



**BOARD OF DIRECTORS
JANUARY 25, 2008**

**AGENDA ITEM NO. 08-01-1B
ACTION REQUESTED - APPROVE**

**BOARD OF DIRECTORS DISCUSSION AND ACTIONS
DECEMBER 21, 2007**

Chair Mary Sessom (Lemon Grove) called the meeting of the Board of Directors to order at 9:06 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MINUTES (APPROVE)

Action: Upon a motion by Mayor Jim Desmond (San Marcos), and a second by Mayor Jim Wood (Oceanside), the Board of Directors approved the minutes from the November 30, 2007, Business meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

There were no public comments.

Gary Gallegos, Executive Director, shared with the Board that we received notification from the Federal Transit Administration (FTA) that our Very Small Starts grant request of \$20 million has been approved.

Mayor Art Madrid (La Mesa) thanked Pedro Orso-Delgado, Caltrans District 11 Director, for helping with a critical emergency in La Mesa. City of La Mesa and Caltrans staff met and within 48 hours Caltrans had installed street barriers to protect La Mesa residents.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (APPROVE)

This item summarizes the actions taken by the Borders Committee on November 30, the Executive and Regional Planning Committees on December 7, and the Transportation Committee on December 14, 2007.

Action: Upon a motion by Mayor Ron Morrison (National City), and a second by Second Vice Chair Jerome Stocks (Encinitas), the SANDAG Board approved Agenda Item No. 3, Actions from Policy Advisory Committees. Yes – 14 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – County of San Diego, Imperial Beach, Poway, Santee, and Vista.

CONSENT ITEMS (4 through 6)

4. SANDAG FY 2008 DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AMENDED GOALS (APPROVE)

The Board of Directors approved the amended SANDAG FY 2008 Annual Anticipated Disadvantaged Business Enterprise Participation Level for U.S. Department of Transportation Federal Highway Administration-assisted projects.

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

In accordance with SANDAG Board Policy Nos. 003 (Investment Policy), 017 (Delegation of Authority), and 024 (Procurement and Contracting-Construction), this report summarized certain delegated actions taken by the Executive Director since the last Board meeting.

6. REPORTS ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (INFORMATION)

Board members provided brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting.

Action: Upon a motion by Second Vice Chair Stocks, and a second by Mayor Morrison, the SANDAG Board approved Consent Items Nos. 4 through 6. Yes - 15. No - 0. Abstain - 0. Absent – County of San Diego, Poway, Santee, and Vista.

CHAIR'S REPORT (7)

7. ELECTION OF 2008 SANDAG BOARD OFFICERS (APPROVE)

Councilmember Madaffer stated that the Nominating Committee (consisting of County Supervisor Bill Horn, La Mesa Mayor Art Madrid, Chula Vista Mayor Cheryl Cox, Solana Beach Mayor Lesa Heebner, and Vista Councilmember Judy Ritter) met to review the chair/vice chair applications for 2008. At the last Board meeting, a slate of officers for calendar year 2008 was recommended: Lemon Grove Mayor Mary Sessom for Chair, Escondido Mayor Lori Holt Pfeiler for First Vice Chair, and Encinitas Deputy Mayor Jerome Stocks for Second Vice Chair.

Action: With First Vice Chair Pfeiler acting as chair, and upon a motion by Councilmember Jim Madaffer (City of San Diego) and a second by Mayor Wood, Mayor Mary Sessom was nominated for the position of Board Chair for calendar year 2008. The motion was approved. Yes – 15 (weighted vote, 99%). No – 0 (weighted vote, 0%). Abstain – 1 (Lemon Grove) (1%). Absent – County of San Diego, Poway, and Santee.

Action: With Chair Sessom now chairing the meeting, and upon a motion by Councilmember Madaffer and a second by Mayor Morrison, Mayor Lori Holt Pfeiler was nominated for the position of First Vice Chair for calendar year 2008. The motion was

approved. Yes – 14 (weighted vote, 99%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – County of San Diego, Del Mar, Escondido, Poway, and Santee.

Action: Upon a motion by Councilmember Madaffer and a second by Mayor Morrison, Deputy Mayor Stock was nominated for the position of Second Vice Chair for calendar year 2008. The motion was approved. Yes – 14 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – County of San Diego, Del Mar, Encinitas, Poway, and Santee.

Chair Sessom thanked Councilmember Madaffer and the members of the Nominating Committee.

REPORTS (8 through 12)

8. FUNDING RECOMMENDATION FOR JOB ACCESS AND REVERSE COMMUTE AND NEW FREEDOM PROJECTS (APPROVE)

Councilmember Madaffer stated that the Jobs Access and Reverse Commute (JARC) and New Freedom programs represent a great opportunity to fund transportation improvements for underserved populations. SANDAG was selected by Governor Schwarzenegger to manage these programs. Today's action will award more than \$3.9 million in JARC monies and more than \$1.2 million in New Freedom monies to ten transportation providers throughout our region. SANDAG also would hold a second competitive process in spring 2008 to provide an opportunity for other agencies to apply for the remaining \$1.2 million in New Freedom funding that is currently unallocated. He introduced Danielle Kochman, Assistant Planner, to provide additional information on these programs.

Ms. Kochman reported that the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires SANDAG to conduct competitive programs for JARC and New Freedom monies. SANDAG is the designated agency to award these grants for capital, operations, or planning purposes with local matching fund requirements. She explained both of these funding programs. At its August 3 meeting, the Transportation Committee approved the selection process and award criteria. Five outreach meetings were held to explain the criteria and process. Applications were scored by evaluation committees and recommendations were presented to the Transportation Committee at its December 14, 2007, meeting. The funding for these programs is for a three-year period (FY 2007, FY 2008 and FY 2009). She reviewed the recommended projects for JARC and New Freedom funding. She noted that staff is working on a second competitive process in spring 2008, and will work with interested agencies on their applications. The next steps will include these projects in the Regional Transportation Improvement Program (RTIP), forwarding the recommendations to the FTA by April 2008, and holding a new competitive process for New Freedom funds in spring 2008.

Chair Sessom noted that there was one request to speak on this item.

Clive Richard, a member of the public, said he was not really opposed to this item but could not support the staff recommendations. There's a reference to a Route 905 and Route 30,

but no new service is proposed. He asked if these programs are set up to fund existing routes or designed to encourage new projects that address unmet needs? He cannot support using funds to plug the holes in transit operations that should be dedicated to other purposes. These funds should be used for innovative, new programs.

Councilmember Madaffer said that that was an issue at the Transportation Committee meeting, but he was satisfied with the fact that more money will come back in the spring. He encouraged the Board to move forward on this item today.

Mayor Desmond asked if an agency can submit projects in the spring competition if it received funding now. Ms. Kochman replied that it could so long as it submitted a different project.

Action: Upon a motion by Councilmember Madaffer and second by Mayor Mickey Cafagna (Poway), the SANDAG Board of Directors approved the Job Access and Reverse Commute and New Freedom projects described in the agenda report, directed staff to forward the projects to the FTA for funding following their inclusion in the RTIP; and approved an amendment to the FY 2008 Budget for the Short-Range Transit Planning work element 30023 to create a pass-through account to manage \$1,007,871 in JARC and New Freedom grants from the FY 2007 and FY 2008 competitive processes. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent - Santee.

9. ANNUAL PROPOSED AMENDMENTS TO BOARD POLICIES (APPROVE)

Second Vice Chair Stocks stated that the Executive Committee reviewed each of the proposed Board Policy amendments on a line-by-line basis. These are deemed to be relatively noncontroversial, proposed by competent counsel, and approved by the Executive Committee.

Action: Upon a motion by Second Vice Chair Stocks and second by Mayor Morrison, the SANDAG Board of Directors approved the proposed amendments to the Board Policies. Yes – 17 (weighted vote, 84%). No – 1 (County of San Diego) (weighted vote, 16%). Abstain – 0 (0%). Absent - Santee.

10. 2008 LEGISLATIVE PROGRAM (APPROVE)

First Vice Chair Pfeiler stated that each year the Executive Committee recommends a legislative program to the Board for approval. This year the Executive Committee reviewed the 2008 Legislative Program at both its November and December meetings and is recommending that the Board approve a very extensive program for 2008. This Program includes proposals for possible federal, state, and local activities. If approved, we would be seeking legislation to help build a new toll road and port of entry at East Otay Mesa, and we would be addressing critical regional funding needs in the areas of water quality, beach sand replenishment, habitat conservation, and public transit. We will be discussing a possible Quality of Life measure for these infrastructure areas at the Board's Retreat in early 2008. She introduced Genevieve Morelos, Senior Legislative Analyst, to discuss the program in more detail.

Ms. Morelos explained that the Legislative Program is divided into three categories: sponsored, support/oppose, and monitor. She reviewed the proposed SANDAG-sponsored legislative activities.

Ms. Morelos stated that during discussion of this item at the December Executive Committee meeting, the Committee voted to recommend approval of the Program including Goal 3A but the Committee wanted the Board to further discuss this item.

Councilmember Phil Monroe (Coronado) asked Karen King, North County Transit District (NCTD) Executive Director, if she wanted to comment about the Full Access and Coordinated Transportation (FACT) Board and how that works in this Program. Ms. King declined to comment.

Councilmember Monroe noted that there is a new committee being formed to work on the SAFETEA-LU bikeway networks. In the last federal surface transportation legislation, there was \$100 million in bikeway funding provided to four cities. We have been encouraged to get that bikeway program expanded. We are forming a group of 20 people to work on expanding this program. The point is to provide a choice for people to get to work. He thought this should be included in the Legislative Program.

Gary Gallegos, Executive Director, responded that that would be covered under priority 5A.

Supervisor Ron Roberts (County of San Diego) said he spoke against Goal 3A at the Executive Committee meeting. He opposes authorizing efforts to expand SANDAG's ability to put measures on the ballot beyond specific transportation tax measures.

Councilmember Ed Gallo (NCTD) noted that item 2C has a lower priority recommendation than item 9B. It seems to him they complement each other. He wondered why they have different priorities. He didn't agree with item 7B.

Mr. Gallegos explained the difference between 2C and 9B is that 9B is specific for San Diego and 2C is related to monitoring legislative support for other efforts in the state.

Councilmember Gallo stated that we should have a more concerted effort paid for by the state.

Mayor Cheryl Cox (Chula Vista) commented as it related to item 7B that a two-thirds vote requirement has become next to impossible to achieve, and we should move toward a simple majority vote to get the funds needed to accomplish these tasks.

Action: Upon a motion by First Vice Chair Pfeiler and second by Councilmember Madaffer, the SANDAG Board of Directors approved the 2008 SANDAG Legislative Program. Yes – 18 (weighted vote, 84%). No – 1 (County of San Diego) (weighted vote, 16%). Abstain – 0 (0%). Absent - 0.

11. REGIONAL COMPREHENSIVE PLAN: 2007 ANNUAL PERFORMANCE MONITORING REPORT (ACCEPT)

Chair Sessom mentioned that Regional Planning Committee Chair Jerry Jones was not able to be here. She asked Solana Beach Mayor Lesa Heebner (Regional Planning Committee member) to introduce this item.

Mayor Heebner stated that the Regional Planning Committee reviewed a draft of this report in August and released it for a 60-day public review and comment period. Details on the comments and responses are included in the staff report. We also received input from the planning directors through the Regional Planning Technical Working Group and the Regional Planning Stakeholders Working Group and their input has been incorporated as well. New indicators in this year's report include travel times and volume in key auto and transit corridors, habitat conserved in designated preserve areas, percent of preserve area maintained, and data on the share of new housing units by income category in relation to the Regional Housing Needs Assessment target. This report also provides comparisons to findings from the California Regional Progress Report, a brand-new statewide report on California regions produced by the California Center for Regional Leadership.

Councilmember Heebner continued by identifying areas in which we appear to be moving in the right direction and those areas in which we need additional improvement. On behalf of the Regional Planning Committee, she recommended that the Board accept this report.

Action: Upon a motion by First Vice Chair Pfeiler and second by Second Vice Chair Stocks, the SANDAG Board of Directors accepted the Regional Comprehensive Plan 2007 Annual Performance Monitoring Report. Yes – 18 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent – San Marcos.

12. REGIONAL HABITAT MANAGEMENT AND FIRE SAFETY (DISCUSSION/POSSIBLE ACTION)

Chair Sessom stated that this item was placed on the agenda in response to a letter request from Mayor Cafagna.

Mayor Cafagna said that the recent wildfires were very impactful to our region, and he believed it's time we take this issue to our environmental agencies for a study to allow us to improve our fire management zones and buffer areas, particularly in our eastern slopes. We have learned a lot from these experiences on how to help prevent damage or loss. We have discussed with environmental agencies about a 100-foot buffer. This buffer amount needs to be increased. We have a narrow window of opportunity. He feels this is a regional issue that can affect all of our cities. These fires will be seen again, and we need more prevention efforts to buffer and provide fire breaks. He thought it would be beneficial to have a united front working through the regional planning staff and with the environmental agencies on this issue.

Patti Brindle, Poway Planning Director, said that Poway has a limit of two acres to clear, and it is the only city that has that amount. We have been allowed to clear up to four acres if the habitat clearing is related to fire management requirements. In recent discussions with the environmental agencies, we asked them to extend our vegetation management in city-owned open space areas. From a regional standpoint, there is an opportunity to look at how to manage our habitat to reduce the fuel. We are looking for ways to simplify the process.

Mayor Heebner suggested that the California Coastal Commission be invited to participate in these discussions.

Supervisor Bill Horn (County of San Diego) commented that most of the fires come from state and federal lands. We need to sit down with Fish and Game and Fish and Wildlife to come up with controlled burns to delete underbrush for 3 miles to 5 miles to slow firestorms down in order to control them. He noted that if we do not use controlled burns on state and federal lands in San Diego County we will repeat these fires in future years.

Councilmember Madaffer thanked Mayor Cafagna for putting this issue before us. He acknowledged that brush management policies in this region have failed. The City of San Diego has established a fire committee with its first meeting slated for January 14, 2008, with Councilmember Brian Maienschein as chair. He invited someone from SANDAG to attend that first committee meeting.

Mayor Bud Lewis (Carlsbad) also thanked Mayor Cafagna for bringing this up. He mentioned that Carlsbad lost 45-60 homes. We are trying to have a larger buffer zone, and the wildlife agencies rejected that request. After the fires were over, these agencies said they would be willing to reopen these discussions. He suggested we pursue state or federal legislation to help with this issue.

Mayor Wood agreed with the comments made. These are state and federal lands. No one could handle 80 mph winds. Something has to be done on the state and federal lands. We need to clarify use of air assets, and some cities need to address some zoning issues (e.g., swimming pools having available water). All of our fire insurance premiums will increase. All of us are jeopardized by people building in fire zone areas.

Councilmember Monroe said that we need a bargaining chip for our discussions with wildlife agencies. He asked if the Master Agreement we have been working on with the wildlife agencies could be used as a mechanism to discuss this issue.

Mr. Gallegos responded that we can look at that as an opportunity. We had originally hoped to bring a Master Agreement to the Board by the end of this year. We have made progress on this agreement. Within that forum we are having discussions with Fish and Wildlife and Fish and Game. This might be an opportunity to discuss this issue with them. He thought it could be added to the conversation without slowing down the Environmental Mitigation Program implementation. As you move forward with the quality of life measure, some of this might fit well into that effort.

Mr. Gallegos added that the challenge from the wildlife agencies has been in giving us assurances for our projects, specifically mitigation Interstate 5 along the coast and State Route 76.

Second Vice Chair Stocks thanked Mayor Cafagna for bringing this item up. We have natural habitat surrounding our urbanized areas. He agreed this is an important conversation. For the 18 cities and the county individually go to the resource agencies to have the same basic conversation would not be productive, however, having a unified voice might result in a better outcome.

Supervisor Roberts agreed that this is an important issue. He commented that all the wildfires have not started in state and federal areas. However, they do consist of 51 percent of land in San Diego County. The federal government has decreased its fire protection in our area. The state and the military will investigate this. We have a minimum 100-foot clearance, and fire marshals can enforce that and fine people for private property. The County has strict zoning and building ordinances. The five newest communities within the County have been required to meet these ordinances, and they survived the fires. He agreed that SANDAG should take the lead in working with the resource agencies. He also agreed that controlled burns ought to be part of the program. He commended Mayor Cafagna for bringing this forward.

Chair Sessom mentioned that there was one request to speak.

Encinitas Councilmember Maggie Houlihan said she attended a workshop about this issue presented by the San Diego Natural History Museum. One speaker was an expert on chaparral and shrub management. A representative from the City of San Diego and the fire service presented this course. She learned more about wildfire management. They talked about how home construction can prevent houses from fire damage. Encinitas is looking to modify their building codes to help houses withstand fires. The presenters also talked about plants that are highly flammable. She was shocked to see how much detritus was around homes. There is a lot we can do to prevent the spread of fire. Encinitas will host this course in the future. She suggested that SANDAG would want to do this too. The Natural History Museum contact is Anne Fege at 858-472-1293 or afege@sdnhm.org.

Councilmember Crystal Crawford (Del Mar) supported the motion to address this issue on a regional basis. We are seeing the long-term risks to the long-term success of our habitat lands. One of our commitments through the habitat plans will be unsuccessful due to the wildfires. We should develop a plan for working with the Bureau of Land Management (BLM), State Forestry, and other land owners to have controlled burns or develop habitat plans.

Mayor Desmond agreed that we all have to be part of the solution. He asked if this is going to be a staff meeting, or if there would be a formal structure. Chair Sessom said this item would be referred to the Regional Planning Committee and it will discuss how to facilitate the discussions.

Councilmember Jerry Rindone (Metropolitan Transit System [MTS]) said that the easternmost development in Chula Vista is Del Lago. This development has high-end homes and the fires burned right up to those yards. Along with Chula Vista's zoning requirements, other factors such as a mandated wall, buffer, and a sprinkler system within the 100-foot buffer helped to prevent fire damage to those homes. He suggested that Board members tour this community to view these efforts.

Chair Sessom agreed that every city should take a tour of this area to see what they can do.

Mayor Cafagna suggested that the area's fire chiefs be included in these meetings. There is no place in East County to take a stand to fight a wildfire. Poway has made major changes to its building codes since the Cedar fire and the most recent wildfire. Most houses burned

from the inside out. We found houses where fires burned up to the house but not into the house. We ought to share that kind of information and make those kinds of changes. In our discussions with those resource agencies it might be helpful if we had a plan of building codes that would show resource agencies that we are acting as well. All houses in Poway over 3,500 square feet have sprinkler systems. However, some of them burned because the fire had access to the attics.

Action: Upon a motion by Second Vice Chair Stocks and second by Councilmember Madaffer, the SANDAG Board of Directors directed the Regional Planning Committee to facilitate discussions among key stakeholders on regional habitat management and fire safety; and return to the Board of Directors with any recommendations that would impact the SANDAG Budget or Overall Work Program. Yes – 19 (weighted vote, 100%). No – 0 (weighted vote, 0%). Abstain – 0 (0%). Absent - None.

13. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Government Code Section 54956.9(B): two cases

Chair Sessom convened the meeting into a closed session at 10:23 a.m. and reconvened into open session at 10:50 a.m.

Julie Wiley, General Counsel, reported the following out of closed session: the Board met in closed session and no final actions were taken that requires reporting out under the Brown Act.

14. UPCOMING MEETINGS

The next Board Policy meeting is scheduled for Friday, January 11, 2008, at 10 a.m. The next Board Business meeting of the SANDAG Board of Directors is scheduled for Friday, January 25, 2008, at 9 a.m.

15. ADJOURNMENT

The meeting was adjourned at 10:53 a.m.

DGunn/M/DGU

ATTENDANCE SANDAG BOARD OF DIRECTORS' MEETING DECEMBER 21, 2007

JURISDICTION/ ORGANIZATION	NAME	ATTENDING
City of Carlsbad	Bud Lewis (Alternate)	Yes
City of Chula Vista	Cheryl Cox (Member)	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	Jerome Stocks, 2nd Vice Chair (Member)	Yes
City of Escondido	Lori Holt Pfeiler, 1st Vice Chair (Member)	Yes
City of Imperial Beach	Jim Janney (Member)	Yes
City of La Mesa	Art Madrid (Member)	Yes
City of Lemon Grove	Mary Sessom, Chair (Member)	Yes
City of National City	Ron Morrison (Member)	Yes
City of Oceanside	James Wood (Member)	Yes
City of Poway	Mickey Cafagna (Member)	Yes
City of San Diego – A	Jim Madaffer (1st Alternate)	Yes
City of San Diego - B	Toni Atkins (Member B)	No
City of San Marcos	Jim Desmond (Member)	Yes
City of Santee	Jack Dale (Member)	Yes
City of Solana Beach	Lesa Heebner (Member)	Yes
City of Vista	Judy Ritter (Member)	Yes
County of San Diego - A	Ron Roberts (Member A)	Yes
County of San Diego - B	Bill Horn (Member B)	Yes
Caltrans	Pedro Orso-Delgado (Alternate)	Yes
MTS	Jerry Rindone (1st Alternate)	Yes
NCTD	Ed Gallo (Member)	Yes
Imperial County	Victor Carrillo (Member)	Yes
US Dept. of Defense	CAPT Steve Wirshing (Member)	Yes
SD Unified Port District	Sylvia Rios (Member)	Yes
SD County Water Authority	Marilyn Dailey (Member)	No
Baja California/Mexico	Lydia Antonio (Alternate)	Yes
Southern California Tribal Chairmen's Association	Robert H. Smith (Member)	No