



# Board of Directors Agenda

November 14, 2024 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) 254-5252; Webinar ID: 160 280 5839, <https://www.zoomgov.com/j/1602805839>

NO.	ITEM SUBJECT AND DESCRIPTION	ACTION
1.	<b>Roll Call</b>	
2.	<b>Public Comments</b> 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.	
<b>CONSENT ITEMS</b>		
3.	<b>Approval of Minutes</b> Action would approve the October 17, 2024 Board of Director meeting minutes.	Approve
4.	<b>Chief Executive Officer (CEO) Report</b>	Informational
5.	<b>Regional Transit Management System (RTMS) Mount Woodson Radio Tower – Site Lease Amendment</b> Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 1 to MTS Doc. No. G1332.0-10, with American Tower Corporation, to accept the renewal of the remaining five (5) year term, for a total cost of \$167,001.84.	Approve
6.	<b>Adoption of the 2025 San Diego Metropolitan Transit System (MTS) Executive Committee and Board of Directors Meeting Schedule</b> Action would adopt the 2025 Executive Committee and Board of Directors meeting schedule	Approve
7.	<b>Construction Management (CM) Services for South Bay Zero Emission Bus (ZEB) Overhead Charging Infrastructure Installation – Work Order Agreement</b> Action would authorize the Chief Executive Officer (CEO) to execute Work Order WOA2501-CM012 under MTS Doc. No. G2501.0-21, with TRC Engineers Inc. (TRC), for CM services for the Imperial Avenue Division (IAD)	Approve



ZEB Overhead Charging Infrastructure Construction Project in the amount of \$1,317,825.71.

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| <b>8.</b>  | <b>Social Equity Listening Tour (SELT) Bus Stop Shelter Upgrades Design Services – Work Order Agreement</b><br>Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA353-AE-34 under MTS Doc. No. PWL353.0-22, with Dokken Engineering (Dokken), in the amount of \$688,221.76 to provide design services for upgrading twenty-eight (28) existing bus stops to accommodate shelters.   | Approve       |
| <b>9.</b>  | <b>On-Board Video Surveillance System (OBVSS) Services for San Diego Metropolitan Transit System Bus Fleet – Contract Amendment</b><br>Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 2 to MTS Doc. No. B0733.0-, with Luminator Technology Group (LTG), for a sole source amendment for the migration from the current Vehicle Information Management (VIM) software to the Managing Safety Efficiency in Transit (mSET) software for a total cost of \$623,436.00. | Approve       |
| <b>10.</b> | <b>San Diego and Arizona Eastern Railway Company (SD&amp;AE) – Quarterly Reports from the SD&amp;AE Board of Directors Meeting on October 8, 2024</b><br>Action would receive the reports to the SD&AE Board of Directors at its meeting on October 8, 2024, for the San Diego and Imperial Valley Railroad (SD&IV), Pacific Southwest Railway Museum Association (Museum), and Desert Line activities for information.   | Receive       |
| <b>11.</b> | <b>Kearny Mesa Division (KMD) Chassis Wash Lift Replacement – Contract Award</b><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc No. PWB402.0-24, with Southwest Lift & Equipment, Inc., in the amount of \$356,908.00 for the replacement of the existing chassis wash lift for KMD.  | Approve       |
| <b>12.</b> | <b>Light Rail Vehicle (LRV) Digital Monitor Display Program – Contract Award</b><br>Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. G2899.0-24, with Maestronic USA Inc. (Maestronic), for a LRV Digital Monitor Display Program for a two (2) year base period with three (3) 1-year options, for a total of five (5) years, at a cost of \$1,708,591.05 (inclusive of CA 7.750% tax); and 2) Exercise the option years at the CEO’s discretion.                  | Approve       |
| <b>13.</b> | <b>Investment Report – Quarter Ending September 30, 2024</b>  | Informational |
| <b>14.</b> | <b>On-Call Card Access Reader Services – Amendment</b><br>Action would authorize the Chief Executive Officer (CEO) to: 1) Ratify Amendment No. 1 to MTS Doc. PWG340.0-22, with Electro Specialty Systems (ESS), for additional new installations (contract years 1-3) and maintenance funding (all contract years) in the amount of \$82,478.76; and 2) Execute Amendment No. 2 to MTS Doc. No. PWG340.0-22, with ESS, in the amount of   | Approve       |

\$240,000.00 for estimated new installation funding and maintenance for the remainder of the contract.

- 15. Board Policy No. 30 (Investment Policy) – Policy Revision** Approve  
Action would approve and adopt the updated Board Policy No. 30 (Investment Policy).
- 16. Orange Line Improvement Project Phases 1 & 2 – Overhead Contact System (OCS) Poles – Contract Award** Approve  
Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. L1688.0-25, with Balfour Beatty Infrastructure, Inc (Balfour), for the purchase of OCS Poles for Orange Line Phases 1 and 2 at a cost of \$291,998.66, plus an option to purchase additional poles in 2025 at a cost of \$27,201.40 for a total cost of \$319,200.06 (inclusive of 7.75% CA Sales Tax); and 2) Exercise the option purchase at the CEO’s discretion.
- 17. 66th Street Track Repair – Work Order Agreement** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC348-15, under Job Order Contract (JOC) MTS Doc. No. PWG348.0-22, with Veterans Engineering Inc. (Veterans), for the undercutting and replacement of track between 66th and 68th Streets on the Orange Line in the amount of \$955,931.49.
- 18. Operations Budget Status Report for September 2024** Informational

PUBLIC HEARING

- 19. Hearing to consider adoption of a Resolutions of Necessity and authorization of condemnation proceedings to acquire Assessor’s Parcel Nos. 541-611-27 and 541-611-31 in the City of San Diego for the Clean Transit Advancement Campus (CTAC) Project (Project). (2/3 Vote Required by Code Civil Procedure section 1245.360) (Karen Landers)** Approve  
Action would adopt the Resolutions of Necessity, authorizing the commencement of eminent domain proceedings to acquire the private property interests necessary for the Project, as follows: 1) Open hearing and receive property owner and public testimony; 2) Determine that offers to acquire the necessary real property were made to the owners of the subject properties pursuant to Section 7267.2 of the Government Code; 3) Adopt Resolutions of Necessity No. 24-15 and No. 24-16 pertaining to the acquisition of 2.41-acres (APN 541-611-27) and 1.35-acres (APN 541-611-31) in support of the CTAC Project, and find that: a) the public interest and necessity require the Project; b) the Project is planned or located in a manner that will be the most compatible with the greatest public good and least private injury; and c) the interests in the property sought to be acquired is necessary for the Project; d) MTS has complied with the requirements of Government Code § 7267.2 to the extent applicable to the subject property, made the required offers to acquire the property together with the accompanying statement of and summary of the

basis for the amount established as just compensation to the owner or owners of record, which offers and accompanying statement/summary were in a form and contained all of the factual disclosures required by law, and complied with all conditions and statutory requirements necessary to exercise of the power of eminent domain to acquire the property; and 4) Authorize the General Counsel and staff, through outside counsel, to proceed with condemnation proceedings necessary to acquire the private property interests in the subject public street right of way property parcels.

DISCUSSION ITEMS

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| <b>20.</b> | <b>Audit Results and Draft of Fiscal Year 2024 Annual Comprehensive Financial Report (ACFR) (Erin Dunn with Coley Delaney of The Pun Group)</b>   | Informational |
| <b>21.</b> | <b>Fiscal Year (FY) 2024 Final Operating Budget Results (Gordon Meyer)</b><br>Action would receive the MTS operations budget status report for FY 2024 and approve staff recommendations for programming excess revenues less expenses.   | Approve       |
| <b>22.</b> | <b>America Plaza Pedestrian Enhancements – Contract Award (Heather Furey)</b><br>Action would 1) Authorize the Chief Executive Officer (CEO) to execute MTS Doc No. PWB403.0-24, with De La Fuente Construction Inc. (DLF), in the amount of \$6,170,714.35 (\$5,609,740.32 plus 10% contingency of \$560,974.03) for America Plaza Pedestrian Enhancements; and 2) Approve the transfer of \$4,000,000 from the Capital Improvement Program (CIP) account 100913301 – Pending Transfer to account 2009108001 – American Plaza Pedestrian Enhancements. | Approve       |
| <b>23.</b> | <b>Appointment of Ad Hoc Nominating Committee for Recommending Appointments to MTS Committees for 2025 (Sharon Cooney)</b><br>Action would appoint an Ad Hoc Nominating Committee to make recommendations to the Board with respect to the appointment of the Chair Pro-Tem as well as MTS and non-MTS committees for 2025.   | Approve       |

CLOSED SESSION

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| <b>24.</b> | <b>Public Comment for Closed Session</b>  |                 |
| <b>25.</b> | <b>Closed Session – Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1)</b><br>San Diego Gas & Electric Company vs. Metropolitan Transit System et al. (San Diego Superior Court (SDSC) Case No. 37-2021-00006190-CU-EI-CTL and consolidated cases SDSC Case Nos. 37-2021-00007680-CU-EI-CTL and 37-2021-00007619-CU-EI-CTL) | Possible Action |

OTHER ITEMS

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

**27. 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.

ADJOURNMENT

**28. Next Meeting Date**

The next Board of Director’s meeting is scheduled for December 19, 2024 at 9:00am.

**29. Adjournment**