

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

April 17, 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 Board meeting to order at 9:05 a.m. A roll call sheet listing Board member attendance is attached as Attachment A.

2. Public Comment

Guadalupe Rojas – Representing Mid-City CAN submitted a written statement to the Board prior to the meeting. The written comment is provided in the April 17, 2025, Final Meeting Packet.

Peter Zscheschie – Representing United Taxi Workers of San Diego (UTWSD) made a verbal statement to the Board during the meeting. Zscheschie announced UTWSD's role in implementing the MTS Wheelchair Accessible Vehicle Program, aiming to integrate taxis into on-demand wheelchair-accessible transportation despite existing structural challenges.

Mikail Hussein – Representing UTWSD made a verbal statement to the Board during the meeting. Hussein expressed gratitude for MTS's work and support, and invited Board Members to a future event to further collaborate on expanding wheelchair-accessible transportation, particularly at the San Diego Airport.

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. Orange Line Improvement Project (OLIP) (Phase 1 and 2): Design Services – Work Order Amendment**
Action would 1) Ratify Work Order Amendment WOA356-AE-06.04 under MTS Doc No. PWL356.0-22 with Pacific Rail Enterprises, Inc. (PRE), a Disadvantaged Business Enterprise (DBE), for a total of \$1,570,283.20, which includes an additional \$53,274.17 in funding that was added after Board Approval of the work order amendment on July 18, 2024 (Agenda Item (AI) 10); 2) Authorize the Chief Executive Officer (CEO) to execute Work Order Amendment No. WOA356-AE-06.05 under MTS Doc No. PWL356.0-22 with PRE to add track, civil and OCS design services for Phase 2 totaling \$140,736.84; and 3) Authorize the CEO to execute Work Order Amendment WOA356-AE-06.06, under MTS Doc No. PWL356.0-22, with PRE, in the amount of \$704,657.59, to provide Centralized Train Control system changes for the Phase 1 Orange Line Improvement Project.

- 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.

22. 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.

Public Comment

There were no Public Comments.

Board Comment

Board Member Moreno expressed strong support for consent agenda items 19 and 21, praising the San Ysidro mural and the Beyer Boulevard Pathway beautification projects for their cultural significance, community-driven design, and role in transforming public spaces into welcoming, safe, and reflective environments that celebrate local identity and pride.

Action on Recommended Consent Items 3 - 22

Board Member Hall moved to approve Consent Agenda Item Nos. 3 to 22. Board Member McCann seconded the motion, and the vote was 12 to 0 in favor with Board Member Bush, Board Member Montgomery Steppe and Board Member Dillard absent.

DISCUSSION ITEMS:

23. Assembly Bill (AB) 1070 (As Amended) – Transit Districts: Governing Boards: Compensation: Nonvoting Members (Sharon Cooney)

Sharon Cooney, MTS Chief Executive Officer, presented on AB 1070. She provided details on: bill overview, bill intent, board member compensation, adding non-voting members, adding non-voting members, AB 1070 status, AB 1070 opposition/support, and staff's recommendation.

Public Comment

Parke Troutman – Representing Mid-City CAN made a verbal statement to the Board during the meeting. Troutman expressed support for AB 1070, emphasizing the importance of consistently including transit riders and workers in decision-making. Troutman felt the suggestion to make the board changes option would undermine the bill's intent. Troutman urged MTS to strengthen collaboration with the community.

Board Comment

Vice Chair Goble asked whether the non-voting members, if added under the amended proposal, would be subject to Form 700 requirements. He noted that Form 700 is a financial disclosure form used by elected officials to declare personal investments and potential conflicts of interest, ensuring transparency in decision-making. Ms. Cooney confirmed that they would since they'd be involved in the deliberation and they would have an impact on policy making.

Vice Chair Goble raised a question about the Levine Act, explaining that it prohibits Board Members from voting on an item if they have received a campaign contribution of \$250 or more in the preceding 12 months, and from voting for the following 12 months. He asked whether the non-voting members and their organizations would be required to follow the same rules. Karen Landers, MTS General Counsel, responded that she would need to investigate the matter further but didn't believe the Levine Act would apply to non-voting members, as they wouldn't be elected officials and wouldn't have received campaign contributions. She explained that if the bill passes, a deeper analysis of conflict-of-interest rules would be necessary to ensure non-voting members are excluded from decisions where there are potential conflicts, especially if their employment could create a financial interest in certain transit policies. Ms. Landers added that while non-voting members may not be subject to the Levine Act, they would still be subject to other conflict-of-interest rules since they participate in policy discussions. She clarified that the Levine Act typically applies to elected officials and their campaign contributions, so it would likely not affect non-elected, non-voting members unless they also hold elected positions elsewhere. Ms. Cooney highlighted the complexity of the situation by providing an example involving a labor union with a political action committee (PAC) that contributes to various initiatives. She raised the concern that such contributions could potentially create conflicts of interest. Ms. Cooney also noted that a transit rider who is involved in campaigns could similarly face conflicts. She emphasized that while the intention to add these members was well-meaning, more information would be needed to fully understand the potential impact on the board's operations.

Vice Chair Goble then asked a follow-up question about accountability, referring to the point made earlier regarding speaking without consequences. He noted that a Board Members could be removed by their cities for various reasons but inquired who would have the authority to remove the non-voting members in cases of misconduct, asking whether there was currently any mechanism in place for such actions. Ms. Cooney responded by explaining that, under the current legislation, there would be no mechanism for removing non-voting members from the Board. She clarified that while First Amendment rights would need to be considered before action, there is currently no mechanism for removal, as the existing legislation did not include provisions for such scenarios. Vice Chair Goble expressed concern about the lack of public accountability for non-voting members, noting that unlike elected officials, these members would not be elected and therefore do not have the same level of accountability to the public. He also raised the issue that non-voting members could potentially have more rights than elected officials, particularly regarding longevity and accountability. Vice Chair Goble suggested that this discrepancy should be addressed and tightened up.

Board Member Downey expressed general approval of the suggested amendments, she was also confused about the requirement for directors to ride transit, as the proposal lacked details on how this would be monitored. Board Member Downey shared her personal experience of using transit, noting that their city paid for the 901 bus service, but it wasn't tracked, making it

difficult for them to prove usage. She also mentioned using a handicap pass to help track their rides but pointed out that there was no system in place to monitor this. Board Member Downey raised concerns about the additional work this would create for staff without clear guidelines or accountability for tracking transit usage. Ms. Cooney confirmed and noted that Board Members would attest to adhering to this part of the law.

Board Member Hall reiterated concerns shared earlier, pointing out that cities like Poway, which only had one bus, would struggle to meet the proposed transit use requirements. He emphasized the need to refine and clarify that part of the proposal. Board Member Hall questioned whether driving to a trolley station would count as transit time and highlighted the lack of clarity on what qualifies as transit use. He stressed that the absence of a tracking system made implementation difficult and noted that he had raised the same issue in a previous meeting. Board Member Hall concluded by urging further work on defining and addressing these concerns.

Board Member Dillard recalled that during the Executive Committee meeting, two main concerns were mentioned: where the new members would be placed and why the proposed bill was being directed solely at MTS rather than other Boards. Board Member Dillard expressed support for adding representation from the unincorporated areas of San Diego County, noting that these communities were often underrepresented on other boards and rarely had their voices heard. However, Board Member Dillard also expressed concern about the inclusion of union representatives, stating that it complicated the matter. She reiterated the logistical issue of where to seat additional members and emphasized the importance of maintaining proper meeting protocols. Board Member Dillard worried that if new members were not held to the same procedural standards, it could cause confusion, delays, and disrupt the efficiency of meetings. She was also concerned about the financial burden that implementing the proposed changes could place on MTS. Reflecting on discussions at the Executive Committee meeting, Board Member Dillard admitted feeling conflicted and ultimately stated that she could not support the proposal at that time.

Chair Whitburn recalled that the Executive Committee had engaged in a robust discussion on the topic and expressed support for the general goal of increasing public input. He noted that the Board already encouraged public participation on every agenda item, both in person and virtually, and that the public actively took advantage of those opportunities. Board Member raised a concern about the idea of appointing a public member to a board composed entirely of elected officials, comparing it to placing a public member on a city council, which would be unusual given that the responsibility to represent the public already rested with elected officials. He emphasized that decisions such as requiring Board Members to use transit or adding public members should be made locally by the board itself. Chair Whitburn stated their support for the staff's recommendation to keep such changes within the Board's discretion rather than mandating them through state legislation. He also acknowledged that while other boards in California might be more insular and in greater need of public or labor representation, MTS already demonstrated strong engagement, citing the agency's Project Labor Agreement (PLA) as an example.

Board Member Moreno expressed uncertainty about the bill's intent, questioning what issue it was trying to address or fix. Reflecting on her six years of representing District 8, Board Member Moreno shared pride in the progress made in communities like San Ysidro, Mesa, and Barrio Logan. She stated that she was unsure how the proposed bill would have either helped or hindered those accomplishments, further emphasizing her confusion about its purpose.

Board Member Moreno reiterated that she did not yet understand the point of the bill and would need further clarification before being able to support any motion related to it. She acknowledged that rural communities have long sought greater representation from MTS and other agencies like San Diego Association of Governance (SANDAG). However, she raised concerns that requiring a rural representative to rely on transit could be a barrier. While recognizing that agencies such as SANDAG include non-voting members from various organizations, she maintained that she was not prepared to support the bill or its amendments without a clearer understanding of its goals.

Board Member Elo-Rivera acknowledged the concerns that had been raised by others and recognized that everyone brings their own perspective to the discussion. He stated that he did not foresee the more alarming scenarios mentioned by others becoming a reality. He expressed trust in the Chair's judgment, believing that any appointments made would be thoughtful and responsible.

Board Member Elo-Rivera added that he did not believe the current Chair—or any future Chair—would risk their credibility by appointing individuals who would be disruptive or behave inappropriately during board proceedings. MS. Cooney mentioned that in the bill as amended, the Chair would not have the power to make appointments directly. Instead, it would be a new advisory committee's responsibility to bring forward a candidate. If the Chair did not approve of the candidate, the Chair would be required to send it back to the advisory committee for re-evaluation. Board Member Elo-Rivera expressed confidence that the proposal would not disrupt the board's work, noting that the appointed individuals would provide perspectives, not represent all riders or workers. He highlighted that non-voting members wouldn't dilute the board's voting power and referenced situations where real-time worker input could have been beneficial. He encouraged continued collaboration with Assembly Member Ward, concluding with a "no" vote, hoping for further refinement of the bill to avoid unintended consequences.

Chair Whitburn agreed with Board Member Elo-Rivera, noting that the Bill was brought forward with the best of intentions.

Board Member Moreno asked if Assembly Member Ward contacted MTS staff or the Chair's Office during the development of the Bill. Ms. Cooney replied no. Chair Whitburn replied no. Board Member Moreno asked if there was an agency that was backing the Bill. Ms. Cooney replied that the Amalgamated Transit Union (ATU) brought the Bill forward. Board Member Moreno asked to receive additional information on the bill from the sponsoring agency.

[Clerk's Comment: Later in the meeting, the Chair corrected his response on Assembly Member Ward's communication efforts. While he initially stated that there had been no contact with his office, Chair Whitburn corrected the record to confirm that Ward's staff had, in fact, reached out to his staff. He explained that he became involved once a meeting was arranged with Assembly Member Ward's team and Sharon Cooney after the bill was filed. He stated that he had not been aware of the full communication chain at the time of his response to the question from Board Member Moreno.]

Board Member Downey expressed support for the motion, stating that while not fully comfortable with the proposal, the staff's recommendation was a good starting point to address concerns. She emphasized that if the bill were to proceed, this would ensure that their concerns were presented, and Assembly Member Ward would need to address them, given the impact on their large transit agency.

Vote Held: to Authorize the CEO to Communicate a “Support if Amended” Position on AB 1070

Chair Whitburn moved to authorize the Chief Executive Officer to communicate a position of “Support If Amended” for AB 1070 (Ward) and to seek the following amendments to the bill: 1) Encourage rather than require transit agencies to include transit use as a condition for receipt of board member stipends; 2) Permit transit agencies to add additional nonvoting members to their boards, rather than require; 3) If the requirement to add two specific nonvoting members remains, remove the references to rights of nonvoting members, and replace it with language indicating that these members would be governed by the same rules of conduct and deliberation as voting board members; 4) Clarify that nonvoting members would not be included in any closed session deliberations; and 5) Remove the language dictating how nonvoting members would be nominated and appointed and leave it to individual agencies to determine, along with terms in office, and procedures for removal from membership. Board Member Downey seconded the motion, and the vote was 5 in favor (Board Member: Downey, Foster, Mendoza, Hall and Whitburn) to 8 opposed (Fernandez, McCann, Leyba-Gonzalez, Dillard, Elo-Rivera, Goble, Vaus and Moreno) with Board Member Bush and Board Member Montgomery Steppe absent. The proposed action did not pass. Discussion resumed.

Board Comment

Board Member Moreno asked a follow-up question regarding the timeline of the bill, inquiring whether there was still time to revisit the item for further discussion. Ms. Cooney stated that the item was scheduled to go to the Local Government Committee the following week. She expressed confidence that it would likely pass, noting that Assembly Member Ward was on the committee. Ms. Cooney continued by saying that the item would then be assigned to the Appropriations Committee. At that stage, the Board would be able to take further action.

Board Member Hall expressed the assumption that efforts were being made to establish contact with Assembly Member Ward. He indicated that staff should at least attempt to reach out by phone if no other means were available. Ms. Cooney shared that Chair Whitburn and staff had met with Assembly Member Ward and had discussed several potential ideas. During the meeting, they raised questions such as how certain aspects might be amended and asked for clarification on specific points. After that conversation, Assembly Member Ward put forward some amendments to the original bill.

Vice Chair Goble expressed that if the proposed amendments were not accepted, the agency might potentially decide to oppose the bill. Ms. Cooney stated staff could not oppose the bill on their own at that point but indicated they could do so if the Board provided that direction. Vice Chair Goble explained that based on the current sentiment of the group, the body might take a position to oppose the bill if the proposed amendments—along with a few additional suggestions—were not accepted. He suggested that this stance could be communicated to Assembly Member Ward and emphasized the need for continued dialogue as part of the legislative process. Ms. Cooney stated that if the Board provided direction, staff would act accordingly. However, in the absence of such direction at that moment, she would remain silent. Vice Chair Goble made a motion for the Board to direct the CEO to continue communicating with the Assembly Member, specifically to express the concerns that had been raised during the meeting.

Board Member Dillard added a brief comment in response to Vice Chair Goble's comment about the Levine Act, she mentioned that the limit had changed to \$500. She clarified that while it wasn't a significant detail, she wanted to share the update for awareness.

Board Member Foster sought clarification on the motion, asking for a better understanding of what exactly the CEO was being directed to convey. He specifically wanted to know if the concern being communicated referred solely to the issue of monitoring and documenting how members were using transit to meet the requirement. Board Member Foster expressed uncertainty about the details and asked for further explanation.

Vice Chair Goble explained that he wanted the motion to be broad enough to give the CEO flexibility in her communications. He noted that the concerns raised by staff were valid, particularly regarding the language used in the bill. Vice Chair Goble emphasized the importance of using the word "encourage" instead of "require," warning that otherwise, everyone could be obligated to comply with the provisions. He also asked that the CEO convey the preference for permitting, rather than mandating, the addition of non-voting members, highlighting that as another area of concern. Ms. Cooney proposed taking a "seek amendments" position rather than "support if amended," and identified the specific changes he would recommend pursuing. Vice Chair Goble expressed that he felt more comfortable with the "seek amendments" position rather than "support if amended." He stated he was willing to modify his motion to reflect "seek amendments," aligning it with the amendments listed in the staff recommendation.

Board Member Foster clarified that he believed there was already a motion on the floor based on the staff recommendation. He admitted he might have missed something and asked whether that motion had already been voted down or not. Ms. Cooney explained that the previous motion had been to communicate a position of "support if amended," whereas the current proposal was to "seek amendments." She noted that board members had expressed differing views - some opposed the bill entirely, while others supported it as written. Due to these conflicting opinions, Ms. Cooney stated she would have to remain silent unless the Board took further action.

Chair Whitburn clarified that the Board could choose to communicate support for the bill if it were amended; however, that specific motion had already failed. He explained that taking a neutral position - neither supporting nor opposing the bill - while seeking amendments would constitute a different motion, which could still be introduced if that was the Board's intent.

Vice Chair Goble noted that the conflict-of-interest applicability to a non-voting member was not addressed in the bullet points and remained unclear. He stated that this was not an amendment but a question that would require clarification.

Board Member Mendoza sought clarification, asking if by voting to seek the amendments, the Board agreed with the staff's recommendations, but was not in agreement with issuing a formal letter of support. She clarified that the intent was to present the amendments as recommendations from the Board, rather than from staff.

Chair Whitburn explained that if the motion passed, MTS as an agency would communicate a neutral position - neither supporting nor opposing the bill. However, the agency would encourage the Assembly Member to make the proposed bullet points optional for transit agencies rather than mandatory.

Vice Chair Goble clarified that the motion still allowed the Board to take a formal position to support or oppose the bill at a future date, depending on the outcome of the amendments.

Board Member Moreno proposed that the Board could take a position to oppose the bill in its current form, with the option to support it, should the bill be amended in the future.

Chair Whitburn confirmed that this was an option that the Board could take. Ms. Cooney acknowledged that Assembly Member Ward had been very helpful with their legislative requests and was open to discussions about various bills. She explained that the Board's intent, as a courtesy to the author's office, was to express "support if amended" rather than immediately opposing the bill.

Board Member Moreno expressed that she would have appreciated the courtesy of being consulted prior to the introduction of a bill that could impact the Board. She emphasized the importance of considering the Board's input, including that of the Chair. While she was not currently inclined to make a motion, she acknowledged that it remained a potential course of action.

Action Taken: to Authorize the CEO to Communicate a Neutral Position on AB 1070 and Discuss Concerns with Bill's Author

Vice Chair Goble moved to direct the CEO to continue communicating with the Assembly Member, specifically to express the concerns that had been raised during the meeting. Board Member Hall seconded the motion, and the vote was 10 in favor (Board Member: Downey, Fernandez, Mendoza, Leyba-Gonzalez, Dillard, Hall, Whitburn, Goble, Vaus and Moreno) with 3 opposed (Board Member: Foster, McCann and Elo-Rivera), Board Member Bush and Board Member Montgomery Steppe absent.

24. 2024 Customer Satisfaction Findings (Stacie Bishop and Chris Tatham with ETC Institute)

Stacie Bishop, MTS Manager of Marketing and Communication, and Chris Tatham with ETC Institute presented on the 2024 Customer Satisfaction Findings. They presented on: Methodology, key highlights, customer characteristics, transit dependency, trip alternatives, customer opinions, overall satisfaction and community value, net promoter score (NPS), satisfaction data, on time performance, service disruption information, cleanliness, safety, transportation convenience, transportation efficiency, fare price, customer importance factor, key highlights and next steps.

Public Comment

Alex Sanchez – Representing Mid-City CAN made a verbal statement to the Board during the meeting. Sanchez expressed dissatisfaction with the Youth Opportunity Program (YOP) recertification process.

Board Comment

Board Member Downey referenced slide 22, that showed customer feedback about feeling unsafe while waiting at trolley or bus stops, specifically asking about security concerns. She asked if it were possible to identify specific stops or stations that were more concerning, so the Board and staff could focus on security improvements on those areas. She inquired whether this could be done with the available data. Ms. Bishop confirmed that all the necessary data was available and that staff could run the analysis.

Board Member Mendoza expressed her appreciation for the weekly safety and security reports, noting their usefulness in monitoring conditions at stations within her community. She shared her personal experience as an older passenger who had previously felt unsafe taking the trolley at night but had recently begun using it to attend evening cultural events. While she felt safe during the outbound trips, she remained concerned about safety when returning late at night. Board Member Mendoza emphasized the importance of ensuring that stations are well lit, particularly during evening hours, to enhance safety and encourage greater ridership.

Board Member Moreno was impressed by how well the agency's performance compared to others, noting that the data was outstanding. Ms. Cooney explained that improving station lighting was currently a major focus for the agency. She noted that several stations were undergoing lighting retrofits and credited the Rail team for meeting weekly to address lighting needs, including replacements and repairs. She shared that it was staff who had first identified lighting as a significant issue several years ago, particularly at stations along the Orange Line. As a result, the agency made substantial investments to enhance lighting. She concluded by expressing satisfaction that the data reflected the positive impact of these efforts.

Chair Whitburn noted that, as highlighted in the presentation, the agency continued to focus on delivering reliable service for those who depend on MTS. He found it encouraging that more individuals were choosing to ride the bus and trolley and emphasized the Board's continued efforts to enhance service quality. Chair Whitburn concluded by reaffirming the Board's commitment to addressing areas of opportunity, particularly ensuring that riders feel safe both during their journeys and when arriving at their destinations.

Action Taken

No action taken. Informational item only.

PUBLIC HEARINGS

25. AB (Assembly Bill) 2561 (McKinnor): Status of Vacancies, Recruitment and Retention (Thuy Nguyen)

Thuy Nguyen, MTS Manager of Talent Acquisition, presented on AB 2561 (McKinnor): Status of Vacancies, Recruitment and Retention. She outlined: the overview of AB2561, current vacancy rates by bargaining unit, most challenging position to fill, bus operator storage contributing factors, bus operator recruitment and retention efforts, LRV & MOW assistant lineman shortage contributing factors, recruitment and retention efforts, construction safety flag person challenges and solutions and overall recruitment strategy.

Public Comment

There were no Public Comments.

Board Comment

Board Member Leyba-Gonzalez expressed appreciation for the presentation and highlighted the importance of engaging and motivating younger generations to explore a variety of career paths. He shared his efforts in organizing an annual job fair at Mar Vista High School, scheduled for May 1st, which aims to expose students to opportunities beyond traditional college routes. He emphasized the value of careers in the trades, noting their potential for strong earnings, benefits, and long-term stability through apprenticeship programs. He invited MTS to participate by hosting an informational table and offered to provide further details.

Vice Chair Goble thanked the Chair and shared a suggestion. He proposed that the recipients of the Youth Opportunity Pass, who are regular users of the system and have an affinity for it, could be ideal candidates for messages about job opportunities within the system.

Board Member Downey shared that she wished she had seen the presentation earlier, as the City of Coronado had recently hosted a job fair. She noted similar challenges in filling entry-level positions, particularly in the hotel industry, and explained that they had expanded the fair to include all local businesses and Navy personnel. Board Member Downey expressed her intention to contact MTS next year to invite them to participate, as they were working with local schools to get students involved. While Coronado High School students had not yet attended due to scheduling conflicts, she hoped to include them in the future. She concluded by highlighting the success of the fair and the high rate of job placements, looking forward to partnering with MTS next year.

Action Taken

No action taken. Informational item only.

OTHER ITEMS:

26. Chair, Board Member and Chief Executive Officer's (CEO's) Communications

Chair Whitburn adjourned the meeting in honor of the memory of Harry Mathis, a regional leader and former Chair of MTS. Mr. Mathis was a dedicated public servant, civic leader, and Navy veteran whose decades-long leadership in San Diego's transit system helped elevate MTS into one of the top agencies in the nation, marked by record ridership, national recognition, and major expansions like the Mid-Coast Trolley extension. His passion for public transit, rooted in childhood experiences, made him a visionary who left a lasting impact on the community, always striving to make transit inclusive, accessible, and reflective of the needs of all San Diegans.

27. Remainder of Public Comments Not on The Agenda

There were no additional public comments.

CLOSED SESSION:

The Board convened to Closed Session at 10:59 a.m.

28. Public Comment for Closed Session

29. Closed Session – Conference with Legal Counsel – Anticipated Litigation

Pursuant to California Government Code Section 54956.9(d)(2) and (4) (1 Potential Cases - Shimmick Construction Company, Inc.– El Cajon Third Track Project)

Closed Session Reconvening

The Board reconvened to Open Session at 11:20 a.m.

Karen Landers, General Counsel, reported the following oral report of final actions taken in Closed Session. The Board received a report from legal counsel and gave instructions.

ADJOURNMENT

30. Next Meeting Date

The next regularly scheduled Board meeting is May 15, 2025 at 9 a.m.

Adjournment

The meeting was adjourned at 11:20 a.m.

/s/ Stephen Whitburn

Chairperson
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

/s/ Joann Delgado

Clerk of the Board
San Diego Metropolitan Transit System

/s/ Karen Landers

General Counsel
San Diego Metropolitan Transit
System

Attachment: A. Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS
ROLL CALL

MEETING OF (DATE): April 17, 2025 CALL TO ORDER (TIME): 9:05 a.m.
 RECESS: _____ RECONVENE: _____
 CLOSED SESSION: 10:59 a.m. RECONVENE: 11:20 a.m.
 PUBLIC HEARING: 10:38 a.m. RECONVENE: 10:55 a.m.
 ORDINANCES ADOPTED: _____ ADJOURN: 11:20 a.m.

JURISDICTION	BOARD MEMBER		ALTERNATE		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
City of Chula Vista	Fernandez	<input checked="" type="checkbox"/>	Preciado	<input type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of Chula Vista	McCann	<input checked="" type="checkbox"/>	Preciado	<input type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of Coronado	Downey	<input checked="" type="checkbox"/>	Fleming	<input type="checkbox"/>	9:07 a.m.	11:20 a.m.
County of San Diego	Montgomery Steppe	<input type="checkbox"/>	VACANT	<input type="checkbox"/>	ABSENT	ABSENT
City of El Cajon	Goble (Vice-Chair)	<input checked="" type="checkbox"/>	Ortiz	<input type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of Imperial Beach	Leyba-Gonzalez	<input checked="" type="checkbox"/>	Aguirre	<input type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of La Mesa	Dillard	<input checked="" type="checkbox"/>	Arapostathis	<input type="checkbox"/>	9:18 a.m.	11:20 a.m.
City of Lemon Grove	Mendoza	<input checked="" type="checkbox"/>	Faiai	<input type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of National City	Bush	<input type="checkbox"/>	Rodriguez	<input type="checkbox"/>	ABSENT	ABSENT
City of Poway	Vaus	<input checked="" type="checkbox"/>	De Hoff	<input type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of San Diego	Moreno	<input checked="" type="checkbox"/>	Campbell	<input type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of San Diego	Elo-Rivera	<input checked="" type="checkbox"/>	LaCava	<input type="checkbox"/>	9:09 a.m.	11:20 a.m.
City of San Diego	Gloria	<input type="checkbox"/>	Foster	<input checked="" type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of San Diego	Whitburn (Chair)	<input checked="" type="checkbox"/>	Lee	<input type="checkbox"/>	9:05 a.m.	11:20 a.m.
City of Santee	Hall	<input checked="" type="checkbox"/>	Koval Minto	<input type="checkbox"/> <input type="checkbox"/>	9:05 a.m.	11:20 a.m.

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