EXECUTIVE COMMITTEE

November 9, 2007

Action Requested: APPROVE

EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS
OCTOBER 12, 2007

Chair Mary Sessom (East County) called the Executive Committee meeting to order at 9:04 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MINUTES

Upon a motion by First Vice Chair Lori Holt Pfeiler (North County Inland) and a second by Second Vice Chair Jerome Stocks (North County Coastal), the minutes of the September 14, 2007, Executive Committee meeting were unanimously approved.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

There were no public comments, communications, or member comments at this time.

REPORTS (3 through 7)

3. PROPOSED AMENDMENT TO BOARD POLICY NO. 031: ACCOMMODATING BICYCLISTS AND PEDESTRIANS UNDER THE TransNet EXTENSION ORDINANCE (RECOMMEND)

Stephan Vance, Senior Planner, reported that there was a provision in the TransNet Ordinance, Section 4(E)(3), that indicates all new projects or major reconstruction projects funded under the Ordinance must accommodate travel by bicycles and pedestrians to the extent it is reasonable to do so, and that facilities must be designed to the best available guidelines. What is before you today are the implementation procedures and policies for this section. This provision was included in the Ordinance in response to the 2030 Regional Transportation Plan (RTP), which required SANDAG to develop guidelines to ensure our transportation projects preserve or enhance bicycle and pedestrian mobility. The time to do that is when you are first developing projects or when major reconstruction is taking place. In developing these guidelines we tried as much as possible to use existing design standards and best practices in the region, and to work this into existing administrative procedures and processes to ensure implementation of these guidelines.

Mr. Vance stated that the guidelines provide clarification on three aspects of the Ordinance: what constitutes adequate accommodation, when will the cost be too high, and what do we mean by best available standards? An adequate design standard for bicycle facilities is available in Chapter 1000 of the California Highway Design Manual; this is recognized as an industry standard, and the design of bicycle facilities under the TransNet program should
conform to this document. Mr. Vance continued by stating that the definition of adequate accommodation is a little more difficult to define, as it depends on the context and facility type. Attachment 1 is a draft matrix that addresses various kinds of context/facility types and appropriate accompanying bicycle/pedestrian measures.

Mr. Vance stated that to address the question of when the cost would be disproportionately high, the proposed policy does not specify a minimum percentage. Instead it assumes that the facilities identified in the matrix are a baseline and would occur in every project except where a study shows that the cost is too high. Then it would become a policy decision for a local agency and SANDAG to address. Current TransNet requirements already require local agencies to conduct a public hearing on all projects included in the TransNet Program of Projects in order to give the public an opportunity to provide comments. This policy would require the local agency to specify in that same public hearing notice that a project will not provide the kinds of accommodations that the guidelines would anticipate. At the same time, the agency would be required to notify SANDAG of these projects, and we would provide that list to our Bicycle/Pedestrian Working Group and to the Independent Taxpayers Oversight Committee (ITOC) for comment. Those comments would go to the Transportation Committee to make the determination if the recommendation from the agency was reasonable given the costs and the probable use of the bicycle/pedestrian facility. If the Transportation Committee did not agree, that project would not be eligible for TransNet funding, but could be funded by other local revenues.

Mr. Vance said that in developing these guidelines we worked extensively with our advisory working groups, the Cities/County Transportation Advisory Committee (CTAC), ITOC, and the Transportation Committee. He highlighted several issues worked through and the compromises made, including the distinction between urban and rural settings. The guidelines make the distinction that there are places located in the urbanized area but are rural in character. The County of San Diego was particularly concerned about this issue. We added a footnote to the matrix regarding flexibility to accommodate this concern. Another issue was the question of which maintenance activities would trigger this accommodation provision. As a compromise, this policy exempts projects that do not have drainage improvements. From stakeholders, the push was to ensure that we have the best possible facilities for bicycles and pedestrians. The compromise was for them to accept these provisions as the minimum standard in most cases.

Councilmember Matt Hall (North County Coastal) asked for more clarity related to the one-inch overlay street projects. Mr. Vance responded that if you had a street project with no curb, gutter, or drainage facilities, you would not be required to provide sidewalks.

Second Vice Chair Stocks commented that when this policy was first proposed, any change would trigger the accommodations; however, there are physical constraints that make accommodation in certain cases infeasible. Encinitas staff worked with SANDAG staff, and they are now comfortable with the new wording and the ability to come back to the SANDAG Transportation Committee to explain when a project is infeasible for accommodation.

Gary Gallegos, Executive Director, clarified that it would take Transportation Committee action and public input for any exemption to the guidelines.
Second Vice Chair Stocks said the policy allows for the “reasonable man” theory to take hold.

Supervisor Ron Roberts (County of San Diego) said he still has some concerns about this in terms of its application and the process to obtain relief.

Chair Sessom noted that we heard from staff that there is some flexibility before you need to bring a project to SANDAG for an exemption.

Mr. Gallegos said that as a discipline, you are reviewing Board policies on an annual basis. If you found this policy to be extremely onerous and not workable, you can come back and make changes to it as needed.

Mr. Vance agreed that there were concerns expressed about how this was going to work in practice, so we added a provision to come back and review this policy in three years.

Supervisor Roberts thought there should be some guidelines in the interim. If you are going to do minimal maintenance of a road and costs increase by a certain percentage, we could use that percentage as a trigger. He didn’t question the need for bike paths, but he also didn’t want to discourage the proper maintenance of roads.

Mr. Gallegos said that if you think we should have a percentage trigger, we could go back through the local public works directors on CTAC to make that determination. Supervisor Roberts agreed he would like the recommendation to include that suggestion.

Mayor Ron Morrison (South County) asked for a clarification on whether the policy would require a consideration for reducing the number of motor vehicle lanes to accommodate bicycles. Mr. Vance replied that this language was included because we have streets in the region where the travel lanes are wider than necessary. The policy doesn’t require right-of-way acquisition for bike lanes; it just encourages local agencies to consider this accommodation if feasible.

Mayor Morrison asked for clarification of the process for the TransNet funds if a street doesn’t fit the criteria. Mr. Vance replied that if an accommodation is not feasible, you would notify SANDAG of that fact. As we take the project through the review process, we would pass that information along, and it would be included for consideration by the Transportation Committee.

Mayor Cheryl Cox (South County) expressed concern that since this is included in Board Policy it appears to be more of a requirement rather than a suggestion. If a community wants to use SANDAG money for road resurfacing, is it an easy procedure to say we’ve considered your suggestions and they don’t work for us, please let us move forward? Our intent is to improve traffic safety and bicycle safety. Mr. Vance clarified that the guidelines are intended as recommendations in order to meet the TransNet Ordinance requirements. What we are trying to encourage is accommodation where feasible and practical, and when there is an issue, we should take a little time to determine how best to balance the needs of a particular street. He thought that the number of unresolved issues would be limited.
Mayor Cox expressed continued concern about the exemption process.

Chair Sessom noted that this item is not ready for action at this point. She asked staff to consider the Executive Committee’s comments as direction and bring this matter back to the Committee.

Supervisor Roberts asked that the language be changed to encourage rather than require local agencies to follow this policy.

Mr. Gallegos said the issue here is complying with the TransNet Ordinance. He read the Ordinance language, which indicates that “All new projects, or major reconstruction projects, funded by revenues provided under this Ordinance shall accommodate travel by pedestrians and bicyclists, ...except where pedestrians and bicyclists are prohibited by law from using a given facility or where the cost of including bikeways and walkways would be excessively disproportionate to the need or probable use.”

Supervisor Roberts said that this policy doesn’t comply with that language.

Chair Sessom said we should bring this item back. Staff has a sense of what our concerns are, and we should get together with our public works staff to discuss this further.

Second Vice Chair Stocks said that what we need to focus on is identifying a reasonable process for exceptions.

Supervisor Roberts asked if there a clause that relates to traffic volume.

Second Vice Chair Stocks referred to the Ordinance language related to traffic volume. He agreed that we need greater clarity on the process.

**Action:** This item was referred back to staff for additional work including revisions to the language to address the Committee’s concerns regarding the exemption process and identifying thresholds for when bicycle/pedestrian accommodation would be required. Staff also was directed to work with CTAC regarding the new revisions.

4. **PROPOSED AMENDMENT TO THE FY 2008 PROGRAM BUDGET: DEL MAR FAIRGROUNDS RAIL STATION (DISCUSSION)**

Linda Culp, Senior Planner, reported that as part of the Committee’s discussion during the draft FY 2008 Budget, staff was asked about the possibility of studying a permanent seasonal rail station at the Del Mar Fairgrounds. This idea is not new and she reviewed past efforts. This year, SANDAG plans to start a study replacing the single track structure at the San Dieguito Lagoon with a double track structure. This will provide us with an opportunity to study a permanent, seasonal platform at that location. We believe an additional $75,000 would be needed to supplement the bridge project budget to study this platform. Attachment 1 to the agenda report shows the project along the lagoon as well as a temporary platform that is currently under study by NCTD. The temporary platform could be in place by next summer. The reason behind this temporary location is that this is currently a
double track siding area. NCTD, the City of Del Mar, and the Agricultural District have been meeting on this temporary rail platform project. This agenda item focuses on the more permanent, seasonal platform at the bridge location. Staff is asking for direction on whether to proceed as proposed. We will identify funding and report back next month for action.

Second Vice Chair Stocks asked that the future agenda report show the geographic location of the double tracking, and identify the possible funding resources that the Agricultural District is offering. Ms. Culp agreed that one of the follow-up actions will be to clarify that financial interest.

Councilmember Hall commented that any relief in this area would be highly appreciated.

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

Solana Beach Mayor Lesa Heebner said she was confused that this study might be redundant if the Agricultural District is already putting money toward a study of a temporary platform. She wondered why we need $75,000 for a study that is already being done at a different location that can be opened next year. Ms. Culp replied that a temporary platform is not meant to be a permanent structure. We are talking about a more permanent yet seasonal solution.

Mr. Gallegos said that the temporary structure puts you on the opposite side of the river from where the fairgrounds are located. While we are figuring out how to widen the bridge and extend the double tracking north of there, we can add a portion to that study to see whether you could accommodate a seasonal platform on the other side of the river to drop patrons directly at the fairgrounds. One of the issues with the temporary platform for next season is that you’ll have to figure out how to get patrons to the fairgrounds.

Mayor Heebner said it was her understanding that there would be a shuttle service moving those people, and this platform would be for the COASTER only, not Amtrak. She asked if Amtrak is being consulted and have agreed to the fact that they will be stopping just three miles before this stop. Mr. Gallegos said that the seasonal platform would not be an Amtrak stop. Ms. Culp said that in the past Amtrak has been supportive of this idea, but we will clarify that with Amtrak.

Rick Howard, NCTD, stated that Amtrak has been involved in discussions about this proposed platform. We have been working with Amtrak to get them to stop there as well. It doesn’t make sense to have a temporary platform and not use it.

Second Vice Chair Stocks said those are operational issues. The item before the Committee is related to whether to identify funding for this study.

Mayor Heebner stated that the operational issues are relevant.

Chair Sessom said that the operational issues will have to come back if we proceed with this permanent seasonal platform.
Action: Upon a motion by Second Vice Chair Stocks, and a second by Mayor Morrison, the Executive Committee directed to staff to proceed to seek funding for an amendment to the San Dieguito Bridge Replacement and Second Main Track in the FY 2008 Budget for conceptual design, identification of environmental issues, and a capital cost estimate for a permanent seasonal rail platform at the Del Mar Fairgrounds.

5. FY 2007 YEAR-END PROGRESS REPORT ON THE OVERALL WORK PROGRAM (INFORMATION)

Tim Watson, Budget Manager, provided highlights of the FY 2007 year-end progress report. The FY 2007 Overall Work Program (OWP) as amended totaled $47.7 million. Of that, $9.7 million is being carried over into the FY 2008 Budget; this funding predominantly relates to multi-year projects with dedicated funding. There is a $700,000 year-end savings that was added to the $3.1 million already set aside for the Contingency Reserve. At the end of FY 2007, the Contingency Reserve totaled $5.4 million or 11 percent of the OWP, which exceeds the 5 percent goal. He reviewed accomplishments related to the agency’s strategic goals, unplanned accomplishments, and projects to be carried over into FY 2008. He noted that this is the first time this comprehensive budget report has been presented.

Committee members complimented Mr. Watson on this report.

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

Clive Richard, a member of the public, asked about the timing of implementation of the Compass Card. Jack Boda, Director of Mobility Management and Project Implementation, responded that within the next couple of weeks we will have 2,500 volunteers testing the Compass Card system. During this past summer, SANDAG employees also have been testing this program. Early next year we will phase-in certain groups to expand Compass Card use.

Action: This item was presented for information only.

7. REVIEW OF OCTOBER 26, 2007, DRAFT BOARD AGENDA (APPROVE)

Diane Eidam, Chief Deputy Executive Director, reviewed this draft agenda. She suggested moving Item No. 14, Presentation on Construction Aggregate Resources, up to before the Regional Transportation Plan (RTP) discussion to accommodate this presentation as it was carried over from the last Board meeting. For Item No. 13A, Summary of RTP Public Comments, the responses to the RTP Environmental Impact Report (EIR) will not be ready for this meeting, and will be brought back at the time the RTP EIR is presented for adoption. Item No. 13B, consists of proposed modifications to the RTP. Pursuant to today’s action by the Executive Committee, the item related to Board Policy No. 31 (Item No. 15) will be withdrawn from this agenda and brought back to the Executive Committee in the future. Item No. 16 is a Regional Comprehensive Planning 2007 performance monitoring report. Item No. 17 is a recommendation from the Transportation Committee for Board approval of an amendment to the FY 2008 Budget and OWP to accept up $1 million in state planning funds to complete the Interstate 805 Corridor System Management Plan.
Action: Upon a motion by Mayor Morrison and second by Second Vice Chair Stocks, the Executive Committee voted to approve the agenda for the SANDAG Board of Directors meeting on Friday, October 26, 2007, as amended.

6. FEDERAL LEGISLATIVE STATUS REPORT (INFORMATION)

Victoria Stackwick, Associate Legislative Analyst, reported that the U.S. House of Representatives and the Senate passed the FY 2008 Appropriations bills. Included on Table 2 of the agenda report is a list of the regional projects that were included in the pending Transportation Appropriations bills. This is the lowest amount ($3.7 million) of discretionary funding the region has received in several years. In contrast, the SANDAG request list included $186 million in projects. Given this tight funding scenario, it will be more important for the region to prioritize projects. The Senate has appointed conference committee members, and Senator Dianne Feinstein is one of those appointees. The House has not yet appointed its conference committee members. President Bush has threatened to veto the Appropriations bills because they exceed his budget request. It is unclear when the bills will move, and it is anticipated that there will be an omnibus bill before Christmas.

Ms. Stackwick stated that there are several SAFETEA-LU technical corrections noted on page 3 of the agenda report. These corrections have passed the House, but there has been no movement in the Senate. There is a projected shortfall of $5 billion in the Highway Trust Fund in FY 2009. In order to address this deficit, the Senate has added $5 billion in the Federal Aviation Administration (FAA) reauthorization bill to replenish the Highway Trust Fund for previous nontransportation expenditures. The monies will be restored through $3.4 billion to the Highway Trust Fund, and $1.6 billion made up of technical corrections to the bill which would be offset by an increase in the tax on oil spills from 5 cents to 10 cents per barrel through 2017. The President has threatened to veto the FAA bill, but this is considered a “must-pass” bill. It is hoped that the needed provisions will be included.

Action: This item was presented for information only.

8. UPCOMING MEETINGS

The next meeting of the Executive Committee is scheduled for Friday, November 9, 2007, at 9 a.m.

Chair Sessom noted that the Board meeting date of November 30, which is the fifth Friday of the month, to accommodate the Thanksgiving holiday.

9. ADJOURNMENT

Chair Sessom adjourned the meeting at 9:56 a.m.

Attachment: Attendance Sheet
## CONFIRMED ATTENDANCE
### SANDAG EXECUTIVE COMMITTEE MEETING
### OCTOBER 12, 2007

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