



BOARD OF DIRECTORS
FEBRUARY 24, 2006

AGENDA ITEM NO. 06-02-1B
ACTION REQUESTED - APPROVE

BOARD OF DIRECTORS DISCUSSION AND ACTIONS
JANUARY 27, 2006

Chairman Mickey Cafagna (Poway) called the meeting of the SANDAG Board of Directors to order at 9:09 a.m. The attendance sheet for the meeting is attached

1. APPROVAL OF MINUTES

Action: Upon a motion by Mayor Mark Lewis (El Cajon) and a second by Vice Mayor Pia Harris-Ebert (San Marcos), the SANDAG Board of Directors approved the minutes from the December 16, 2005, meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

Chair Cafagna welcomed Commander Marco Medved in place of CAPT. King.

Chuck Lungerhausen, a member of the public, solicited sponsorship donations for the 2006 Multiple Sclerosis (MS) Walk. He thanked Board members for their past support. Last year, he raised over \$4,000. He wanted to express his appreciation for the military's presence and its economic influence in San Diego. He agreed that the military's ultimate purpose is the protection of all taxpayers. He supported joint use of Miramar as an airport.

Marti Emerald, Channel 10 News, introduced investigative reporter Kristen Castillo and photojournalist Richard Kline. She spoke about a campaign to help clean up litter in San Diego. She said that litter has become a huge problem. She showed a video clip and highlighted those who had "adopted" portions of a highway and have not followed-through with that commitment. Channel 10 applied to Caltrans last November to be a sponsor for a portion of State Route (SR) 52, and it is still waiting to hear back on its application.

Ms. Emerald said that they invited the public to send them e-mails about littered areas, and they received about 50 e-mails a day spotting trash around San Diego. Channel 10 will be running stories about this issue all next week. She asked SANDAG Board members to get the message out to all of the cities. This is a problem that we can solve.

Councilmember Joe Kellejian (Solana Beach) suggested that staff report back to the Board on this issue at another time and proposed that staff and Caltrans work on a cooperative effort to eradicate this problem.

Mayor Art Madrid (La Mesa) said that one of the things Ms. Emerald touched on is the symptom not the cause. She should catch individuals who trash the community and highlight the consequences of those actions.

Ms. Emerald said that they are creating an initiative to take into San Diego County schools to sensitize young people to the problem of litter

Mayor Lewis agreed that litter is a problem and that we can be proactive.

Marilyn Daily (San Diego County Water Authority) stated that she received a survey phone call on this issue. She thanked Ms. Emerald for bringing awareness to this problem.

Deputy Mayor Shari Mackin (Oceanside) thanked Ms. Emerald for bringing this to SANDAG. She stated that at the intersection of State Route (SR) 78 and Interstate 5 (I-5) there is an unbelievable amount of trash, and they have a code enforcement officer out there once a week. Deputy Mayor Mackin asked for contact information about Channel 10's program. She has been working with Oceanside schools about this issue as well.

Ms. Emerald indicated that Kristen Castillo would be the Channel 10 contact person. She has business cards with her, and Board members should see her following this meeting.

Ms. Emerald said that this weekend alone there are two community cleanups. Every weekend there will be something going on. She suggested that Board members log onto the Channel 10 Web site for information about these activities.

Councilmember Patricia McCoy (Imperial Beach) agreed that the key is education. She said that we need to put pressure on manufacturers related to product packaging. She suggested that a "don't litter" message could be placed on products.

Bill Figge, Caltrans, expressed appreciation for the efforts of Channel 10. He assured Ms. Emerald that Channel 10's highway adoption application would be processed shortly.

Mayor Pro Tem Judy Ritter (Vista) said that this is a problem in her city. She thanked Ms. Emerald for taking this issue on. She mentioned that a permit is required from Caltrans to clean up the freeway on/off ramps.

Mayor Lewis suggested that Channel 10 offer tarps for sale at its clean-up events for vehicles with items going to the landfill. Loads going to the landfill must be covered. He suggested that Channel 10 not allow vehicles to leave these cleanup events unless they are tarped and secure.

Ms. Emerald noted that Waste Management is now a partner in this effort.

Chair Cafagna referred to a letter from Ronald Cohen supporting a regional development impact fee. Several similar form letters have been received.

3. ACTIONS FOR POLICY ADVISORY COMMITTEES (APPROVE)

This item summarizes the actions taken by the Executive Committee on January 13, and the Transportation and Public Safety Committees on January 20, 2006.

Action: Upon a motion by Mayor Crystal Crawford (Del Mar) and a second by Mayor Christy Guerin (Encinitas), the SANDAG Board approved Agenda Item No. 3, Actions from

Policy Advisory Committees. Yes – 17 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – Oceanside and San Marcos.

CONSENT ITEMS (4 through 7)

4. STATE TRANSIT ASSISTANCE (STA) ACT CLAIM AMENDMENT (APPROVE)

At the June 24, 2005, meeting, SANDAG approved the allocations for the FY 2006 State Transit Assistance (STA) program, which provides operating and capital support to transit operators. Allocations allow for the agencies to claim these funds for specified purposes. Claims were submitted and approved as part of the June 2005 Board action. Since then SANDAG received a revised estimate for the FY 2006 STA program, and North County Transit District (NCTD) has requested an amendment to its STA claim. The Board of Directors is asked to adopt Resolution No. 2006-08, approving the revised STA claim.

5. QUARTERLY REPORT ON COMMITTEES AND WORKING GROUPS (INFORMATION)

As required by SANDAG Board Policy No. 004, this item provides a quarterly report on the status of all standing and ad hoc committees and working groups.

6. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY EXECUTIVE DIRECTOR (INFORMATION)

In accordance with SANDAG Board Policy Nos. 003 (Investment Policy) and 017 (Delegation of Authority), this report summarizes certain delegated actions taken by the Executive Director during November 2005.

7. SANDAG DISADVANTAGED BUSINESS ENTERPRISE PROGRAM (INFORMATION)

SANDAG has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation. At its October 28, 2005, meeting, the Board of Directors approved the release of SANDAG's FY 2006 DBE goals for public comment and gave conditional approval of these goals in the event no public comments were received. No comments were received during the 45-day public comment period. Therefore, the following are SANDAG's FY 2006 DBE goals: 7.1 percent for Professional, Scientific, and Technical Services projects with Federal Highway Administration (FHWA) funds; 6.6 percent for Construction/Special Trades projects with Federal Transit Administration (FTA) funds; and 5.1 percent for Professional, Scientific, and Technical Services.

Action: Upon a motion by Mayor Madrid and second by Councilmember McCoy, the SANDAG Board voted to approve Consent Item Nos. 4 through 7, including Resolution No. 2006-08. Yes – 18. No – 0. Abstain – 0. Absent – Oceanside.

CHAIR'S REPORTS (8 through 9)

8. ADDITION OF SECOND COUNTY SUPERVISOR REPRESENTATIVE ON SANDAG BOARD OF DIRECTORS (DISCUSSION/POSSIBLE ACTION)

Chair Cafagna stated that he had initiated this item. He thought it was important at this point to strengthen SANDAG and its governance structure. There are almost 500,000 people in the unincorporated area not represented on this body. The recommended change would allow the County of San Diego to appoint two people to the SANDAG Board; one would be the Chair of the Board of Supervisors, which rotates on an annual basis, and the other would represent the unincorporated area. This would allow for greater representation and accountability in the county. It is important for the entire county to be united when we lobby for money for transportation projects. It is also important that the County Board of Supervisors feels it is well represented on this Board. We have recommended this to our state legislative delegation, and Senator Christine Kehoe has agreed to carry this bill for us. The County Board of Supervisors' Chair Bill Horn has agreed to support a resolution from the County Board to approve this governance structure.

Supervisor Bill Horn (County of San Diego) thanked the SANDAG Board for bringing this issue forward. He didn't think there would be any opposition to this at the County Board.

Chair Cafagna explained that the voting for the two County seats on the SANDAG Board would work the same as that for the City of San Diego.

Chair Cafagna said that another cleanup measure would include language to cover the new strong mayor structure for the City of San Diego. This legislation will make it official to include the mayor of San Diego as an eligible Board member.

Councilmember Kellejian asked that language clarifying the County Board's support for SANDAG's governance structure be included in the County's resolution. Supervisor Horn agreed to include that language.

Stephanie Weber, Director of Marketing for the San Diego North Economic Development Council (EDC), expressed the EDC's support of this action. The unincorporated areas of the County represent 60 percent of the region and need to be represented on the SANDAG Board.

Action: Upon a motion by Councilmember Kellejian and a second by Mayor Lewis, the SANDAG Board approved amendments to SANDAG's statutes concerning the addition of a second County Supervisor representative on the SANDAG Board and to allow the Mayor of the City of San Diego to be selected as a representative to the SANDAG Board and directed staff to update SANDAG's legislative program to include these new goals and take the necessary steps to sponsor legislation to effect the statutory changes. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – None.

9. APPOINTMENT OF POLICY ADVISORY COMMITTEE MEMBERS (INFORMATION)

Chair Cafagna noted that a blue sheet was distributed indicating updated information related to the subregional membership on policy advisory committees. He said that the chairs/vice chairs have not yet been selected; that information will be available by the February Board meeting.

Action: This item was presented for information only.

REPORTS (10 through 14)

10. PUBLIC HEARING ON DRAFT 2030 REVENUE CONSTRAINED REGIONAL TRANSPORTATION PLAN (RTP): 2006 UPDATE AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (ACCEPT)

Mike Hix, Senior Planner, explained why we are conducting a 2006 technical update for the RTP. The four-year cycle for the RTP that was approved with the new federal transportation legislation will not go into effect until July 2007. We need to develop a 2006 RTP update to meet the current federal requirement for a three-year update cycle. The federally-required RTP must be a revenue constrained scenario, align costs between the RTP and the Regional Transportation Improvement Program (RTIP), and there is little time to develop a full RTP. This 2006 RTP update includes the most recent project status and a revised revenue forecast. He also mentioned that in order to keep the revenue constrained scenario intact and advance the *TransNet* Early Action Program (EAP), we will need to borrow funds, delay all non-EAP projects, and assume \$5 billion in *TransNet* bonds.

Mr. Hix said that the 2007 comprehensive RTP update will reflect the adopted Regional Comprehensive Plan (RCP), new land use forecasts, and a look at smart growth opportunity areas. It also will incorporate the Independent Transportation Planning Review (ITPR), expanded public outreach efforts, and a reevaluation of projects and priorities.

Mr. Hix stated that for the 2006 update, a Supplemental Environmental Impact Report (SEIR) was prepared that evaluates the revenue constrained 2006 update against the MOBILITY 2030 plan. There are no new significant impacts identified. He reviewed the schedule for the 2006 RTP Update.

Chair Cafagna opened the public hearing at 9:54 a.m.

Duncan McFedridge, Chairman of Save Our Forests and Ranch Lands (SOFAR), thanked Marti Emerald for introducing the subject of trash, growth management, and the environment. His comments related to transit. He was aware that SANDAG does not have land use authority. However, he proposed that the SOFAR Alternative be altered to look at the results of investing \$500 million in transit serving downtown San Diego. He submitted a letter from SOFAR's attorneys explaining that request. He said that for 30 years San Diego has been building roads and subdividing lands under the presupposition that if we build more roads we will decrease traffic, and if we develop more land we will have more affordable homes. He said that there is no evidence that in the long term building more roads in urban areas decreases traffic problems or that subdividing more land increases

affordable housing. He said that our auto-based growth policy has produced incredible social problems. A SANDAG public opinion survey indicated that 56 percent of constituents have seriously considered moving away, and 39 percent believe that San Diego will be a worse place to live in the future.

Theresa Shelton of SOFAR stated that our auto-based transportation uses one-quarter of the urban land space and two-thirds of the oil-based energy that is consumed. Rising gasoline prices will put people in trouble. The auto system creates serious health issues and unsustainable costs. This also forecloses on smart growth redevelopment. She spoke on the dangers of auto collisions and costs and said that public officials should be concerned about offering real alternatives. Public transit is the foundation for affordable housing. SOFAR is asking for a shift in the focus from the entire county to the downtown San Diego region. The Centre City Development Corporation's (CCDC's) Downtown Community Plan offers hope for the downtown area. It includes high-density housing, is pedestrian-based, calls for more infrastructure, and people like it.

Councilmember Jerry Rindone (Chula Vista) indicated that Chula Vista had some concerns about the 2006 RTP Update, but the City and SANDAG staffs have met, and SANDAG staff has addressed Chula Vista's concerns.

Jay Powell, City Heights Community Development Corporation and Mid-City Intermodal Transportation Working Group, said that construction of the southern portion of Interstate 15 (I-15) is key to the economic prosperity of Mid-City residents. The best way to get Mid-City residents to job centers is to get the BRT system in place. He said these groups have spoken before the Transportation Committee and will be working with our state and federal legislators to try and advance transit service in the I-15 corridor. He asked that this project be advanced as much as possible.

Action Taken: Upon a motion by Councilmember Kellejian and a second by Councilmember Scott Peters (City of San Diego), the SANDAG Board unanimously accepted the public testimony and closed the public hearing at 10:08 a.m.

Mayor Madrid asked Mr. Mathis (Metropolitan Transit System [MTS] Chair) about MTS' plans for transit service in core areas like downtown San Diego. He said that transit can be better served if we focus on intensively built areas. Mr. Mathis agreed that public transit works best in high-density areas and, as a result, public transit serves the downtown San Diego area very well. He noted that 25 percent of people living in outlying areas come to jobs in downtown San Diego using public transit.

Mayor Madrid asked if we could simulate what has been done in downtown Denver where certain streets are closed to vehicular traffic and circulator buses move people around. Mr. Mathis said it would take the political will of the City of San Diego to close downtown San Diego streets for such a bus circulator system.

Gary Gallegos, Executive Director, stated that we have been working with MTS, CCDC, and the City of San Diego on the update of the Downtown Community Plan, and it includes a circulator bus concept similar to that being operated in other urban areas.

Councilmember Peters mentioned that in the update of the Community Plan there is some controversy related to the amount of parking to provide. He asked for SANDAG and MTS to take a position opposing "over parking" in downtown San Diego. He suggested that staff bring an item related to the downtown San Diego Community Plan back to the Board for discussion.

Chair Cafagna stated that this issue was discussed at the Transportation Committee, and there were not sufficient votes to support that position.

Councilmember Peters said that if we continue to accommodate automobile usage, there will not be support for public transportation in the downtown San Diego area. We need to think hard about the available useful space. If we want to make that change, this is the place to start. It is important for us. There is a move among people who live here to change the downtown area into suburban-like development, and that is not in anyone's best interest.

Councilmember Monroe stated that when Petco Park first opened, transit carried 38 percent of the attendees. However, since adjacent parking garages have opened, public transit now carries only 18 percent of the attendees. The Comprehensive Operations Analysis that MTS is conducting is going to create a network between centers of urban development. He also noted that we will have two vintage trolley cars circulating in downtown San Diego. He stated that he didn't understand a statement made by Mr. Powell that completion of the I-15 BRT was moving out another decade.

Mr. Hix said that the southern portion of I-15 is not part of the Early Action Program Managed Lanes project.

Jack Boda, Director of Mobility Management and Project Implementation, explained that we are looking at the entire I-15 corridor from Escondido to downtown San Diego and are planning to incorporate the Mid-City Managed Lanes piece in about 2012.

Mr. Powell said that his concern is that the Mid-City section of I-15 has built-in dedicated lanes for BRT. It already has the right-of-way, the ability to hook up electricity, and it can be done by 2008, yet it is projected for 2012.

Councilmember McCoy agreed with the speaker that we should implement this proposal as soon as we can.

Mr. Gallegos reiterated that we are trying to look at the whole corridor from Escondido to downtown San Diego. The RTP groups projects in terms of decades, but it doesn't specifically indicate what year during the decade a particular project will be built. The entire infrastructure for BRT has not yet been completed in the Mid-City area.

Vice Mayor Ron Morrison (National City) said that we should have a regional approach rather than just focus on downtown San Diego. There is more than one downtown area in this county. National City is currently looking at its downtown area and has approval for more housing units there. National City also will be operating a free downtown shuttle service connecting to the Trolley, funded in part from the development impact fee contained in the *TransNet* Extension ordinance.

Councilmember Rindone agreed that this is not solely a City of San Diego issue. For light rail to be successful, it needs higher density along the entire light rail corridor.

Chair Cafagna commented that land use decisions are up to the local jurisdictions for issues such as parking standards, but SANDAG could make recommendations to the jurisdictions.

Mayor Crawford expressed a concern with regard to SR 241, the Orange County toll facility. She said that there was an agenda item about a year ago about a change in the RTP related to the number of lanes in this project. At that point, a number of alignment alternatives were being considered. Now the project sponsor (Transportation Corridor Agencies) has identified an alternative that would impact San Onofre State Beach, and many agencies are opposed to that choice of alignment. She understands that from a policy perspective we don't typically comment on the specifics of projects where we are not the lead agency, but perhaps we should have looked at this project early on. We might have had greater impact if we had indicated an earlier interest. She wondered if we should reevaluate our policy about not commenting on projects outside our county. We have to look outward as we become a larger region. What Orange County does with this project can impact our region. We should consider this policy decision at a future meeting.

Deputy Mayor Mackin said that this project's alignment is only outside our county by a stone's throw. She was surprised there was no work with Orange County on our RTP. At the NCTD Board retreat, Board members discussed what is going on with Orange County and other issues related to inter-county travel.

Action: Upon a motion by Councilmember Kellejian and a second by Councilmember Peters, the SANDAG Board accepted public testimony on the Draft 2030 Revenue Constrained RTP: 2006 Update and the Supplemental Environmental Impact Report. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – Encinitas.

11. DRAFT 2006 LEGISLATIVE PROGRAM (APPROVE)

Ellen Roundtree, Director of Governmental Affairs, reported that annually the Executive Committee recommends the legislative program for the next year. The goals fall into three areas: those sponsored by SANDAG, those we support or oppose, or bills to monitor. The Executive Committee reviewed the levels of priority for the legislative goals under consideration. Ms. Roundtree reviewed each of the eight proposed new goals for the agency plus the six new goals recommended by the Public Safety Committee and the priorities being recommended for each goal.

Ms. Roundtree noted that as in prior years, staff will bring back legislative status reports to the Executive Committee. If something arises that is not addressed by the approved goals, it will be brought forward for discussion and possible action.

Action: Upon a motion by Councilmember Peters and a second by Mayor Lori Holt Pfeiler (Escondido), the SANDAG Board approved the 2006 Legislative Program. Yes – 16 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – Lemon Grove, National City, and Solana Beach.

12. FISCAL YEAR 2007 FEDERAL TRANSPORTATION APPROPRIATIONS PROPOSALS (APPROVE)

Councilmember Kellejian stated that each year SANDAG approves a list of transportation projects that is then submitted to our federal legislative delegation for consideration during the appropriations process. This list includes all of our *TransNet* Early Action projects, transit facilities and new vehicles, and other requests that complement the priority projects identified in the RTP. We are facing a particular challenge this year with the recent loss of our representative from the 50th District, who was an influential member of the Appropriations Committee.

Ms. Roundtree said that at its December 9, 2005, meeting, the Transportation Committee approved a set of criteria for any new local project to be included in the SANDAG submittal of funding requests. Before a project could be considered, it must be in the RTP and then it is evaluated based on a number of other criteria, including projects that are under construction and require additional funding, are “ready to go” to construction, have significant local funding identified, are environmentally cleared, improve security and safety in the region, and protect the region’s investment in infrastructure, including rolling stock. Projects that meet a greater number of criteria would be considered for recommendation to the congressional delegation. Ms. Roundtree reviewed the projects according to the approved criteria, highlighting those included in the Early Action Program.

Councilmember Kellejian said that SANDAG, NCTD, and MTS Board members will be heading to Washington, D.C. in February and March to meet with our congressional delegates. The Transportation Committee recommends that the SANDAG Board approve these projects.

Chair Cafagna noted that there was one request to speak.

Jay Powell, City Heights Community Development Corporation, spoke in support of the regional bus replacement vehicles, the project identified as No. H in the proposed project funding recommendations included in the agenda item. He expressed his appreciation for the support for advancing this project. He will be in touch with the congressional delegation and will work with SANDAG to advance this transit option in the I-15 corridor.

Mayor Lewis asked if there were any projects related to I-8. He noted there were no projects for East County on this list. Mr. Gallegos said that this item is about getting federal appropriations money. The I-8 project is not in the Early Action Program and is not a good candidate for this year’s funding. Caltrans is working hard to start work on SR 52, which is in the East County, and is part of the *TransNet* EAP.

Mayor Lewis said that he would like to avoid the traffic congestion now being experienced on I-15 for East County.

Action: Upon a motion by Deputy Mayor Mackin and a second by Councilmember Peters, the SANDAG Board approved the list of projects for submittal to the San Diego Congressional delegation in the FY 2006 federal transportation appropriations cycle. Yes – 17 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – Lemon Grove and Solana Beach.

Councilmember Peters said that the Mayor of San Diego has expressed a concern and would like to go back to Washington, D.C. with the group. Mr. Gallegos responded that we have been sharing dates with the Mayor's staff

13. PROPOSED AMENDMENTS TO BOARD BYLAWS AND POLICIES (APPROVE)

Julie Wiley, General Counsel, reviewed the proposed amendments in the areas of subregional appointments to the Policy Advisory Committees (PACs), attendance requirements, officer elections, the Regional Growth Management Review Board, delegations of authority, Assembly Bill (AB) 1234 related to required ethics training and travel reimbursement requirements, and an item related to making all public notice periods for transit service or fare changes 15 days for consistency purposes.

Mayor Madrid asked if there is a requirement for a specific number of meetings to be attended and acceptable excuses. Ms. Wiley replied that there is no defined number of meetings; it will be up to the subregions to decide if the attendance has been sufficient.

Mayor Guerin asked if a jurisdiction submits an application for a Board officer position, would the whole subregion be eliminated as part of the Nominating Committee. Ms. Wiley replied that the entire subregion would not be eliminated from consideration; the Nominating Committee just could not include a member from the same jurisdiction of the applicant.

Mayor Madrid stated that if SANDAG, as the Regional Growth Management Review Board, is only monitoring an activity, we should review whether we want to continue this effort. Mr. Gallegos said that SANDAG is already doing this monitoring as part of the RCP. Mayor Madrid suggested that we reference the RCP monitoring effort in the Bylaws.

Action: Upon a motion by Mayor Madrid and a second by Mayor Guerin, the SANDAG Board approved eliminating the reference to the Regional Growth Management Review Board, and adding a reference to the similar requirements under the RCP.

Ms. Wiley indicated that many of the SANDAG Board members will receive the required Assembly Bill (AB) 1234 ethics training through their cities and that SANDAG will accept a completion certificate for this training.

Ms. Wiley stated that part of AB 1234 relates to penalties for errors on expense reports, and she discussed the reimbursable amounts and reviewed the approved exceptions.

Vice Mayor Morrison said that on page 31, under Section 1-1, there is a list of examples of conferences. We no longer belong to the Association of Metropolitan Planning Organizations (AMPO). He suggested that we delete that reference and add the National Association of Regional Councils (NARC). Ms. Wiley agreed to make that change.

Councilmember Rindone suggested that the ethics training be added to the new member orientation session at future SANDAG Board Retreats. Ms. Wiley thought that was a good suggestion and indicated that it would be explored.

Action: Upon a motion by Councilmember Peters and a second by Deputy Mayor Mackin, the SANDAG Board approved the recommended Bylaws and Board Policy amendments with the changes noted above. Yes – 15 (weighted vote, 99%). No – 1 (Imperial Beach) (weighted vote, 1%). Abstain – 0 (0%). Absent – Coronado, County of San Diego, and Poway.

14. REQUEST FROM THE TRANSNET INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE (ITOC) FOR ADVANCED FUNDING FOR CONSULTING SERVICES (APPROVE)

Craig Scott, *TransNet* Project Manager, provided an overview of this item. The *TransNet* Extension ordinance established the Independent Taxpayer Oversight Committee (ITOC) and provided for \$250,000 to carry out its oversight activities, beginning July 1, 2008. Attachment 1 shows the major responsibilities of the ITOC. The Ordinance envisioned a transition period between now and 2008 and phased-in work based on budgetary constraints. The ITOC thought that with the Board approving the *TransNet* Early Action Program (EAP), it should consider advancing funds for the oversight of that program. Funds could come from the commercial paper program.

Michael Boyle, Chair of ITOC, stated that since its formation in April 2005 the ITOC has been working very hard. The seven volunteers have spent a lot of effort to get themselves familiar with their responsibilities. One difficulty anticipated with the Ordinance was that you can only do so much with a group of volunteers in fulfilling the ITOC's responsibilities. With the EAP, we are finding we are not able to do our job unless we get some outside help. Paragraph no. 6 of the ITOC's responsibilities requires that the ITOC "participate in the ongoing refinement of SANDAG's transportation system performance measurement process and the project evaluation criteria used in development of the Regional Transportation Plan (RTP) and in prioritizing projects for funding in the Regional Transportation Improvement Program (RTIP)." The ITOC considers this to be an important part of its responsibilities.

Chair Cafagna stated that the ITOC members were selected because of their technical knowledge. He understood that the program provides for funding for the technical staff for ITOC. We have Early Action projects that were mostly approved in the original *TransNet* Ordinance. His concern is that we don't have the money at this stage from the future sales tax revenue. He asked if what they are requesting can wait.

Mr. Boyle said that given the nature of the work that's done by SANDAG through the RTP process outlined earlier this morning, the ITOC feels this work is necessary. If the ITOC doesn't meet its responsibilities then it is not meeting the Ordinance requirements. Some of their jobs are very specialized, and it is not reasonable to expect these volunteers to devote so much of their time when they have a day job.

Mr. Gallegos recommended that the ITOC have some flexibility to advance money. Staff will work with them on an economy of scale to add work tasks to SANDAG consultants. Staff concurs with the ITOC request to get started on work now, especially with the 2007 Comprehensive RTP Update that is now underway.

Mr. Boyle provided an example where the ITOC relied on information already provided by one of SANDAG's on-call consultants. However, there may be some areas where they may want to get some outside help.

Chair Cafagna expressed a concern about consultants who will start dealing with policy issues. The idea of the Oversight Committee is to make sure we are not making policy changes the voters did not approve.

Mr. Boyle said that the focus of the ITOC is on independence and not as an adversary to SANDAG.

Mayor Lewis wondered if the ITOC hired a consultant who then made a recommendation to the ITOC, would the recommendation come from the consultant or from the ITOC He has some concerns about consultants wanting future funding for continuing work.

Councilmember Peters spoke in support of Mr. Boyle's request. He said that we've set up the ITOC as part of *TransNet*, and its role is very well defined. There is a lot of technical information and the program contemplates that the ITOC work would be funded. The EAP raises more of a need for the ITOC review. He suggested that we find the funding for this request. Mr. Gallegos said that staff is recommending the commercial paper program be used to advance the dollars to the ITOC. We will need to conduct financial audits on this action. If you approve this action, the ITOC is required to come back to report on its budget and get approval of proposed expenditures by the SANDAG Board.

Mayor Crawford expressed support of this expenditure and creating the mechanism for the ITOC. The committee is working hard and has new information about different types of forecasting that might be used. However, she would want to see appropriate justification for the funding.

Councilmember Jack Dale (Santee) thought the ITOC would get information and then review the SANDAG Board's decision. He didn't know they would be hiring consultants. Different consultants have different points of views. He asked who would be picking the consultant for the ITOC. Mr. Gallegos replied that the consultant would be picked through SANDAG's standard procurement process.

Councilmember Jerome Stocks (NCTD) said that Mr. Boyle makes a valid point. The ITOC was an important part of passing the new *TransNet* measure. This is a very complex and large undertaking. He was concerned about an eleventh hour rethinking of the projects. He agreed with the process of reviewing the ITOC's budget.

Mayor Guerin expressed concern about the ITOC's participation in prioritizing projects for funding. She believed that it is the SANDAG Board's decision to prioritize projects and didn't understand where the ITOC's prioritizing fits in with that action.

Mr. Boyle said that the language related to project prioritization is from the *TransNet* Extension Ordinance. The ITOC is not supposed to act like a second SANDAG Board, but rather it is to do its best to provide reporting to the Board. It really goes to the procedure rather than the actual substance. Mr. Boyle suggested looking at the criteria and discussing it. He said that the ITOC is intended to be a fact-finding and informational tool.

Councilmember McCoy suggested that this item be postponed to the next Board meeting to allow time for clarification.

Chair Cafagna agreed that the ITOC responsibilities related to project prioritizing are identified in the *TransNet* Ordinance.

Councilmember Peters called the Board's attention to paragraph 4 of the section of the *TransNet* Extension Ordinance related to the ITOC. He had confidence in the Board's ability to make decisions, given good information.

Chair Cafagna noted that there are consultants who disagree with what we are doing.

Councilmember Peters said that we want the ITOC to do what it is supposed to do. This is a great protection for the Board. The amount requested is not a substantial amount.

Councilmember Monroe said that we've moved 20 out of our 47 projects forward in our financing plan for the EAP. He would like to hear from the ITOC on those projects.

Mayor Guerin indicated her support for the ITOC, but she would like a better explanation for how the process would work.

Mr. Boyle said that he is not sure they would use the entire \$250,000 each year. They are talking with Jack Boda because SANDAG already has a list of consultants. We are interested in selecting from the approved consultant list for the *TransNet* Extension projects.

Mayor Lewis said that \$250,000 is a lot of money for consultants. He was concerned about consultants requesting more money.

Vice Mayor Harris-Ebert stated that the ITOC can evaluate the information given to them as consultants.

Mayor Crawford said that the group will develop a scope of work and valid concerns will be worked through. She fully expected the ITOC to keep a close watch over its checkbook.

Chair Cafagna said that this is a tremendous committee, and it has worked very hard.

Action: Upon a motion by Councilmember Monroe and a second by Councilmember Peters, the SANDAG Board approved the request from the ITOC for advanced funding up to \$250,000 per year to support the ITOC's oversight activities for the *TransNet* Early Action Program until the ITOC's annual funding becomes available in FY 2009. This allocation is contingent upon the Board's approval of an annual budget for the ITOC's activities consistent with provisions of the *TransNet* Extension Ordinance. The commercial paper program may be utilized to provide the advance funding, with a repayment schedule to be included in the ITOC's annual budget request beginning with the FY 2009 budget year. Yes – 16 (weighted vote, 96%). No – 1 (El Cajon) (weighted vote, 4%). Abstain – 0 (0%). Absent – Chula Vista and County of San Diego .

15. UPCOMING MEETINGS

The next Policy Board meeting is scheduled for Friday, February 10, 2006. Chair Cafagna said that we have an issue related to the time of the next Policy Board meeting.

Mr. Gallegos explained that staff has proposed to get the SANDAG Board together with our state legislative delegation. The challenge is that they will be in session that day (February 10). This is a critical date for us because discussions on the infrastructure proposals are occurring at a rapid pace in Sacramento. We are suggesting that this meeting be docketed from 4:00-6:00 p.m. on Friday, February 10.

Chair Cafagna stated that we would hold the Executive Committee meeting immediately prior to the Policy Board meeting that day.

Mayor Pro Tem Matt Hall asked if the Regional Planning Committee will meet on Friday, February 3, following the SANDAG retreat. Chair Cafagna replied negatively.

Mayor Madrid asked what assurance we have that the delegation members will be here at 4:00 p.m. He will have to miss one day of the League of California Cities meeting.

Mr. Gallegos said that we don't know for sure. It depends on when the Speaker and Pro Tem adjourn the session and the airline schedule.

Mr. Gallegos stated that the State Legislature has five weeks of nonstop hearings on infrastructure bonds. Our legislative delegation has expressed interest in meeting with the SANDAG Board. He recommended that the revised times for the Executive Committee and Policy Board meetings on February 10 be approved. Board members concurred.

The next regular Board of Directors business meeting is scheduled for Friday, February 24, 2006.

16. ADJOURNMENT

The meeting was adjourned at 11:46 a.m.

DGunn/M/DGU

**ATTENDANCE
SANDAG BOARD OF DIRECTORS' MEETING
JANUARY 27, 2006**

| JURISDICTION/ ORGANIZATION | NAME | ATTENDING | COMMENTS |
|--|------------------------------------|-----------|----------|
| City of Carlsbad | Matt Hall (Member) | Yes | |
| City of Chula Vista | Jerry Rindone (Alternate) | Yes | |
| City of Coronado | Phil Monroe (Member) | Yes | |
| City of Del Mar | Crystal Crawford (Member) | Yes | |
| City of El Cajon | Mark Lewis (Member) | Yes | |
| City of Encinitas | Christy Guerin (Member) | Yes | |
| City of Escondido | Lori Holt Pfeiler (Member) | Yes | |
| City of Imperial Beach | Patricia McCoy (Member) | Yes | |
| City of La Mesa | Art Madrid (Member) | ? | |
| City of Lemon Grove | Mary Sessom, Vice Chair (Member) | Yes | |
| City of National City | Ron Morrison (Member) | Yes | |
| City of Oceanside | Shari Mackin (Member) | Yes | |
| City of Poway | Mickey Cafagna, Chair (Member) | Yes | |
| City of San Diego – A | Jim Madaffer (Member B) | No | |
| City of San Diego – B | Scott Peters (Alternate) | Yes | |
| City of San Marcos | Pia Harris-Ebert (Member) | Yes | |
| City of Santee | Jack Dale (Member) | Yes | |
| City of Solana Beach | Joe Kellejian (Member) | Yes | |
| City of Vista | Judy Ritter (Member) | Yes | |
| County of San Diego | Bill Horn (Member) | Yes | |
| ADVISORY MEMBERS LISTED BELOW (ATTENDANCE NOT COUNTED FOR QUORUM PURPOSES) | | | |
| Caltrans | Bill Figge (Alternate) | Yes | |
| MTS | Harry Mathis (Member) | Yes | |
| NCTD | Jerome Stocks (Member) | Yes | |
| Imperial County | Victor Carrillo (Member) | Yes | |
| US Dept. of Defense | Commander Marco Medved (Alternate) | No | |
| SD Unified Port District | William Hall (Member) | Yes | |
| SD County Water Authority | Marilyn Dailey (Member) | Yes | |
| Baja California/Mexico | Lydia Antonio (Alternate) | Yes | |