. No. PWG324.0-21 with ABC General Contracting, Inc. (ABCGC), in the amount of \$375,626.65, for the rehabilitation of restrooms located on the 2nd floor of the administration building at IAD.

- 8. Variable Message Signs (VMS) Installations for Blue and Green Lines – Contract Award**
Action would authorize the Chief Executive Officer (CEO) to execute contract MTS Doc. No. PWL427.0-25, with M J Builder, in the amount of \$528,850.00 for the VMS replacements on the Blue and Green Lines.
- 9. Rail Maintenance Program Including Rail Grinding Services – Contract Award**
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL420.0-25 with Advanced Rail Management Corporation (ARM Corp) for a Rail Maintenance Program Including Rail Grinding Services for five (5) years for \$3,885,717.17.
- 10. Radio Airtime and Maintenance – Contract Award**
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2947.0-25, with Mobile Relay Associates, for Radio Airtime and Maintenance services for a three (3) year base term with two (2) option years, for a total of \$706,479.26.
- 11. Fiscal Year (FY) 2024-2025 Low Carbon Transit Operations Program (LCTOP) Funding**
Action would adopt Resolution No. 25-02 to: 1) Agree to comply with all conditions and requirements set forth in the Certification and Assurances Document, and applicable statutes, regulations, and guidelines for all LCTOP funded transit projects; 2) Authorize the Chief Executive Officer (CEO), or designated representative, to execute all required documents of the LCTOP and any amendments thereto with the California Department of Transportation; 3) Authorize the allocation of \$8,376,706 in FY 2024-2025 LCTOP funding for the procurement of Battery Electric Buses (BEBs), which will reduce greenhouse gas emissions and improve mobility with a priority on serving Disadvantaged Communities (DAC); and 4) Certify that at least 50% of the total LCTOP funds received will be spent on projects or services that will benefit DACs identified in Section 39711 of the Health and Safety Code.
- 12. Federal Fiscal Year (FFY) 2023 (SANDAG Cycle 12) Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities – Grant Award**
Action would 1) Accept the FFY 2023 Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Cycle 12 awarded by the San Diego Association of Governments (SANDAG) in the amount of \$952,861 for paratransit vehicle procurement; and 2) Authorize \$525,563.15 in local matching funds to fully fund the purchase of seven (7) Americans with Disabilities Act (ADA) paratransit vehicles.
- 13. Orange Line Improvement Project (OLIP) (Phase 2): Owner Furnished Special Trackwork Procurement – Contract Award**
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1699.0-25, with Progress Rail Services (Progress Rail), for the one-time supply of special trackwork materials, in the amount of \$2,050,595.75, inclusive of 8.5% CA Sales Tax.
- 14. Purchase of Hardened Steel Rail – Contract Award**

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1694.0-25, with L.B. Foster Company (L.B. Foster) for the purchase of 736 tons of hardened steel rail, with the option to purchase an additional 368 tons, all in 320 linear feet (LF) lengths, for a total of \$2,134,070.64 which includes delivery and California sales tax.

15. Purchase of Refurbished Wheel Truing Machine – Sole Source Contract Award

Action would authorize the issuance of a Purchase Order (PO) to Delta Wheel Truing Solutions for the purchase of a refurbished RTS 2000-DOM Above Floor Wheel Maintenance System for \$558,250.00 including shipping and sales tax.

16. 7th And C Street Grade Crossing Replacement – Work Order Agreement

Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC348-18, under MTS Doc. No. PWG348.0-22, in the amount of \$961,744.18, with Veterans Engineering Inc. (Veterans), a Disabled Veterans Business Enterprise (DVBE), for the replacement of the existing grade crossing and installation of a duct bank to support future parallel feeder replacement at 7th and C Street in downtown San Diego.

17. El Cajon Transit Center Repairs – Work Order Agreement

Action would authorize the Chief Executive Officer (CEO) to execute Work Order Agreement No. MTSJOC347-40, under MTS Doc. No. PWG347.0-22, with ABC General Contractor, Inc. (ABCGC), in the amount of \$926,204.08 for the El Cajon Transit Center Repairs.

18. Massachusetts Station Pavement Repair – Work Order Agreement

Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC347-39, under MTS Doc. No. PWG347.0-22, with ABC General Contractor, Inc. (ABCGC), in the amount of \$399,627.73 for the Massachusetts Station Pavement Repair.

19. Mural Artwork on MTS East Beyer Rail Bridge located in San Ysidro – Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc No. PWL421.0-25, with Michelle Guerrero, DBA, Mr. B Baby, a Small Business (SB), for the design and installation and an as-needed five-year maintenance plan for mural artwork on the MTS East Beyer Rail Bridge in the amount of \$169,938.17.

20. Bus “In-Lane” Revenue Collection Hardware – Sole Source Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute Contract B0774.0-24, with Genfare, LLC (Genfare), in the amount of \$600,485.69 for the replacement of Genfare fare lane hardware at the Imperial Avenue Division (IAD) and the Kearny Mesa Division (KMD).

21. Beyer Blvd Pathway Beautification Design – Work Order Amendment

Action would 1) Ratify Work Order WOA355-AE-42, under MTS Doc No. PWL355.0-22, with Psomas in the amount of \$149,827.08 for preliminary design work for the Beyer Blvd Pathway Beautification project; and 2) Authorize the Chief Executive Officer (CEO) to execute Work Order Amendment WOA355-AE-42.02 under MTS Doc No. PWL355.0-22,

with Psomas in the amount of \$394,627.88, to provide 100% design services for the Beyer Blvd Pathway Beautification.

8. Other Staff Communications and Business

Ms. Cooney asked that most of the key budgetary policy decisions were made during the February meeting. She asked that this be presented to the Board next week, rather than item 4 presented today's meeting. Ms. Cooney also noted the addition on closed session items.

9. Committee Member Communications and Other Business

There was no Committee Member Communications and Other Business discussion.

10. Next Meeting Date

The next Executive Committee meeting is scheduled for April 10, 2025, at 9:00 a.m.

11. Adjournment

The meeting was adjourned at 11:03 a.m.

/s/ Stephen Whitburn

Chairperson

San Diego Metropolitan Transit System

/s/ Lucia Mansour

Clerk of the Board

San Diego Metropolitan Transit System

Attachment: A. Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
EXECUTIVE COMMITTEE

ROLL CALL

MEETING OF (DATE): April 10, 2025 CALL TO ORDER (TIME): 9:03 a.m.
 RECESS: _____ RECONVENE: _____
 CLOSED SESSION: _____ RECONVENE: _____
 PUBLIC HEARING: _____ RECONVENE: _____
 ORDINANCES ADOPTED: _____ ADJOURN: 11:03 a.m.

REPRESENTING	BOARD MEMBER		ALTERNATE		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
Chair	Whitburn	<input checked="" type="checkbox"/>	No Alternate	<input type="checkbox"/>	9:03 a.m.	11:03 a.m.
City of San Diego	Elo-Rivera	<input type="checkbox"/>	Whitburn	<input type="checkbox"/>	ABSENT	ABSENT
County of San Diego	Montgomery Steppe	<input checked="" type="checkbox"/>	VACANT	<input type="checkbox"/>	9:03 a.m.	11:03 a.m.
East County	Vaus	<input type="checkbox"/>	Hall	<input checked="" type="checkbox"/>	9:03 a.m.	11:03 a.m.
SANDAG Transportation Committee	Dillard	<input checked="" type="checkbox"/>	Fernandez	<input type="checkbox"/>	9:03 a.m.	11:03 a.m.
South Bay	Fernandez	<input checked="" type="checkbox"/>	Fleming	<input type="checkbox"/>	9:03 a.m.	11:03 a.m.
Vice Chair	Goble	<input type="checkbox"/>	No Alternate	<input type="checkbox"/>	ABSENT	ABSENT

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