

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

February 13, 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 9:04 a.m. A roll call sheet listing Board member attendance is attached as Attachment A.

**2. Public Comment**

William Keith – A rider made a verbal statement to the Board during the meeting. Keith shared examples of interactions that he felt were unfair and noting that his complaints had not been fully addressed by the Board.

Dorothy Lazenby – A rider made a verbal statement to the Board during the meeting. Lazenby raised concerns about training and accountability of trolley operators and security personnel, poor maintenance of facilities, and a lack of proper customer service, emphasizing the need for improvements to ensure safety and cleanliness for passengers.

**CONSENT ITEMS:**

**3. Approval of Minutes**

Action would approve the January 16, 2025 Board of Director meeting minutes.

**4. CEO Report**

**5. Imperial Avenue Division (IAD) High Pile Storage Construction – Work Order Agreement**

Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC324-63 under JOC MTS Doc. No. PWG324.0-21 with ABCGC, in the amount of \$408,415.52, for the replacement of high pile storage racks, and improvements to the fire sprinkler system in the IAD RAM building parts storage.

**6. Orange Line: Hitachi Switch Machines – Sole Source Contract Award**

Action would authorize the Chief Executive Officer (CEO) to execute Contract L1697.0-25 with Hitachi Rail STS USA, Inc. (Hitachi) in the amount of \$542,607.45 for the purchase of switch machines.

**7. Orange Line Improvement Project: Electrified Electrocodes – Sole Source Contract Award**

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1700.0-25, a sole source award to KB Signaling Operation, LLC (KB Signaling), in the amount of \$1,355,932.79 for the purchase of Electrified Electrocodes (specialized track circuit systems).

**8. Orange Line Improvement Project: Siemens Signal Instrument Components – Sole Source Contract Award**

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1698.0-25, a sole source award to Siemens Mobility, Inc. (Siemens), in the amount of \$427,849.39 for the purchase of Siemens signal instrument components.

**9. Clarifier Waste Services - Contract Award**

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWG418.0-25 with Asbury Environmental Services, dba: World Oil (World Oil) for a five (5) year period in the amount of \$381,145.19.

**10. Iris Rapid Bus Stop Construction Additional Stop at Westbound Imperial Beach Blvd and 13th Street – Change Order**

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWB380.2-24, with Hazard Construction Engineering LLC (Hazard Construction), in the amount of \$413,092.00 for the Iris Rapid construction of Rapid 227 bus stop improvements at westbound Imperial Beach Blvd and 13th St.

**11. Broadway Rail Replacement – Work Order Agreement**

Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC348-17, under MTS Doc. No. PWG348.0-22, with Veterans Engineering Inc. (Veterans), a Disabled Veterans Business Enterprise (DVBE), for the replacement of the outside rail on the westbound track of Broadway and Park Boulevard grade crossing in downtown San Diego in the amount of \$395,747.67

**12. Operations Budget Status Report for December 2024**

**13. San Diego Metropolitan Transit System (MTS) Transit Asset Management (TAM) Plan – Fiscal Year (FY) 2025 Update**

**14. Uninterruptible Power Supply (UPS) On-Site Repair and Support – Contract Amendment**

Action would authorize the Chief Executive Officer (CEO) to: 1) Ratify Amendment No. 7 and 8 to MTS Doc. No. G2009.0-14, with Schneider Electric IT Corporation (Schneider), for the addition of South Bay Bus Rapid Transit (BRT) UPS units under service agreement, end-of-life (EOL) battery replacements and a 4-month contract extension in the amount of \$117,489.66; and 2) Execute Amendment No. 9 to MTS Doc. No. G2009.0-14, with Schneider, for an additional 4-month maintenance service extension in the amount of \$62,836.00.

**15. Agenda Item Number Reserved**

**Public Comment**

There were no Public Comments.

**Board Comment**

There were no Board Comments.

### **Action on Recommended Consent Items**

Vice Chair Goble moved to approve Consent Agenda Item Nos. 3 to 15. Board Member Hall seconded the motion, and the vote was 10 to 0 in favor with Board Member McCann, Board Member Montgomery Steppe, Board Member Vaus, Board Member Moreno absent and Board Member Leyba-Gonzalez recusing himself.

### **DISCUSSION ITEMS (ITEMS TAKEN OUT OF ORDER):**

**16. San Diego Transit Corporation (SDTC) Pension Investment Status (Jeremy Miller, with RVK Inc., and Mike Thompson)**

Mike Thompson, MTS Deputy Chief Financial Officer and Jeremy Miller, with RVK Inc., presented on SDTC Pension Investment Status. They presented on: investment structure as of 6/30/2024, FY 2024 Performance, long term performance details and the investment summary.

#### **Public Comment**

There were no Public Comments.

#### **Board Comment**

There were no Board Comments.

#### **Action Taken**

No action taken. Informational item only.

**17. San Diego Transit Corporation (SDTC) Employee Retirement Plan's Actuarial Valuation as of July 1, 2024 (Anne Harper and Alice Alsberghe with Cheiron Inc., and Mike Thompson)**

Mr. Thompson, Anne Harper and Alice Alsberghe with Cheiron Inc. presented on SDTC Employee Retirement Plan's Actuarial Valuation as of July 1, 2024. They outlined: the background plan contributions for Fiscal Year 2025-2026 (based on 2024 Actuarial Valuation), plan history plan projections, and staff's recommendation.

#### **Public Comment**

There were no Public Comments.

#### **Board Comment**

Board Member Downey asked about the comparison of CalPERS donations for employees who were not included in the retirement plan. She expressed interest in seeing the data side by side during the same agenda. Mr. Thompson explained that the CalPERS valuation plans were typically brought up separately and noted that the most recent valuation plans were published in October for the previous fiscal year. He pointed out that the plans had a lower cost due to a large unfunded liability on their side, and while their returns were lower compared to CalPERS due to a smaller pool of money, the agency maintained a more conservative approach. Mr. Thompson clarified that the overall contribution level was significantly lower than \$21 million and confirmed that their unfunded liability was not as high as that of CalPERS. Board Member Downey confirmed that her question was answered.

### **Action Taken**

Board Member Downey moved to receive the SDTC Employee Retirement Plan's (Plan) Actuarial Valuation as of July 1, 2024 and adopt the pension contribution amount of \$21,231,465 for fiscal year 2026. Vice Chair Goble seconded the motion, and the vote was 11 to 0 in favor with Board Member Fernandez, Board Member Montgomery Steppe, Board Member Vaus and Board Member Moreno absent.

### **18. Comprehensive Operational Analysis (COA), Fare Study & Potential Ballot Measure (Brent Boyd)**

Brent Boyd, MTS Director of Planning and Scheduling, presented on COA & Potential Ballot Measure. He outlined: the background, history, timing, goals of the COA, planning Scenarios of the COA, project management, tasks, timeline, alternative revenue sources, potential ballot measure and recommendations, fare study, and staff's recommendation.

### **Public Comment**

There were no Public Comments.

### **Board Comment**

Board Member Bush motioned to approve the Executive Committee's recommendation he emphasized that the board should be involved in determining the scope of work. Ms. Cooney stated that the winner of the procurement would brought to the Board for approval. Board Member Bush expressed a desire to analyze the plan more thoroughly, citing previous involvement in similar projects and the need to understand the reasons behind ridership trends.

Board Member Bush then inquired about the cost of the previous COA, asking if it was mentioned in the report. Mr. Boyd confirmed it was around \$350,000 to \$400,000. Ms. Cooney cautioned the Board about releasing the Independent Cost Estimate (ICE) amount to ensure a competitive procurement. Board Member Bush also questioned if they were required to select the lowest qualified bid. Claudine Aquino, MTS Manager of Procurement, explained that the proposal evaluation would prioritize technical qualifications first, followed by cost, and that the highest-ranking proposal would win. Ms. Cooney clarified that the criteria for the RFP had already been posted. Ms. Aquino mentioned that the technical and cost criteria would be evaluated separately, she mentioned that they were in the Q&A phase before receiving proposals. Ms. Cooney noted that if the motion to proceed was not approved at today's meeting, they would remove the RFP from the bidding process.

Board Member Bush expressed support for moving forward but noted that he hoped the Board would approve the proposal. He mentioned wanting to understand the criteria better. Board Member Bush also asked about the potential requirement for voter approval if the threshold for lowering rates was adjusted to 55%, to which Ms. Cooney confirmed it would need statewide voter approval. Board Member Bush commented on the recent failure of a statewide ballot measure in 2024, noting that the lack of an effective statewide campaign contributed to its defeat. He emphasized the importance of the 55% threshold for approval, which he found much more achievable than the two-thirds requirement. Drawing from his involvement in previous transit measures, he stressed the need for a strategic approach, being mindful of the political challenges and thresholds involved.

Board Member Elo- Rivera expressed his concerns about making tactical decisions, such as choosing a revenue type, too early in the process. He emphasized that decisions should be based on clear goals and strategies, not prematurely selecting a sales tax. Board Member Elo- Rivera pointed out that making such decisions early could limit the potential coalition and reduce the chances of success. Board Member Elo- Rivera then discussed the possibility of using a progressive fee structure under S.B. 83, highlighting that it could allow MTS to raise significant revenue, potentially exceeding \$100 million annually. He argued that such a structure could help avoid inequities seen in flat sales tax models and support a more inclusive coalition. Board Member Elo- Rivera suggested that legislative action could clarify how S.B. 83 could also support MTS's goals of transitioning to zero-emission technology while mitigating pollution. Board Member Elo- Rivera emphasized the need for a methodical approach and the importance of moving together as a board. He stressed the necessity of defining the revenue needed not only to maintain current services but also to meet future goals. He also pointed out the importance of creating a broad coalition to support this effort, noting that past challenges, such as the city's failed stormwater funding initiative, demonstrated the importance of proactive planning. Board Member Elo-Rivera further proposed including partners in labor and operations in the process. Board Member Elo-Rivera concluded by discussing the potential benefits of capital improvements, such as safety enhancements, which could gain public support and strengthen the case for the measure. Ms. Cooney clarified the motion, by suggesting the creation of an ad hoc subcommittee.

Board Member Downey raised a concern about the timing and coordination between MTS and SANDAG, given that both were pursuing sales tax increases for similar transit projects. She asked whether efforts were being made to avoid conflicting initiatives. Board Member Downey noted that the previous attempt to pass a sales tax measure had failed and expressed the hope that this time the outcome would be more successful. Ms. Cooney referenced the Regional Transportation Plan (RTP), which had anticipated MTS pursuing a half-cent sales tax increase for transit funding. She mentioned that the RTP's revenue assumptions had included both MTS and SANDAG pursuing such measures unless changes had been made to the plan since then. Board Member Downey mentioned that she would be receiving an update from SANDAG the following week and did not believe anything had changed regarding their plans. She added that according to previous discussions, MTS was expected to go on the ballot first with its half-cent sales tax increase, followed by SANDAG's initiative.

Board Member Bush restated the motion to include the creation of the ad hoc subcommittee to help streamline the process and keep things moving forward.

Board Member Elo-Rivera confirmed his support for the motion, expressing no concerns about the establishment of the ad hoc committee.

Board Member Foster asked about the status of the Request for Proposal (RFP), considering the newly proposed ad hoc committee. He asked whether the committee could influence the RFP's direction given that it had already been issued. Board Member Foster sought clarification on whether amendments to the RFP could be made and if the committee could provide guidance before proposals were submitted. Karen Landers, MTS General Counsel, explained that the first step would be to review the scope and ensure it aligns with the Board's needs before proposals were due. She emphasized that the committee could provide feedback and make amendments to the scope and criteria to ensure the proposals addressed what the Board required. She clarified that although the Board could not directly be involved in the source selection committee due to procurement concerns, the proposals would ultimately be brought

back to the Board for approval. She recommended that the Board review the scope and amend it before proposals came in to make sure they were more focused on the Board's objectives. Board Member Foster confirmed his understanding of the RFP process and the potential for amendments if needed. Ms. Cooney added that it would be likely that due to timing, the recommendation would be brought to the April Executive Committee. Board Member Foster asked for confirmation regarding the existing RFP, specifically inquiring about the scoring criteria. He wanted to ensure that the criteria were available online, and he confirmed that the RFP included a weighted percentage for cost versus other factors. Ms. Cooney acknowledged that the contract would ultimately return to the full Board for approval, as well as the COA itself, which would also require Board approval. She emphasized that the Board would have multiple opportunities to weigh in on the results.

Chair Whitburn clarified the sequencing process, stating that the ad hoc committee would be created, but the initial review of the RFP would take place at the Executive Committee. He suggested this approach for timing and confirmed that everyone agreed with the motion and process.

#### **Action Taken**

Board Member Bush moved to authorize staff to: 1) Pursue a COA, to be completed by November 2026; 2) Begin preliminary efforts on researching the feasibility of placing a transit revenue measure, for the MTS service area only (or parts thereof), on the ballot for the November 2026 general election; 3) Work with SANDAG and NCTD to conduct a fare study regarding potential impacts of a fare increase; and 4) Create Ad Hoc subcommittee related to the COA and Transit Revenue Measure research and efforts. Board Member Elo-Rivera seconded the motion, and the vote was 11 to 0 in favor with Board Member McCann, Board Member Montgomery Steppe, Board Member Vaus and Board Member Moreno absent.

#### **19. Structural Budget Deficit Planning (Gordon Meyer)**

Gordon Meyer, MTS Manager of Financial Planning, presented on the Structural Budget Deficit Planning. He presented on: review budget development process, review updated 5-year forecast, discuss scope of fiscal cliff, upcoming challenges, review potential strategies for delaying the fiscal cliff, review recommended action and projected impact.

#### **Public Comment**

Cori Schumaker – Representing IBEW 559 made a verbal statement to the Board during the meeting. Schumaker urged the Board Members to avoid delays in transitioning to a zero-emission bus fleet, advocating for annual oversight of the renewal process if the ICT offramp provision was pursued.

Anserio Estrada – Representing San Diego Building Construction Trades Council made a verbal statement to the Board during the meeting. Estrada stated that any pause should be limited to one year to prevent the loss of priorities and investments due to bureaucratic delays.

#### **Board Comment**

Board Member Elo-Rivera appreciated the presentation, expressing understanding of the urgency in planning for the worst-case scenario. He asked a question regarding the mix of Compressed Natural Gas (CNG) versus battery electric vehicles, specifically whether it was possible to reduce some CNG purchases while maintaining some battery electric vehicles,

instead of completely scrapping them in the first year. Mr. Wygant responded that the proposal was to forgo purchasing battery electric vehicles in the first year for two reasons: the availability of credits from California Air Resources Board (CARB) and the current fleet's capacity, which did not require additional vehicles if no new service was being added. He clarified that no CNG vehicles would replace battery electric ones in the first year, and the plan was to eventually use credits to purchase battery electric buses for the next group of buses funded later in the spring, while maintaining the existing battery electric buses already in service.

Board Member Elo-Rivera sought further clarification, asking if it was possible to achieve the targeted savings by purchasing fewer battery electric buses, rather than none, while reducing the number of CNG buses being purchased. Mr. Thompson explained that for every battery electric bus purchased, charging infrastructure had to be added. He mentioned that delaying the purchase of these buses also allowed a delay in infrastructure projects, as there were only 80 charging stations being constructed across the three divisions. Mr. Thompson emphasized that adding more buses would require additional infrastructure, and if the purchase of buses couldn't be delayed, the infrastructure couldn't be delayed either, as both were interconnected. He also noted that delaying the purchase of buses contributed to saving money as part of the overall strategy.

Board Member Elo-Rivera asked that if one more battery electric bus was added, additional infrastructure would be required. Ms. Cooney clarified that the savings being seen were due to the cost difference between a CNG bus and a battery electric bus. Board Member Elo-Rivera proposed a rough estimate, suggesting that for every two or three CNG buses, one battery electric bus could be added. He asked if the target could still be met with the purchase of 18 CNG buses and one battery electric bus, clarifying that they were not recommending this approach but seeking a comprehensive understanding of the situation. Mr. Wygant responded that the price difference ranged from \$380,000 to \$400,000 more for a battery electric bus compared to a CNG bus. Mr. Wygant explained that, while it was possible to save money by purchasing fewer vehicles, this approach could limit the ability to maintain the fleet in a state of good repair. He clarified that CARB regulations allowed for off-ramps and options to avoid forcing decisions that would reduce service levels or the quality of service. Mr. Wygant also noted that the purchasing mandate required 25% battery electric buses for 40-foot buses, with the percentage increasing to 50% after January 1, 2026.

Board Member Elo-Rivera acknowledged that there were multiple variables involved, emphasizing the need for a certain number of buses to maintain the current services, as well as any potential future services. Mr. Wygant confirmed. Ms. Cooney cautioned the Board about retaining CNG buses longer because their emissions profile is higher than a new CNG. Mr. Wygant added that any new CNG buses purchased would need to meet near-zero emissions standards, representing a significant improvement compared to the older CNG buses being pulled from service, which typically had over 500,000 miles, with some reaching up to 750,000 miles after 12 years of use. Board Member Elo-Rivera asked if the purchase of each new CNG bus would result in pulling one older CNG bus off service. Mr. Wygant confirmed. Board Member Elo-Rivera stated that he would offer a modification to staff's recommendation to include exercising Innovative Clean Transit offramp provisions to maximize short-term flexibility of capital funds while minimizing impacts to state of good repair projects for FY 2026, with MTS staff returning to the Board for approval to extend the provisions if necessary, and the remainder of the motion aligning with staff recommendations.

Board Member Bush asked if the changes would take effect immediately. Mr. Wygant outlined the timeline stating that while the removal of seven buses from the purchasing requirement using credits could happen immediately, they would need to return to the Board for approval before petitioning CARB for a waiver to not buy in 2026. Additionally, he would need to seek annual approval from the Board to petition CARB for waivers in the future. Ms. Cooney added that the immediate result would be a change in the plan to add service in the summer, with scheduling starting without the planned new enhancements. Board Member Bush expressed concern about the proposed motion, stating he was open to strategic cuts but needed more information. He felt some recommended cuts were too broad and not precise enough, particularly regarding the decision to scrap battery electric vehicle purchases. He emphasized the importance of having a clear plan for the transition to electric vehicles. Board Member Bush explained his opposition to the purchase of new CNG buses, as it would delay the transition to zero-emission vehicles, noting that buying new CNG buses would extend the timeline for phasing them out due to their lifespan. He requested staff to further explore the impact on state of good repair and to clarify the emissions benefits of new CNG buses compared to battery electric buses over the long term. Board Member Bush suggested that the motion be delayed by a month to allow more time for staff to identify more targeted cuts, particularly in underperforming areas. He recommended exploring options for enhancing high-performing routes to potentially increase revenue and ridership, stating he was uncomfortable with the current recommendation and wanted to review the transition plan in more detail before voting on the item.

Board Member Hall asked how the agency's Zero Electric Buses (ZEB) compared to other California agencies. Mr. Wygant responded that while he couldn't speak for every transit agency, he emphasized that MTS had been an early adopter, purchasing vehicles before legally required and building advanced infrastructure, including the first semi-autonomous overhead charging system, which became a model for cities like New York and Chicago. He noted that, while other agencies might have a higher percentage of electric buses, their agency was above average and considered a front-runner by CARB staff. Board Member Hall asked if it was likely that the agency would be granted a delay from CARB. Ms. Cooney noted that the CRB Innovative Clean Transit (ICT) Regulation envisioned that they didn't want any operator to reduce service in order to achieve the transition to battery electric or hydrogen. Mr. Wygant explained that the decision was based on three factors: the fiscal situation preventing continued transition without service cuts, technology limitations preventing longer routes from being fully covered by current zero-emission buses, and grid capacity constraints affecting the supply of electricity or hydrogen.

Board Member Hall asked staff if MTS was not exploring hydrogen because it was not economically viable. Mr. Wygant confirmed and explained that hydrogen technology currently posed significant challenges for MTS, including high operating costs—about three times more than electric or CNG—and a large, required footprint for storage and infrastructure. He noted that while hydrogen presented other challenges, like those faced with battery electric and combustion vehicles, the high costs and space requirements made it an impractical solution for MTS at this time. Board Member Hall urged the Board to refrain from buying additional ZEB vehicles.

Mr. Wygant clarified that the proposal was not to stop spending on ZEB infrastructure completely but to focus on the more expensive and time-consuming infrastructure needed for electric buses. He emphasized that the South Bay phase would continue, with construction of charging infrastructure for up to 30 buses set to begin in the next 60 days. This infrastructure



would support the 13 new buses coming in and provide flexibility. Additionally, Mr. Wygant highlighted the importance of having redundant infrastructure for reliability, ensuring the transition continues without halting operations. Board Member Hall emphasized the importance of maintaining operations, stating that if CARB raised concerns, MTS should address them directly and assertively. He expressed confidence that MTS was either ahead of or on par with other agencies in terms of progress. Mr. Wygant stated that he did not believe MTS would be the only agency seeking an extension from CARB.

Vice Chair Goble noted that there were 25 electric buses in operation and 13 more on the way, bringing the total to 38. He recalled that at another meeting, it was mentioned that 47% of the system's bus routes could be served by an electric bus since the vehicles can be used on routes with a range of approximately 150 miles. He asked how many more buses would be needed in the fleet to reach that 47% target.

Mr. Wygant clarified that the 25 battery electric buses currently in operation, whether 60-foot or 40-foot buses, had an average range of about 135 miles per day. He noted that the next 13 buses would feature an enhanced battery capacity, allowing for a range of approximately 175 miles, which would increase the system's electric vehicle coverage options from 47% to about 65% of MTS's bus routes. However, he pointed out that longer routes, such as Route 235 with a 500-mile daily requirement, remained an outlier, and the transition plan did not expect battery technology to reach that range. Mr. Wygant mentioned the need to incorporate hydrogen buses for such routes and anticipated that, as technology advanced, MTS might need to split routes or adopt a two-vehicle approach for one route.

Vice Chair Goble mentioned that the 25% and 50% purchase requirements could be amended if technology advancements, such as battery range or grid capacity, do not meet expectations. Mr. Wygant explained that the regulation requires an annual review to assess technology and other factors. Starting in January, the regulation would include 60-foot buses and cutaways, with all vehicles purchased needing to meet the 50% zero-emission vehicle (ZEV) requirement, depending on their design and weight. Vice Chair Goble inquired about the cost comparison between ZEVs and CNG buses, specifically asking about both one-time and ongoing costs. Staff explained that the acquisition cost for a ZEV was \$380,000 to \$400,000 more than a CNG bus and that the charging infrastructure would be a one-time cost.

Vice Chair Goble further requested clarification on the differences in fuel energy costs between ZEVs and CNG, as well as the repair and maintenance costs, and how these factors would impact the operating budget. Mr. Wygant confirmed and reported that the operating and maintenance costs of ZEVs (battery electric) were almost on par with CNG buses, with ZEVs being slightly more affordable in some cases, saving about 10 cents per mile. However, this does not include the total cost of ownership, such as infrastructure or vehicle purchase costs. If hydrogen vehicles were considered, costs would increase significantly. A more detailed ZEV performance update would be provided later in the year. Ms. Cooney clarified that the purpose of the current recommendation was not to debate the transition to zero-emission buses, but rather to delay it by a year to achieve cost savings and gain more time to address the fiscal challenges. She stated that a detailed report on the implementation plan would be presented later, and if the Board wanted to discuss the value of zero-emission technology, that would be the appropriate time. Vice Chair Goble emphasized that the discussion was about the cost of purchasing CNG buses instead of five zero-emission buses (ZEBs), including the one-time costs, infrastructure, and ongoing operations, rather than the technology itself. He also raised a concern about the weight of zero-emission buses compared to CNG buses and their potential

impact on roads and infrastructure. Vice Chair Goble explained that the total axle weight of zero-emission buses is regulated, with a maximum limit of about 4,000 pounds per axle in California. The new development involves shifting batteries to the front axle to balance the weight. Currently, zero-emission buses are about 4,000 to 5,000 pounds heavier than combustion vehicles, and this weight limit also restricts the ability to add more batteries for increased range.

Board Member Downey asked for clarification on the continuation of infrastructure investment for zero-emission buses (ZEBs). She expressed concern that without the proper infrastructure, it would be impossible to add more ZEBs even if additional funds became available in the future. Board Member Downey requested more details on which infrastructure would be included moving forward, particularly as the purchase of new ZEBs would stop. Mr. Wygant explained that for battery electric buses, there were already 12 plug-in chargers across four of the five divisions, with an overhead structure planned. Upon receiving the next 13 vehicles, the fleet would consist of 38 battery electric buses, but there would only be 37 available charging ports. He mentioned ongoing efforts at the IAD division, where a \$21 million construction project had been authorized, including pre-construction work completed late the previous year. The project would provide 30 charging ports, offering redundancy, and was expected to take around 18 months to complete. Additionally, the KMD division was moving forward with approximately 28 to 30 charging ports as part of phase one, with all infrastructure still funded and progressing.

Board Member Elo-Rivera sought clarification on whether Board Member Bush was proposing an amendment or simply expressing a preference to delay the action by a month. He was unsure if the request was to delay the entire action or just a specific portion of it.

Board Member Bush expressed openness to working with staff and moving forward with certain components of the plan if possible. However, he stated he would vote no for now because he wanted more analysis, particularly in balancing the purchase of electric vehicles (EVs) and compressed natural gas (CNG) buses with the budget. He appreciated the discussion on the weight of the buses and requested more time to consider the issue, while remaining open to progressing on certain aspects while deferring others.

Board Member Elo-Rivera expressed the importance of providing information to ensure everyone involved feels informed in making decisions. He emphasized the need to balance gathering the necessary information while simultaneously moving forward with certain aspects of the process. Mr. Wygant stated they needed to work with contracts and the original equipment manufacturer (OEM), their current vendor, to finalize the price. He clarified that this was work they would need to do immediately. Ms. Cooney and Mr. Thompson explained that the budget cycle required submitting CIP recommendations to SANDAG next month for approval, along with their plan for budget approval. Staff also plans to bring the FY 25 Operating Budget Amendment to the Board, which would address any necessary service adjustments, particularly for June 2025. They noted that if the Board was considering delaying the ZEB transition, it could result in service reductions. However, if the Board preferred not to reduce transit services, they requested a vote on the current proposal. Board Member Elo-Rivera asked if it was possible to adjust the mix of CNG and battery-electric buses without affecting service, seeking clarification on this point. Ms. Cooney clarified that if adjustments were required to the mix of CNG and battery-electric buses without affecting service, they would consider delaying some CIP state of good repair projects or other options. The current proposal was considered the least disruptive to service operations and customer experience.

Chair Whitburn express support to staff's recommendation with the amendment made by the Board.

Board Member Elo-Rivera acknowledged Board Member Bush's concerns But stated he would proceed with his motion. However, he requested more time next year to assess the impact of including battery-electric vehicles. He expressed frustration about making decisions without all the necessary information but emphasized the importance of making today's vote.

### **Action Taken**

Board Member Elo-Rivera moved to take the following actions as part of building future operational and CIP budgets: 1) Exercise Innovative Clean Transit (ICT) Off-Ramp provisions (delay implementation) to provide maximum flexibility of capital funds in the short-term while minimizing impacts to State of Good Repair (SGR) projects for FY 2026, with MTS staff returning to the Board for approval to exercise Off-Ramp provisions for additional years if needed; 2) Shift flexible funds from the Capital Improvement Program (CIP) to the operating budget beginning in FY 2026 with the following targets by FY: \$25 million in FY 2026, \$35 million in FY 2027, \$50 million in FY 2028 and; 3) Maintain service levels at January 2025 levels: Delay future Trolley service enhancements (7.5-minute Blue Line service) in FY 2026 and beyond and revise the Senate Bill (SB) 125 funding proposal and Delay \$22 million in future planned bus service enhancements in FY 2027 and FY 2028 and revise the SB 125 funding proposal. Chair Whitburn seconded the motion, and the vote was 9 in favor (Board Member: Downey, Fernandez, Foster, Mendoza, Leybe-Gonzalez, Dillard, Elo-Rivera, Whitburn and Goble) to 2 opposed (Board Member: Bush and Hall) with Board Member McCann, Board Member Montgomery Steppe, Board Member Vaus and Board Member Moreno absent.

### **20. Overview of Disadvantaged Business Enterprise (DBE) Program and Revisions to Board Policy No. 26 "DBE Program" (Karen Landers)**

The Board deferred this item to the next meeting.

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

### **23. Chair, Board Member and Chief Executive Officer's (CEO's) Communications**

There were no Chair, Board Member, CEO communications.

### **24. Remainder of Public Comments Not on The Agenda**

There were no additional public comments.

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

The Board convened to Closed Session at 11:34 a.m.

### **21. Public Comment for Closed Session**

There were no public comments.

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

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)

**Closed Session Reconvening**

The Board reconvened to Open Session at 11:52 a.m.

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

ADJOURNMENT

**23. Next Meeting Date**

The next regularly scheduled Board meeting is March 13, 2025 at 9 a.m.

**24. Adjournment**

The meeting was adjourned at 11:52 a.m.

/S/ Stephen Whitburn  
Chairperson  
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

/S/ Dalia Gonzalez  
Clerk of the Board  
San Diego Metropolitan Transit System

/S/ Karen Landers  
General Counsel  
San Diego Metropolitan Transit System

Attachment: A. Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
BOARD OF DIRECTORS  
ROLL CALL

MEETING OF (DATE): February 13, 2025 CALL TO ORDER (TIME): 9:04 a.m.  
 RECESS: \_\_\_\_\_ RECONVENE: \_\_\_\_\_  
 CLOSED SESSION: 11:34 a.m. RECONVENE: 11:52 a.m.  
 PUBLIC HEARING: \_\_\_\_\_ RECONVENE: \_\_\_\_\_  
 ORDINANCES ADOPTED: \_\_\_\_\_ ADJOURN: 11:52 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"/>	9:04 a.m.	11:34 a.m.
City of Chula Vista	McCann	<input checked="" type="checkbox"/>	Preciado	<input type="checkbox"/>	9:18 a.m.	11:34 a.m.
City of Coronado	Downey	<input checked="" type="checkbox"/>	Fleming	<input type="checkbox"/>	9:04 a.m.	11:52 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"/>	9:04 a.m.	11:52 a.m.
City of Imperial Beach	Leyba-Gonzalez	<input checked="" type="checkbox"/>	Aguirre	<input type="checkbox"/>	9:04 a.m.	11:34 a.m.
City of La Mesa	Dillard	<input checked="" type="checkbox"/>	Arapostathis	<input type="checkbox"/>	9:04 a.m.	11:52 a.m.
City of Lemon Grove	Mendoza	<input checked="" type="checkbox"/>	Faii	<input type="checkbox"/>	9:04 a.m.	11:52 a.m.
City of National City	Bush	<input checked="" type="checkbox"/>	Rodriguez	<input type="checkbox"/>	9:04 a.m.	11:52 a.m.
City of Poway	Vaus	<input type="checkbox"/>	De Hoff	<input type="checkbox"/>	ABSENT	ABSENT
City of San Diego	Moreno	<input type="checkbox"/>	Campbell	<input type="checkbox"/>	ABSENT	ABSENT
City of San Diego	Elo-Rivera	<input checked="" type="checkbox"/>	LaCava	<input type="checkbox"/>	9:07 a.m.	11:52 a.m.
City of San Diego	Gloria	<input type="checkbox"/>	Foster	<input checked="" type="checkbox"/>	9:04 a.m.	11:52 a.m.
City of San Diego	Whitburn (Chair)	<input checked="" type="checkbox"/>	Lee	<input type="checkbox"/>	9:04 a.m.	11:52 a.m.
City of Santee	Hall	<input checked="" type="checkbox"/>	Koval	<input type="checkbox"/>	9:04 a.m.	11:52 a.m.
			Minto	<input type="checkbox"/>		

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